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LAWYERS JOURNAL

THE FLAGSHIP PUBLICATION OF THE ALLEGHENY COUNTY BAR ASSOCIATION

PRACTICE AREA PROFILE: **FAMILY LAW**

Bankruptcy Symposium returns Dec. 4 downtown for 39th year

By ACBA Staff

The 39th Annual Western District of Pennsylvania Bankruptcy Symposium, hosted by the Allegheny County Bar Association's Bankruptcy and Commercial Law Section, will be held Friday, Dec. 4, at the Westin Pittsburgh.

Recognized as the region's leading event for bankruptcy professionals, the symposium offers a full day of educational programming, networking, and thought-provoking presentations. Attendees can earn up to six CLE credits.

This year's program planner is Maribeth Thomas.

The programming is as follows:

7:30 a.m. – **Registration and continental breakfast**

8:30 - 9 a.m. – **Opening remarks**

9 - 10 a.m. – *Plenary Session One*

The Road Ahead: Economic Forces Shaping the Next Wave of Bankruptcy

1 substantive credit

What do today's economic indicators tell us about tomorrow's bankruptcy landscape? This program will examine the interconnected economic forces driving financial distress and shaping bankruptcy filings. The keynote speaker, William Rule, will discuss current bankruptcy filing trends and how they stand in a historical context. He also will explore the consumer credit environment, including household debt and delinquency pressures. The discussion will examine labor market conditions, capital markets, interest rates, and inflation – and how each affects consumers, businesses, and access to credit; the retirement savings crisis, including the growing financial vulnerability of older Americans and the role of bankruptcy among the elderly; and the distribution of wealth and its implications for financial resilience, economic inequality and the ability to withstand financial shocks. Bringing these trends together, the program will conclude with an outlook for bankruptcy filings and the economic indicators to watch in the months and years ahead.

Speaker: William T. Rule, Administrative Office of the United States Courts

10:15 - 11:15 a.m. – *Plenary Session Two*

When Bankruptcy Becomes Evidence: Disclosure, Privilege and the Fifth Amendment

1 substantive credit

What happens when the disclosures required by bankruptcy become evidence in another proceeding? Many times, a bankruptcy filing may require a debtor to reveal information that could have serious consequences beyond the bankruptcy case. This plenary session will examine the difficult – and often overlooked – intersection of bankruptcy, criminal exposure, attorney-client privilege, perjury and the Fifth Amendment.

Topics considered will include: When does the attorney-client privilege attach? When is it waived? Can a bankruptcy petition become an admission? Are statements to bankruptcy counsel admissible in other proceedings? When should criminal counsel become involved? What role does the Fifth Amendment play? And how should potential criminal exposure affect the decision to file bankruptcy in the first place?



Attendees listened in during a session at last year's Bankruptcy Symposium.

The program will also explore corporate debtors, the role of Chapter 7 trustees, discharge considerations, adversary proceedings to determine the dischargeability of debt, and other considerations.

Speakers: Hon. Carlota M. Böhm, United States Bankruptcy Court for the Western District of Pennsylvania; Retired Hon. Anthony M. Mariani, Phil DiLucente and Associates, LLC; Michael A. Comber, Comber Miller, LLC; and Andrew K. Pratt, Calaiaro Valencik

Moderator: Donald R. Calaiaro, Calaiaro Valencik

11:30 a.m. - 12:30 p.m. – *Plenary Session Three*

Reflections from the Bench: A Fireside Chat with Judge Böhm

1 substantive credit

Join an intimate and insightful discussion honoring Judge Carlota Böhm as she approaches her retirement and reflects on her distinguished career in the United States Bankruptcy Court for the Western District of Pennsylvania. Moderated by fellow Bankruptcy Judge Gregory Taddonio, this unique conversation brings together two of the four judges currently serving on the Western District of Pennsylvania Bankruptcy Court, offering attendees the rare opportunity to hear directly from half of the bench.

Judge Böhm will share the stories and perspectives behind significant rulings, reflect on the cases and experiences that have shaped her judicial philosophy and discuss the evolution of bankruptcy practice and jurisprudence during her time on the bench. Through a candid conversation between colleagues, Judges Böhm and Taddonio will explore changes in the legal landscape, lessons learned from the bench, and the relationship between practitioners and the judiciary. Looking both backward and forward,

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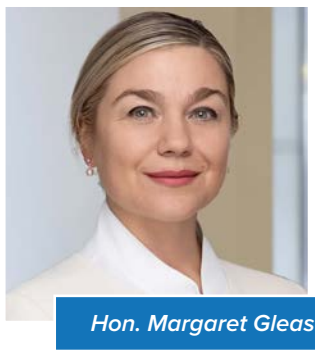
Margaret Gleason appointed U.S. Magistrate Judge for the Western District of Pennsylvania

By ACBA Staff

Margaret C. "Meg" Gleason, a partner at Jones Day in Pittsburgh, has been appointed a U.S. Magistrate Judge for the U.S. District Court for the Western District of Pennsylvania. She began her new position Nov. 9, succeeding Judge Maureen P. Kelly, who retired.

Gleason has practiced at Jones Day's Pittsburgh office for more than 19 years, building an extensive practice focused on complex civil litigation. Her experience includes business disputes, breach of contract claims, business torts, trade secrets, securities litigation and class actions. She has served as trial counsel in federal and state courts and in arbitration proceedings.

Among her notable accomplishments, Gleason was part of a trial team that secured a $125.7 million verdict in a post-closing adjustment dispute following a three-month trial.



Hon. Margaret Gleason

She has also maintained an active pro bono practice representing individuals in need of legal assistance. Her pro bono work includes serving as lead trial counsel in a successful federal case brought under the Hague Convention on the Civil Aspects of International Child Abduction.

In addition to her litigation practice, Gleason has served as hiring partner for Jones Day's Pittsburgh office.

"This is a proud moment for Jones Day and especially for our Pittsburgh office, which is sending one of its own to the federal bench," said Becky Kcehowski, Partner-in-Charge of Jones Day's Pittsburgh Office. "Meg has been an exceptional trial lawyer, a dedicated pro bono advocate, and a mentor to many of our lawyers. Her judgment, fairness, and deep commitment to the Western District of Pennsylvania will serve the Court and the community well. We congratulate her and will miss her greatly."

Gleason has a long history of involvement with the federal judiciary and Pittsburgh's legal community. She most recently served as the court-appointed Chair of the Local Rules Lawyers Advisory Committee for the Western District of Pennsylvania. She

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WILLS FOR HEROES

The YLD Public Service Committee held its latest Wills for Heroes program last month in the Koppers Building. Volunteers prepared basic estate planning documents including wills, durable financial powers of attorney, and healthcare powers of attorney for members of the Pittsburgh Bureau of Police.

This Wills for Heroes event was sponsored by Pittsburgh Paralegal Association.

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400 Koppers Building
436 Seventh Avenue
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ACBA.org

Advertising Inquiries:
412-402-6620
bknavish@acba.org

Address Changes:
412-402-6612
bbrumbaugh@acba.org

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Editor-in-Chief: Daniel A. Seibel, Esq.
Supervising Editor: Thomas C. Petropoulos
Editor: Jennifer A. Pulice, Esq.
Graphic Artist Supervisor: Jessica Wysocki Valesky
Editor/Graphic Artist: Daniel Priore
Proofreader: Sharon Antill

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OPINIONS

ACBA.org/Opinions

The *Pittsburgh Legal Journal Opinions* offers ACBA members timely, full-text opinions from various divisions of the Court of Common Pleas.

Keyword(s) in latest edition:

Conservatorship Act, Inter-Family Dispute

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FAMILY LAW CHAIR'S MESSAGE

A message from the ACBA Family Law Section Chair



By Jessica Crown

Welcome to this special Family Law edition of the *Lawyers Journal.* This edition provides an opportunity to highlight the many issues, developments and challenges facing family law practitioners, while showcasing the knowledge and experience of our colleagues who practice in this important area of law.

Family law is a unique and often challenging area of practice. The issues we handle are deeply personal, and the decisions made in our cases can have lasting effects on individuals and families. Whether addressing divorce, custody, support or other family-related matters, we are often helping clients navigate some of the most difficult periods of their lives. Our work requires not only a thorough understanding of the law but also patience, compassion and professionalism.

Although this edition is focused on family law, one of the biggest challenges that we face as practitioners is that our cases can touch on so many other areas of the law. We have tax issues, title issues, foreclosures, and estate planning concerns, just to name a few. We have to be able to spot these issues and either design a litigation strategy or structure a settlement that can resolve them as well.

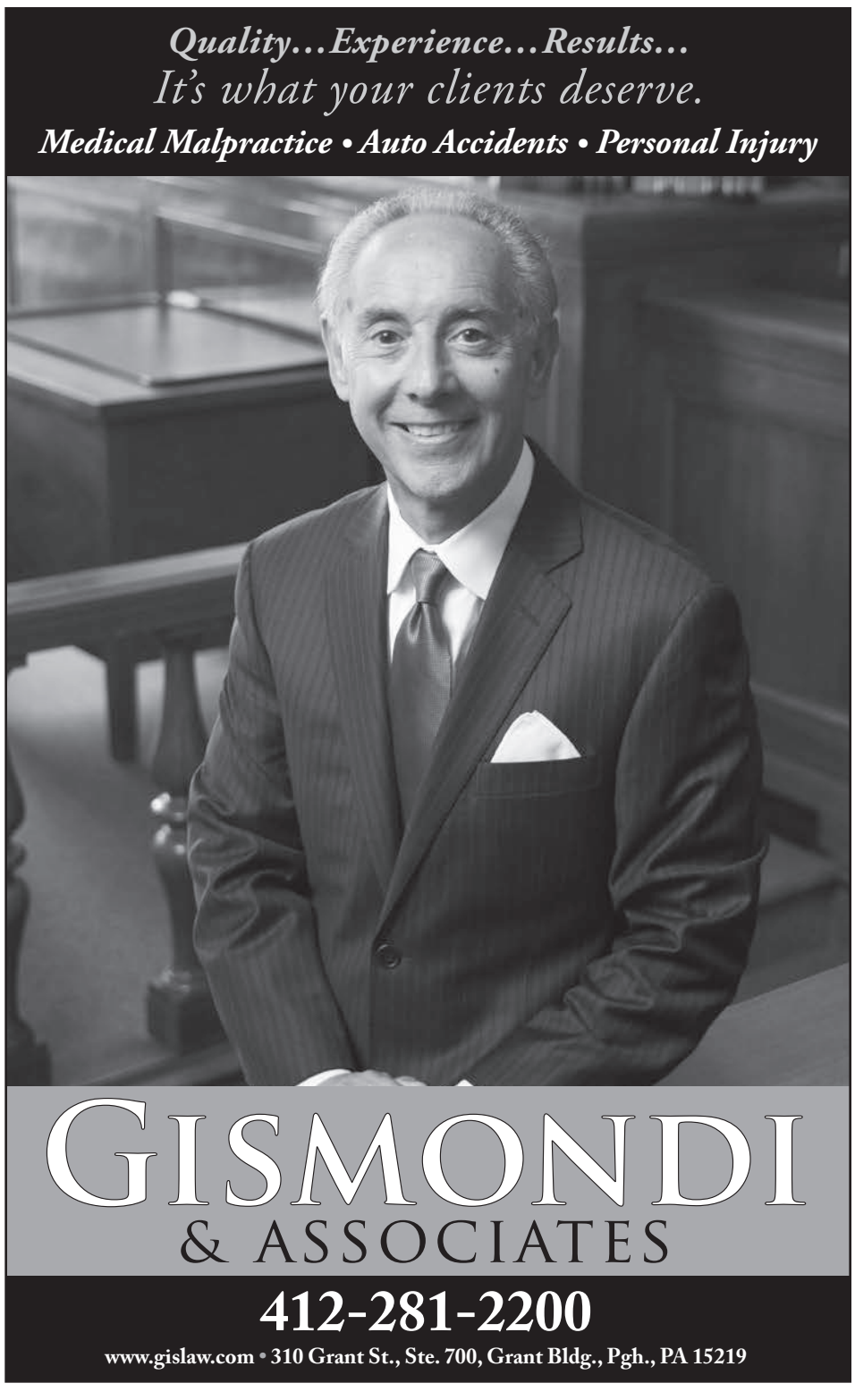
One of the greatest benefits of practicing family law in Allegheny County is the strong community of attorneys, judges and other professionals who are willing to share their knowledge and experiences. The ACBA Family Law Section plays an important role in fostering those relationships through educational programming, networking opportunities and ongoing communication among members of the family law community. We also benefit from our friends and colleagues in the ACBA who practice in other areas and are willing to answer our questions and help our clients navigate through the pitfalls of their cases.

As Section Chair, I encourage all family law practitioners, whether new to the profession or experienced attorneys, to become involved in the Section. Our meetings, CLE programs and events provide valuable opportunities to stay informed about developments in family law, exchange ideas and build relationships with colleagues. We are an extremely active section and your participation and perspectives help make your Section stronger.

With the holiday season approaching, I also hope you will join us for our upcoming Family Law Section holiday party on Dec. 8. This annual gathering is a wonderful opportunity to step away from our busy practices, reconnect with colleagues and enjoy some time together outside the courtroom. I encourage everyone to attend, particularly those who may not have participated in Section events in the past.

Finally, I would like to thank the attorneys who contributed articles to this special edition. I hope you find the articles informative, engaging and useful in your practice. I appreciate everyone who donates their time and effort to making the Family Law Section more well-informed. ■







The 6 C's of effective co-parenting communication





By Elle Barr and
Dr. Deborah Gilman

What family law attorney hasn't seen it? A simple question about a schedule change turns into a multi-page exchange complete with screenshots, timestamps, accusations and a detailed history of everything the other parent has supposedly done wrong. It happens all the time.

When emotions are high and trust is low, parents often hear more than what is actually being said. A short response can feel dismissive. A question can sound like an accusation. A request for a schedule change can become evidence of a larger grievance. Past resentment has a way of finding its way into even the most ordinary parenting conversation.

Across both legal and clinical practice, the same pattern emerges: The issue itself is often less problematic than how parents communicate about it. When communication becomes accusatory, defensive, lengthy or focused on proving who is right, a manageable parenting issue can quickly escalate and ultimately affect the child.

Family law attorneys cannot make their clients trust each other, forgive each other or suddenly become cooperative co-parents. What we can do is give them practical tools for handling the inevitable disagreements that come with raising children in two households.

One tool is the 6 C's of effective co-parenting communication: Calm, Concise, Clear, Child-Focused, Constructive and Courteous.

The 6 C's to share with your clients:

1. Calm: Respond, don't react

One of the simplest but sometimes hardest pieces of advice is to slow down. Clients often feel they need to respond immediately, particularly when they receive a message that makes them angry or defensive. But there is rarely a benefit to responding while emotions are at their highest.

Dr. Gilman explains, "Regulation comes before communication. When a parent is emotionally activated, the goal is not to craft the perfect response; it's to avoid sending a message from the most reactive version of yourself. Calm communication protects the conversation from becoming bigger than the problem."

Pausing does not mean giving in or agreeing. It gives the parent an opportunity to decide how to respond rather than simply reacting to how they feel in that moment.

2. Concise: Communicate only what is necessary

More words often create more opportunities for conflict. A question about a child's soccer pickup can quickly become an argument about a missed birthday party three years ago. Encourage clients to answer the question in front of them.

As Dr. Gilman notes, "More words often create more places for conflict to attach. Say what the other parent needs to know, answer the question in front of you, and resist the urge to litigate the history of the relationship in every message." Concise communication is not cold communication. It is disciplined communication.

3. Clear: Say what you mean

Vague language creates space for misunderstanding. Statements such as "I'll get her later" or "I'll let you know" may seem harmless but can create confusion. Clarity is particularly important when communicating about court-ordered schedules, exchanges, appointments, school events or travel. Encourage clients to use specific dates, times, locations and requests whenever possible.

4. Child-focused: Keep the child at the center

Co-parenting communication can easily become about the adults rather than the child. A useful question for clients is: "What does my child need from me right now?" Parents should avoid using communication to criticize the other parent, recruit the child into adult disputes or make the child responsible for communicating between households.

Being child-focused does not mean ignoring inappropriate conduct or abandoning legitimate boundaries. It means keeping the child's stability, safety and well-being at the center of decisions and communication.

5. Constructive: Focus on solutions

Schedules change, children get sick, activities run late and sometimes plans just fall apart. The question is not whether problems will occur, but what happens next.

As Dr. Gilman explains, "Healthy co-parenting communication is not about determining who is right; it is about determining what happens next." Encourage clients to target the problem rather than the person.

Instead of: "You are always making things difficult."

Consider: "The 5 p.m. exchange will not work today because the game ends at 5:30 p.m. Can we move the exchange to 6 p.m.?"

The second message does not eliminate the disagreement. It moves the conversation toward a solution.

6. Courteous: Be respectful

Courtesy can be difficult when a client feels hurt, angry or mistreated by the other parent. But courtesy does not require agreement or

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Grandparent custody standing is narrower than most practitioners may realize



By Jessie D. Rawlings

The window for Pennsylvania grandparents to exercise custody standing is smaller than the case law from a decade ago suggests, and a Superior Court decision from this August makes that point plainly. Practitioners still calibrating advice without considering this new opinion may be leading their clients down a dead-end road.

The Child Custody Act starts from a strong presumption against third-party intrusion. A fit parent's objection generally ends the inquiry, and grandparents get only narrow statutory exceptions under 23 Pa.C.S. Sections 5324 and 5325. Those exceptions have tightened steadily since 2016, when the Pennsylvania Supreme Court in D.P. v. G.J.P., 146 A.3d 204, struck down the provision granting grandparent standing based solely on a six-month parental separation. A bright-line trigger untethered to the child's welfare, the Court held, infringes a fit parent's constitutional right to raise a child free of third-party interference.

The General Assembly rewrote Section 5325(2) in 2018 in response. Grandparents can now seek partial or supervised custody only where the relationship with the child began by parental consent or court order and where the parents have commenced a custody proceeding and disagree about grandparent involvement. That second requirement gets treated as boilerplate by too many practitioners when it should not be.

Raymond v. Raymond, 279 A.3d 620 (Pa. Super. 2022), then set the interpretive tone for what came next. That case involved a different standing provision, Section 5324(4), which requires that neither parent retain any form of care and control of the child. A trial court had credited a deceased adoptive father's earlier guardianship designation as ongoing care and control. The Superior Court rejected that reading outright, holding that the statute is written in the present tense and present tense means present tense. Whatever a parent arranged before death does not survive as a form of current control.

Yeager v. Lucchino, 2026 Pa. Super. 182, filed Aug. 12, 2026, takes that same present-tense discipline and applies it directly to Section 5325(2). Grandparents relying on an old relationship should take notice. The grandmother in Yeager had a real, court-recognized relationship with her grandchild, built through a 2016 custody filing and a subsequent PFA order that included custody terms. Both proceedings had long since ended: the custody complaint was withdrawn in 2016 and the PFA expired in 2019. When the child's mother cut off contact years later, the grandmother filed for partial custody and lost on preliminary objections. The Superior Court agreed with the Allegheny trial court that Section 5325(2)(i)'s phrase "have commenced a proceeding for custody" requires a proceeding that is pending now, not one that existed at some earlier point. A withdrawn complaint or an expired PFA does not keep the door open, no matter how long the grandparent's actual relationship with the child continued afterward.

Section 5324(4) remains a separate, narrower path worth checking before writing off a grandparent's case entirely. Any individual, not limited to grandparents, who establishes by clear and convincing evidence an assumed responsibility for the child, a sustained and substantial interest in the child's welfare and the absence of any parent with current care and control can still seek standing under that provision. Raymond shows the courts will read "current" there just as strictly. But for a grandparent shut out under Section 5325(2), it is the next question to ask, not an afterthought.

These three decisions show that Pennsylvania courts are reading grandparent standing provisions with strict textual discipline, present tense included, rather than weighing the equities of an ongoing relationship. That protects the constitutional interest the doctrine is built to protect. It also means a grandparent with a decade-long relationship to a grandchild can be entirely out of recourse with the court the moment the parents' underlying case ends, whether by settlement, withdrawal or the simple passage of time.

For practitioners advising grandparent clients, the filing itself is the leverage point. For Section 5325(2) standing, intervention needs to happen while the parents' proceeding is still open, not after a falling out prompts a filing years down the road. For practitioners on the other side, representing a parent who wants a grandparent out of a custody case, Yeager hands a clean, well-supported argument for preliminary objections whenever the underlying parental action has already run its course, regardless of how sympathetic or long-standing the grandparent relationship looks on paper.

Older instincts about grandparent rights, formed before 2018, are no longer reliable. Yeager confirms the courts have no intention of extending

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Thank You.

Effective November 30, I am ending my professional chapter.

I am deeply grateful to: the lawyers who entrusted me with their clients' disputes; the judges who put their confidence in me; the mediators who have become trusted confidants and friends; and, of course, my family who supported me at every step.

It has been the privilege and honor of my career to work with you — the Pittsburgh legal community.

I wish you good health and fulfillment.

With a full heart,
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“Why doesn’t the court care about how they abused me?” *Coercive control and what comes next for Pennsylvania*



By Liberty J. Weyandt

“Why doesn’t the court care about how they abused me?”

It’s a question that often comes after a client has spent an hour describing years of abuse; not necessarily physical violence, but financial control, isolation from family and friends, monitoring of communications, threats, restricted access to money or repeated use of legal proceedings as a means of control.

A family law attorney’s response to the client’s question is often immediate: “It’s not that the court doesn’t care…” followed by the explanation that coercive control behaviors do not have an express place in the custody statute, as the client assumed they would. Sometimes the client’s eyes glaze over, not because they don’t understand, but because they cannot reconcile the explanation with what they have experienced and their belief that those behaviors are harmful to their children and should impact parenting time.

These patterns of behavior described by the client are known as “coercive control” and can be used to maintain power over another person. These behaviors can be just as harmful as physical abuse.

Even when children are not direct targets of these types of abusive behaviors, they may live with fear, instability, isolation and manipulation that often accompany coercive control. Those experiences can shape how children understand relationships, conflict, communication and trust. Children do not simply observe that environment; they grow up inside it.

So why does the distinction between what the statute expressly recognizes and what families experience matter?

Pennsylvania’s custody statute directs courts to evaluate specific factors in determining a child’s best interest. Coercive control may be relevant under those factors, but Pennsylvania law does not expressly recognize coercive control as a distinct form of abuse within its custody framework. See 23 Pa.C.S. §§ 5322, 5328.

Kayden’s Law, known as Act 8 of 2024, recently amended the custody factors to place greater emphasis on child safety and the consideration of abuse. The General Assembly’s findings acknowledged that domestic abuse can involve conduct that is neither physical nor illegal, identifying emotional, psychological and economic abuse, isolation, monitoring, controlling behaviors and litigation abuse. The law also encourages judicial training and more trauma-informed court experiences.

But that recognition did not translate into an express statutory definition of coercive control or its inclusion among the custody factors. As a result, courts must evaluate these patterns through existing custody factors, without an explicit statutory framework for identifying coercive control or determining how such a finding should impact parenting time.

Arizona changed the framework

Pennsylvania moved the conversation forward with Kayden’s Law; however, Arizona gave coercive control a name, a definition and legal consequences.

Arizona’s Alec and Lydia Act, enacted in June 2026, offers a vastly different approach. The law explicitly recognizes coercive control as domestic violence, and its definition includes patterns of isolation, financial restriction, surveillance, intimidation, degrading conduct and certain uses of litigation to control another parent.

Under A.R.S. § 25-403.03, a finding of domestic violence, including coercive control, by a preponderance of the evidence triggers a mandatory rebuttable presumption that awarding legal decision-making or parenting time to the abusive parent is contrary to the child’s best interests.

Overcoming that presumption requires clear and convincing evidence for legal decision-making or unsupervised parenting time and a preponderance of the evidence for supervised parenting time. Children need not directly witness or even be aware of the domestic violence for the presumption to apply.

The law is new, and its practical application remains to be seen. Questions about proof, due process, cross-allegations and distinguishing abusive patterns from ordinary parental conflict deserve serious attention. How Arizona courts apply the law may influence other jurisdictions considering similar approaches.

Meanwhile, in Pennsylvania

Pennsylvania is currently considering HB 1499, which seeks to establish a rebuttable presumption of equal parenting time, essentially making equal custody the starting point in custody cases.

Under the proposed legislation, a parent seeking to overcome the presumption would generally bear the burden of establishing, by clear and convincing evidence, that equal custody is not in the child’s best interests, subject to the bill’s specified exceptions.

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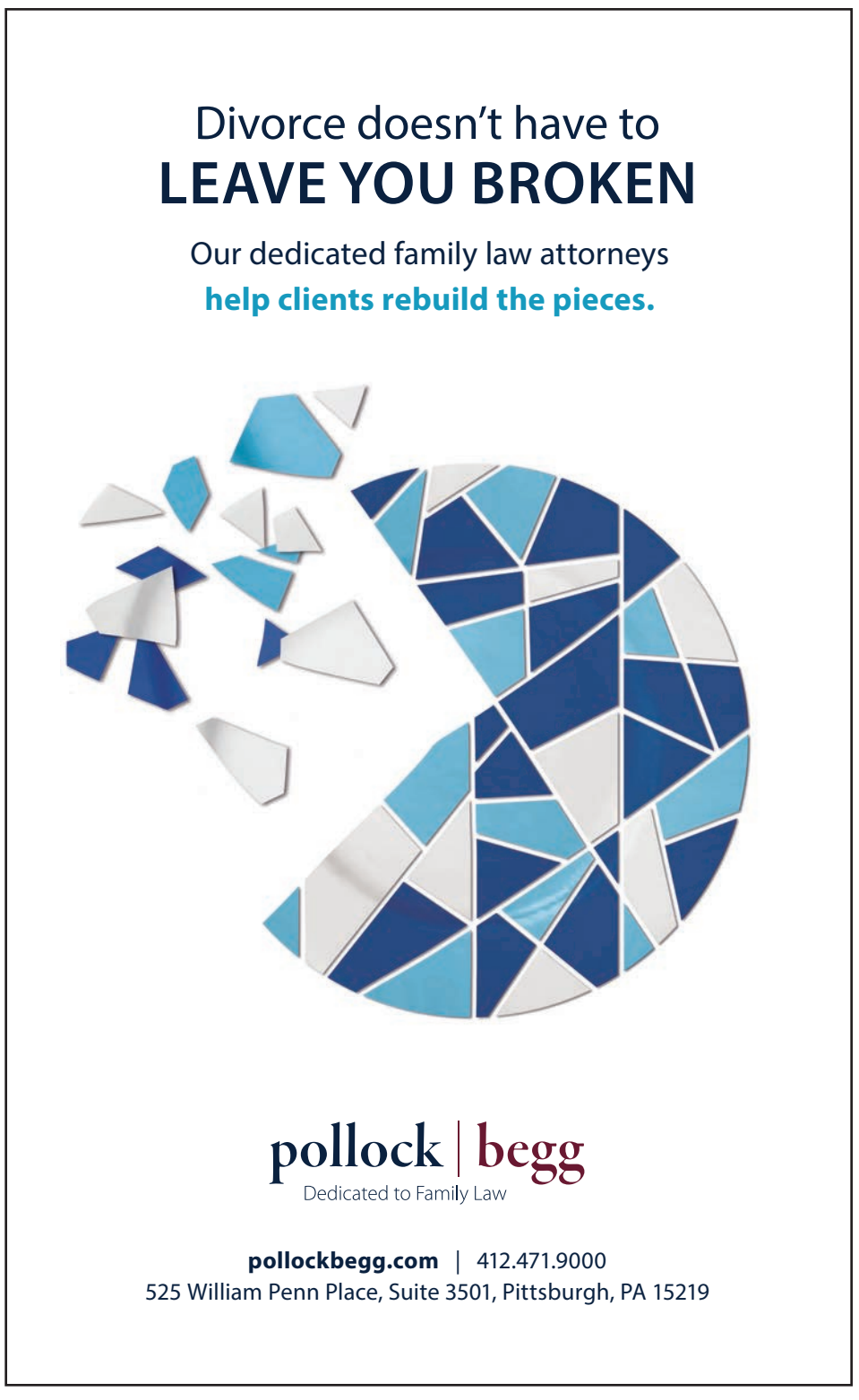

Kayden's Law changed more than the custody factors



By Julie E. Beroes

A parent is accused of having untreated bipolar disorder. Another is accused of substance abuse. Another is accused of alienating a child. Another faces allegations of domestic violence.

The allegations differ, but the question a custody lawyer asks should not: What risk to this child does the evidence really establish? That question sits at the heart of Kayden's Law.

Kayden's Law declared children's health and safety the first priority, defined safety to include physical, emotional and psychological well-being and gave substantial weight to four safety-related custody factors.

Safety was always part of custody analysis, but Kayden's Law changed its weight and the discipline required of practitioners. Evidence must now identify the particular risk, its effect on the child and the response the record justifies. That requires more than placing testimony under the correct statutory factor. It requires counsel to distinguish historical concern from present danger, isolated conduct from a pattern and a troubling fact from one that actually affects parenting.

The point is not to minimize allegations. It is to make them prove something.

Mental health allegations illustrate the difference between a label and a risk analysis. A parent may be described as bipolar, depressed, unstable or off medication, but a diagnosis does not establish danger. Counsel should ask what symptoms are present, whether they affect judgment or caregiving, whether the parent is engaged in treatment and whether any episode exposed the child to harm. Treatment may demonstrate stability rather than incapacity. Substance use, poor judgment and emotional instability require the same connection to parenting and present risk.

For practitioners, five connected questions organize the analysis: What is alleged? What conduct actually occurred? How did it affect parenting? What present risk does the evidence establish? What protection, if any, is necessary? The first two separate accusation from proof; the next two establish materiality; and the last ties relief to the risk proven. This sequence prevents an allegation from doing the work of evidence or automatically dictating the most restrictive remedy.

Remedies are not interchangeable. Supervision, therapeutic conditions, treatment verification, safety planning, transportation restrictions and graduated schedules address different concerns. A restriction necessary for one risk may be excessive or ineffective for another. A parent whose untreated condition impairs judgment presents a different problem from a parent with a remote diagnosis and years of stable care.

A transportation restriction may address intoxicated driving but do nothing to resolve unsafe decision-making inside the home. Counsel should explain why the proposed safeguard protects the child, how it will work in the family's actual life and why a more restrictive response is unnecessary.

Kayden's Law also requires courts to explain how an order addresses proven abuse or risk. If custody is awarded to a party who committed abuse, or whose household member did, the order must include reasonably necessary safeguards. If that party receives unsupervised physical custody, the court must explain why.

A finding that a party poses an ongoing risk of abuse creates a rebuttable presumption limiting that party to supervised physical custody. Counsel must address whether the evidence establishes ongoing risk, whether the presumption is rebutted and what workable supervision, exchanges, restrictions, treatment verification or review conditions fit the risk.

That is where advocacy matters. The lawyer raising a safety concern should build the chain from conduct to parenting impact to present risk, using dates instead of generalities, observed conduct instead of character judgments and corroboration instead of repetition. The lawyer responding should test each link and show treatment, stability, successful caregiving, reliable support or the absence of a present connection to harm. Neither side should stop at proving or disproving the label. The useful record explains what changed, what remains uncertain and what the child experiences when in that parent's care. Both sides should explain why the requested safeguard fits – or exceeds – the risk proven.

Counsel should not convert supposed alienation "identifiers" into proof. A child's fear, anxiety or resistance to contact – or a parent's caution in response – does not, standing alone, establish an effort to undermine the other party's relationship with the child. Is the parent manufacturing fear or responding reasonably to what the child reported or experienced? Are missed visits, guarded exchanges or requested restrictions interference or good-faith protective measures? Context matters: who initiated the restriction, what precipitated it, whether it was communicated to professionals and whether the response remained proportional as circumstances changed.

The statute protects reasonable safety concerns and bars courts from presuming that one parent caused a deficient relationship. Lawyers must test competing explanations and demand evidence connecting the accused parent's conduct to the damaged relationship.

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Pitt and Duquesne law clinics provide family law assistance to clients in need



By Holly Glymour

The students at the University of Pittsburgh School of Law returned to campus in August, ready and eager to engage in the representation of indigent clients as certified legal interns through the Family Empowerment and Legal Access Clinic at the Hickton Center for Community Legal Services and Clinical Legal Education. Working in concert with the Family Law Clinic at the Tribone Center for Clinical Education at Duquesne Kline Law School, the two clinics operate a joint hotline for clients to call with family law-related questions.

Duquesne's Family Law Clinic, run by Katherine Norton, hosts the joint hotline and divides the calls between the two law school clinics. Both clinics provide limited legal services and representation for indigent clients in need of family law assistance. The clinics accept clients for representation based on income, and clients must be at or below 175% of the current year's federal poverty level.

At the University of Pittsburgh, the family law clinic, run by Holly Glymour, assigns each hotline caller to a student who is a certified legal intern. The student conducts an intake with the client and identifies their legal issues and concerns. The students then confer with their supervising attorney before offering any legal advice and develop a case plan for each client. Sometimes the students offer brief advice to clients, telling them what pleadings they should file, where to find the offices and courtrooms they need to visit, explaining how to complete original service and provide proof of service in court, helping them structure an argument for motions court or a hearing, or helping them find resources for issues that go beyond family court.

In some cases, students will draft pleadings for clients. So far in the past year, students have drafted custody complaints, petitions for modification of custody orders, petitions for special relief and other motions, proposed resolutions and orders for custody conciliations, pretrial statements for partial custody hearings, briefs on preliminary objections, and simple consent orders and settlement contracts.

In addition, students will represent clients in court when possible. In recent cases, students have provided representation, supervised by an attorney, in partial custody hearings, custody standing hearings, custody conciliations with hearing officers and judges, motions court, proceedings involving preliminary objections and protection from abuse hearings.

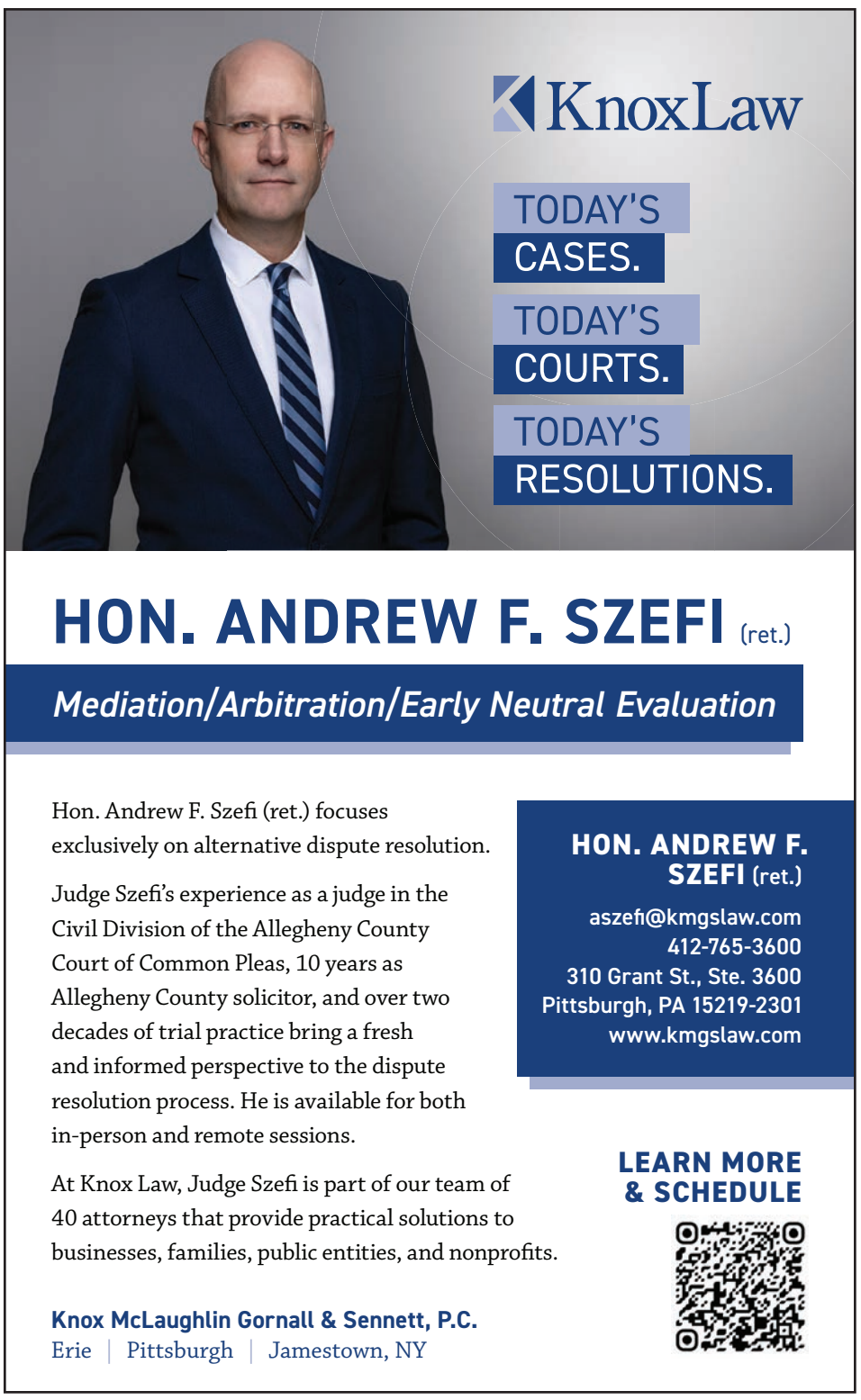
Students have also been excited in the past year to have the opportunity to provide representation for indigent clients who are seeking simple, one-count divorces and who have struggled to follow the sometimes-complex procedures of obtaining a divorce decree, even when both spouses want to be divorced. They have found it rewarding to see a client through the entire divorce process and obtain the desired result in one semester.

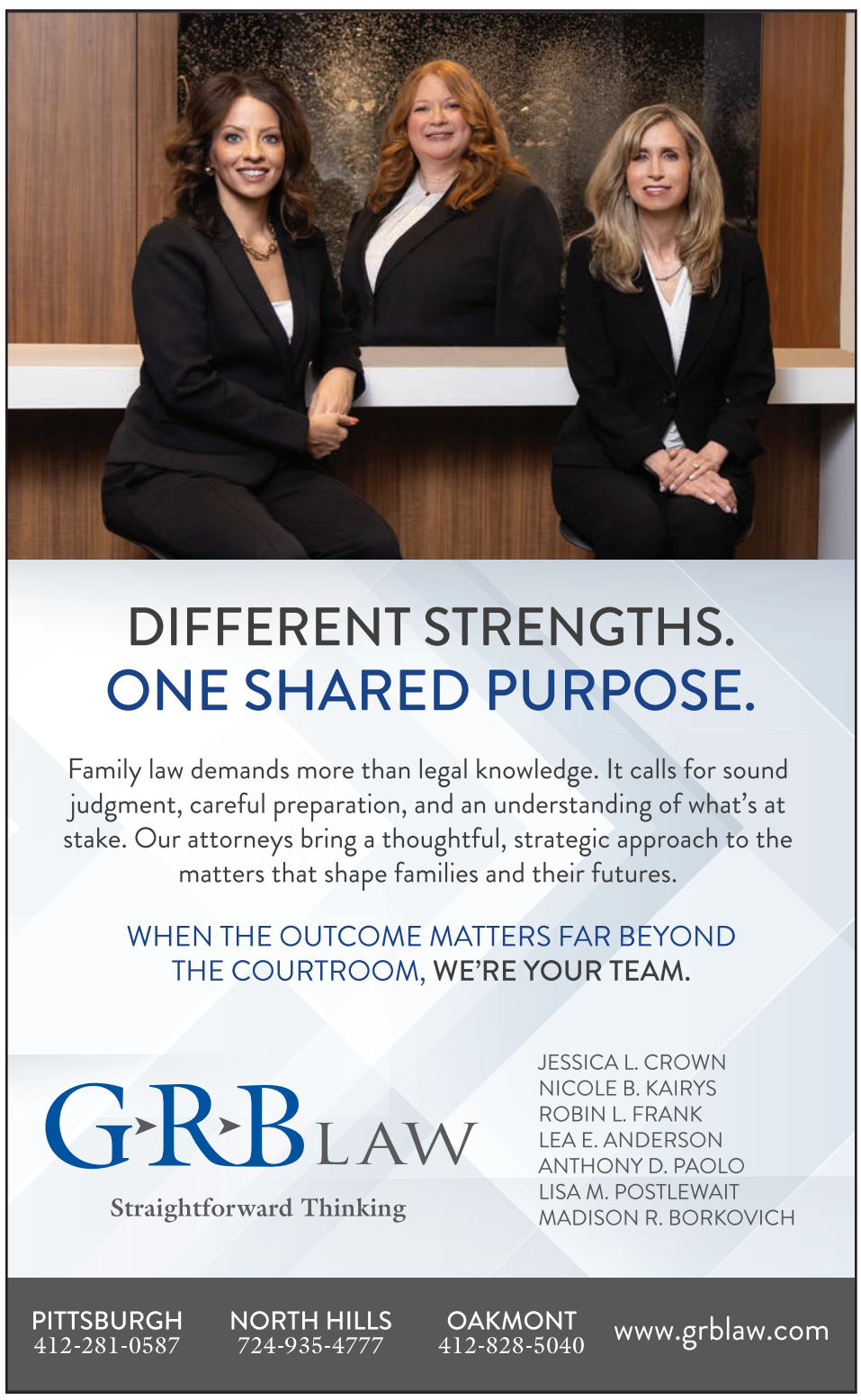
Students have also been able to participate in and engage with community organizations and social welfare providers to provide general domestic relations law information and education to assist them in meeting their respective clients' needs and to provide referrals and resources for their clients. Clinical students consistently enter the clinic with a passion for pro bono work, helping families in need and representing people with limited resources, and they continue to develop that passion through their work.

The judges at the Allegheny County Family Law Facility, along with their staff and clerks, hearing officers, domestic relations officers, court staff and court administration, have been welcoming and supportive of the clinic students and have made them feel like an important and valued part of the Allegheny County family law community and courts. This welcoming atmosphere and appreciation of their work have inspired many students to want to continue in domestic relations law locally, where they will be valuable assets to the bar and the ACBA as family lawyers.

The joint family law intake hotline phone number is 412-396-1685. The Duquesne Tribone Legal Clinics can be reached directly at 412-396-4704, while the University of Pittsburgh Hickton Legal Clinics can be reached directly at 412-648-1300. The clinics are available as a resource for indigent clients who may need domestic relations legal assistance, whether referred by the court, other counsel, community or government organizations, or otherwise. The students appreciate the opportunity to learn and to provide a service to their community through the clinics and are always happy to receive referrals. ■

For **editorial inquiries** and **Bar Briefs** submissions, contact Jennifer Pulice at *jpulice@acba.org.*





BANKRUPTCY SYMPOSIUM

CONTINUED FROM FRONT PAGE

the discussion will celebrate Judge Böhm's contributions while offering practical insight and advice to attorneys seeking to navigate – and help shape – the next chapter of bankruptcy practice.

Speaker: Hon. Carlota M. Böhm, United States Bankruptcy Court for the Western District of Pennsylvania

Moderator: Hon. Gregory L. Taddonio, United States Bankruptcy Court for the Western District of Pennsylvania

12:45 - 1:45 p.m. – *Networking lunch*

1:45 - 2:45 p.m. – *Breakout Session One*

Effective Legal Writing for the Real (Post-AI) World

1 substantive credit

Lawyers can't write. The problem starts before law school, then accelerates. Transactional lawyers are the worst writers but lawyers who file bankruptcy cases and lawyers who do courtroom work for debtors and creditors face many pressures that dilute the quality of their writing. In this session, retired Judge Keith Lundin will provide a handful of simple tools designed to help participants become more effective writers. Along the way, the program will consider how Artificial Intelligence affects legal writing to assess how you can safely use AI to be a better legal writer.

Speaker: Retired Hon. Keith M. Lundin, United States Bankruptcy Court for the Middle District of Tennessee

1:45 - 2:45 p.m. – *Breakout Session Two*

The Receivership Playbook: Strategy, Administration and the Bankruptcy Alternative

1 substantive credit

Receiverships are an important tool for preserving and realizing the value of distressed businesses and assets, but they present strategic, procedural and practical issues that differ significantly from bankruptcy. This panel will examine the receivership process from beginning to end, including the standards and strategy for seeking or opposing appointment, selecting the receiver, defining the receiver's powers, operating the business, addressing claims and liens, conducting asset sales and distributing proceeds. The panel also will compare state-court receiverships with bankruptcy proceedings, explore the circumstances in which one remedy may be preferable to the other, and address the complications that arise when the two regimes intersect. Drawing on perspectives from the bench and experienced insolvency practitioners, the discussion will highlight recurring issues, practical considerations for creditors, debtors, receivers and purchasers, and lessons learned from recent receivership matters. Attendees will leave with a clearer framework for evaluating and navigating receivership proceedings.

Speakers: Hon. Mary C. McGinley, Allegheny County Court of Common Pleas, Civil Division; Ryan J. Cooney, Cooney Law Offices LLC; Michael A. Shiner, Tucker Arensberg P.C.; and Justin M. Tuskan, Metz Lewis Brodman Must O'Keefe LLC

3 - 4 p.m. – *Breakout Session Three*

Fresh Faces with Fresh Cases

1 substantive credit

This panel brings together early-career attorneys to examine emerging developments in bankruptcy and restructuring law. Panelists will assess the practical implications of the Supreme Court's decision in Keathley v. Buddy Ayers Construction, Inc., 608 U.S. ___ (2026), including how the new totality-of-the-circumstances standard for judicial estoppel reshapes disclosure strategy and litigation risk, and what the Court's multiple concurrences may signal about the doctrine's future development. The panel will also explore the evolving classification of leases as residential or nonresidential real property under § 365(d) of the Bankruptcy Code, a distinction that significantly affects assumption and rejection timelines in Chapter 11 cases. Additional topics include liability management transactions and the creditor-on-creditor litigation they have generated. Attendees will gain practical insight into how these issues shape case strategy and client counseling. The session highlights the perspectives of practitioners early in their careers who are engaging with issues at the forefront of insolvency practice.

Speakers: George Balchunas, Tucker Arensberg; Shannen Cloherty, United States Bankruptcy Court for the Western District of Pennsylvania; Anna K. Rakich, Buchanan; Joseph D. Sibeto, Clark Hill PLC; and Kate Sullivan, United States Bankruptcy Court for the Western District of Pennsylvania

Moderator: Jacob R. Broadway, McGuireWoods LLP

3 - 4 p.m. – *Breakout Session Four*

Establishing Feasibility of a Subchapter V Plan: Practical Strategies for Presenting Evidence

1 substantive credit

In this session, panelists will discuss the feasibility requirements that must be established from an evidentiary perspective in order to confirm a plan of reorganization in a subchapter V bankruptcy case. While Subchapter V of the Bankruptcy Code has been in effect since early 2020, the process is still relatively new and practitioners attending this session can expect to gain insight into the hurdles of establishing feasibility when seeking confirmation of a plan, including how some of the strategies might be similar to a traditional chapter 11 and where the concepts in the Subchapter V cases may diverge in light of the expedited and economical nature of a Subchapter V case.

The speakers on this panel include two Subchapter V Trustees in the Western District of Pennsylvania – one of whom is a practicing attorney and one of whom is the leader of his firm's Litigation, Business Valuation, and Financial Reorganization Forensic Accounting practice area – as well as two esteemed attorneys, who will each share their experiences and tips for establishing the feasibility prong necessary to obtain confirmation of a Debtor's subchapter V plan.

Speakers: David L. Fuchs, Fuchs Law Office LLC; Jordan N. Kelly, Raines Feldman Littrell LLP; William Krieger, Gleason Experts; and Crystal H. Thornton-Illar, Leech Tishman Fuscaldo & Lampl, LLC

Moderator: Sarah E. Wenrich, Raines Feldman Littrell LLP

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THE 6 C'S

CONTINUED FROM PAGE 4

surrender. "Respect is not agreement, and courtesy is not capitulation," Dr. Gilman explains. "Parents can hold firm boundaries, disagree strongly, and still communicate in a way that preserves dignity and protects the co-parenting relationship their child depends on." A parent can say no, disagree, enforce a court order or identify a concern without insults, sarcasm, threats or personal attacks.

Helping clients put the 6 C's into practice

Before sending a message, encourage clients to ask:

- Calm: Am I responding rather than reacting?
- Concise: Does this contain only what is necessary?
- Clear: Have I said exactly what I mean?
- Child-focused: Is this about what my child needs?
- Constructive: Am I trying to solve the problem?
- Courteous: Can I say this firmly without being disrespectful?

Even clients who understand these principles can struggle to apply them in the heat of the moment. Dedicated co-parenting platforms such as OurFamilyWizard, including tools such as ToneMeter, can provide additional structure and help parents reconsider emotionally charged language before sending a message.

Calm. Concise. Clear. Child-focused. Constructive. Courteous. Six simple principles can give parents a practical way to think before they hit "send" and give family law attorneys one more tool to help their clients navigate the difficult work of co-parenting after separation or divorce. ■

Elle Barr *is a family law attorney and court-appointed Guardian ad Litem with extensive experience advocating for the best interests of children. She also serves as Judicial Education Coordinator for OurFamilyWizard, educating family law professionals on tools that reduce conflict and improve outcomes for children.* **Dr. Deborah Gilman** *is a licensed psychologist, mediator, child specialist and nationally recognized trainer and speaker. She maintains clinical and forensic practices and has extensive experience helping children and families navigate trauma, high-conflict parenting, co-parenting and family transitions.*

GRANDPARENT CUSTODY

CONTINUED FROM PAGE 5

the standing window by implication. Every grandparent standing question is a timing question first, and the timing usually runs out well before anyone thinks to file. ■

Jessie D. Rawlings *is a founding partner of Raver Rawlings Law Group PLLC in downtown Pittsburgh and has practiced family law, with a focus on custody matters, for more than 15 years.*

Visit the ACBA's website at **ACBA.org.**

COERCIVE CONTROL

CONTINUED FROM PAGE 6

Arizona's approach begins with an examination of abusive conduct and its implications for custody, while Pennsylvania's proposed legislation would begin with a presumption of equal parenting time. These starting points matter for families experiencing coercive control, especially those whose experiences may fall outside traditional definitions of abuse.

Back to the client across the table

Family attorneys occupy a unique position on this issue. We hear these stories before they become appellate opinions. We recognize recurring patterns before they become legislative proposals.

The next time a client asks, "Why doesn't the court care about how they abused me?" our answer may still begin, "It's not that the court doesn't care…" But perhaps the better ending is not another explanation. Perhaps it is a question: What would it take for the law to recognize what this family has been living with and to treat that recognition as relevant to the child's best interests when determining parenting time?

That is the conversation Pennsylvania family lawyers, judges and lawmakers should be prepared to have. Not because every allegation will be proven, or because the answers are easy, but because the law cannot protect children from patterns it fails to recognize. ■

Liberty J. Weyandt *is the founder and managing partner of Liberty Mark Law. She works with families and business owners during moments of transition, offering steady guidance, clear thinking and legal counsel grounded in experience, judgment, perspective and purpose.*

KAYDEN'S LAW

CONTINUED FROM PAGE 7

Protection should not be mislabeled as alienation, but genuine interference should not escape scrutiny merely because it is framed as concern.

Kayden's Law demands more than a recitation of factors or a stack of alarming allegations. It requires practitioners to translate evidence into a risk analysis the court can use: What happened? What does it reveal about parenting? What danger, if any, exists for this child now? What protection fits that danger without unnecessarily damaging a safe parent-child relationship? The work is harder than attaching a label, but it is also more honest and more useful. The question is not whether an allegation sounds serious. The question is what the evidence proves – and what the child needs because of it. ■

Julie E. Beroes *is an attorney with Beroes Law Center, P.C., where she practices family law in Allegheny County and the surrounding counties.*

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Co-parenting mediation: A resource for family law practitioners

By Kathy Firestine

Divorce or separation may end a relationship, but it does not end the shared responsibility of raising children. Disagreements over parenting schedules, communication and everyday decisions often continue long after custody arrangements are established. These conflicts can create emotional strain for families while placing additional demands on attorneys and the court system.

Co-parenting mediation provides a structured approach to resolving these disagreements, helping parents develop practical solutions while reducing the need for repeated legal intervention.

What is co-parenting mediation?

Co-parenting mediation is a process in which a neutral third party assists parents in resolving disagreements concerning their children. Unlike litigation, mediation encourages collaboration and problem-solving rather than placing parents in opposing positions.

For high-conflict co-parents, mediation may provide one of the few opportunities for structured, direct communication. A trained mediator facilitates discussions, identifies areas of agreement and guides parents toward practical solutions without taking sides or imposing decisions.

Importantly, mediation is not therapy. While therapy focuses on psychological treatment, mediation addresses specific parenting disputes and facilitates agreements. The mediator maintains neutrality rather than establishing a therapeutic relationship with either parent. Mediation services are generally not covered by health insurance.

Common issues include parenting schedules, educational decisions, health care responsibilities, extracurricular activities, communication expectations and disagreements concerning existing custody arrangements.

Benefits of co-parenting mediation

Reducing conflict

Ongoing parental conflict can negatively affect children's emotional security and development. Mediation provides a structured environment for discussing difficult subjects while redirecting attention away from past grievances and toward shared parenting responsibilities. The objective is not necessarily to eliminate conflict, but to develop productive ways of managing it.

Putting children's needs first

Children benefit from stability, consistency and healthy relationships with their caregivers. Mediation encourages parents to consider how decisions affect their children's daily lives and emotional well-being rather than approaching parenting as a competition between households.

Improving communication

Effective co-parenting requires communication, even when relationships remain strained. Mediation helps establish boundaries, clarify expectations and develop practical strategies such as shared calendars, parenting applications or written communication protocols to reduce misunderstandings.

What does this mean for your practice?

Family law attorneys frequently encounter disputes that are less about legal rights and more about communication difficulties, differing parenting expectations or the practical challenges of raising children across two households.

These disagreements can generate repeated calls, emails and requests for legal intervention, consuming valuable time and resources.

Referring co-parents to mediation provides a structured forum for addressing these concerns directly. A neutral mediator can facilitate communication, identify workable compromises and potentially prevent minor disagreements from escalating into litigation.

Mediation does not replace legal representation. Attorneys remain essential in advising clients about their rights, obligations and the legal implications of proposed agreements. Instead, mediation complements legal counsel by addressing practical parenting disputes that may not require judicial intervention.

What happens during mediation?

Mediation typically begins with an assessment of each parent's concerns, priorities and goals. The mediator establishes expectations for respectful communication and identifies issues requiring resolution.

Parents then explore solutions involving schedules, transportation, holidays, decision-making responsibilities and procedures for unexpected changes.

While mediation can be effective, it is not appropriate in every situation. Domestic violence, coercion, intimidation or significant power imbalances require careful assessment to determine whether a safe and productive process is possible.

Creating a foundation for successful co-parenting

Successful co-parenting does not require parents to agree on everything or maintain a close personal relationship. It requires appropriate communication, honoring commitments and recognizing that children's needs take priority over unresolved adult disagreements.

As children grow and circumstances change, mediation provides a framework for revisiting parenting arrangements without immediately returning to court.

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Your client is divorcing. Should you advise them to stay out of court?



By Susan DiGirolamo

Most divorcing clients would like to stay out of court. A growing number negotiate directly with their spouse, with or without counsel, or choose mediation, arbitration, or the Collaborative Divorce Process to facilitate a settlement regarding the equitable distribution of marital property, custody of their children, spousal and child support, and alimony. Many divorce attorneys are now focusing their practices on these non-litigation methods. But in some circumstances, one or both parties benefit from the family court system.

If your client is facing one of the following circumstances, you should refer them to a family law attorney who focuses on litigation.

Immediate threat to the safety of a party or their children

If your client is facing an immediate threat to themselves or their children, your firm's emergency protocols should be followed.

Refusal to provide financial information

Pennsylvania law provides that full disclosure of the parties' financial resources is mandatory to the enforceability of a marriage settlement agreement. This means that each party must provide the other with information regarding their marital and non-marital assets and liabilities, as well as their actual income or earning capacity. When negotiating out of court, attorneys have no authority to force the other party to provide this information. In most cases, clients understand that to avoid a court proceeding, they will need to voluntarily provide the information. When negotiating out of court, if there is doubt that all information has been provided, the parties can be required to sign affidavits in conjunction with the marriage settlement agreement confirming that the information they have provided is complete and accurate. If it is later shown that the information provided was incomplete or misleading, the disadvantaged party can bring an action to set aside the settlement agreement and obtain further relief.

If a party simply refuses to provide appropriate financial information, the other party will need court intervention to order that disclosure.

Refusal to negotiate

There are times when one spouse wishes to divorce and the other refuses to acknowledge that, or refuses to engage in a negotiation process at all. Sometimes filing the Complaint in Divorce can bring the other party to the understanding that the divorce is going to happen, and that they will need to engage one way or the other, allowing negotiation to begin. But if this does not result in engagement by the other party, your client's only choice is to pursue the divorce through the court system.

Debilitating mental health issues

Most clients who are divorcing exhibit some signs of emotional distress. This is normal given the disruption that divorce can cause, as well as legitimate concerns over the welfare of their children, living arrangements, ongoing bill payments, and possible threats to long-term financial stability. All of these issues can be successfully addressed by skilled divorce attorneys through negotiation. However, when one party suffers from a mental health issue that prevents them from understanding the nature of their situation, or from the ability to make reasoned choices with respect to a settlement, they require the protections available through the court system.

Extreme imbalance of power

Domestic abuse is unfortunately all too common. While it may be inappropriate for parties dealing with domestic abuse to negotiate directly with the other, or to participate in a mediated divorce, the Collaborative Divorce Process has been used successfully to support parties in abusive relationships. In the Collaborative Process, each party is protected by having their attorney present during negotiation meetings. The professional team also includes a neutral mental health coach. The neutral coach supports each party's ability to understand and participate in the process, and, when needed, may assess the parties' capacity to negotiate and make decisions in their own best interests. The team also includes a neutral financial professional who gathers the needed financial information, ensures that both parties fully understand it, and helps each party create spending plans for their post-divorce lifestyle. These safeguards create a secure environment that allows the parties to reach a settlement that best meets their needs.

It should also be acknowledged that there can be an extreme imbalance of power in relationships that do not involve domestic abuse. Most divorce attorneys use screening methods when interviewing clients to identify these situations and recognize the need to negotiate accordingly.

When a client comes to you for advice regarding their divorce, it is beneficial to discuss the above factors with them. If any of the factors are present, they may need the protections of the court system. If none are present, you can safely advise them to consider mediation, arbitration, the Collaborative Divorce Process, or negotiating directly with their spouse to reach a settlement that will meet the needs of themselves and their family. ■

Susan DiGirolamo *has been helping clients with prenuptial and postnuptial agreements and divorce for more than 30 years. To learn more about her exclusive focus on direct negotiation, mediation, and the Collaborative Divorce Process, visit her website susanlaw.com.*

BANKRUPTCY SYMPOSIUM

CONTINUED FROM PAGE 9

4:15 - 5:15 p.m. – *Plenary Session Four*

Judges Unplugged: Pleasures, Peeves, Ethics and Effective Advocacy

1 ethics credit

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Speakers: Retired Hon. Thomas P. Agresti, U.S. Bankruptcy Court for the Western District of Pennsylvania; Retired Hon. Rosemary Gambardella, U.S. Bankruptcy Court for the District of New Jersey; Retired Hon. Louis M. Phillips, U.S. Bankruptcy Court for the Middle District of Louisiana; and Retired Hon. Randall J. Newsome, U.S. Bankruptcy Court for the Northern District of California and the Southern District of Ohio

Moderator: Retired Hon. Keith M. Lundin, U.S. Bankruptcy Court for the Middle District of Tennessee

5:30 - 7 p.m. – *Networking Reception and ACBA Bankruptcy and Commercial Law Section Holiday Party*

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CO-PARENTING MEDIATION

CONTINUED FROM PAGE 11

Ultimately, co-parenting mediation offers families a more functional approach to raising children across two households while providing attorneys a valuable resource for reducing unnecessary conflict and supporting their clients. ■

Kathy Firestine *is both a licensed attorney and therapist with additional graduate education in developmental psychology and taxation. She has been a mediator for over two decades.*

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Navigating the surge: PFA trends and systemic shifts in Allegheny County

By Neighborhood Legal Services

Protection From Abuse (PFA) filings in Allegheny County over the past decade offer a clear window into broader social pressures across our region. The shift isn't just visible in courthouse dockets; it reflects a genuine, community-wide escalation in domestic violence. While Pennsylvania's PFA Act (23 Pa.C.S. § 6101 et seq.) equips courts with broad authority to order temporary and long-term civil relief, local filing data shows that our Family Division is handling unprecedented post-pandemic demand.

Understanding these shifts and the strain they put on court operations and legal aid is essential for local practitioners across all practice areas.

A ten-year look at county filing trends

Caseload data across Allegheny County's Fifth Judicial District falls into three distinct phases over the last decade:

• The Pre-Pandemic Baseline (2016-2019): Court records from the Administrative Office of Pennsylvania Courts (AOPC) show that Allegheny County handled a steady 4,800 to 5,200 total PFA filings and scheduled final hearings per year before 2020. This mirrored a statewide average of roughly 38,000 to 39,000 annual petitions. During these years, Neighborhood Legal Services (NLS) had twice the volunteer attorneys it has today.

• The 2020 Lockdown Drop: Formal filings fell by 10 to 15 percent locally and statewide during the initial stay-at-home orders and emergency court restrictions in 2020. As advocates and judges pointed out at the time, this decline didn't mean violence had decreased. Instead, victims trapped at home with abusers faced huge physical barriers to reaching court administration, public transit, or private communications.

• The Post-Pandemic High (2021-Present): After restrictions lifted, court dockets flooded. Statewide filings reached over 40,000 in 2022. In Allegheny County, the court absorbed a mix of delayed petitions and new filings driven by prolonged domestic stress. Numbers never returned to pre-2020 baselines. In fact, they set a higher ongoing standard.

Current Family Division figures highlight this sustained workload:

• 2025 Volume: The court scheduled 6,045 Final PFA hearings in 2025, up 15 to 20 percent from pre-pandemic averages.

• 2026 Numbers: From January 1 through July 31, 2026, the court scheduled 3,293 Final PFA hearings.

• Unrepresented Plaintiffs: Of those 3,293 hearings in early 2026, 532 petitioners appeared pro se.

Rising severity and broader systemic strain

High filing numbers tell only part of the story. The severity of these cases has also grown. Local providers like the Women's Center and Shelter of Greater Pittsburgh and Center for Victims report record call volumes on 24-hour crisis lines and near-full capacity at emergency shelters. This mirrors national research from the Council on Criminal Justice showing a lasting rise in reported domestic incidents after 2020.

Advocates and law enforcement note a marked increase in high-danger behaviors, including strangulation, stalking, and firearm threats. In these cases, firearm relinquishment under 23 Pa.C.S. § 6108 is a vital safety measure. Landmark research published in the *American Journal of Public Health* and cited by the U.S. Department of Justice shows that an unsecured gun in a domestic violence situation increases the risk of intimate partner homicide by 500 percent.

The impact extends beyond the courtroom. Allegheny County Department of Human Services data repeatedly links intimate partner violence to housing instability, child welfare referrals, and emergency shelter placements across our region.

Statutory relief and hearing realities

The PFA Act provides a critical path to safety. Under 23 Pa.C.S. § 6102, "abuse" covers more than physical harm. It includes actions that cause a reasonable fear of imminent bodily injury, persistent stalking or harassment, and sexual assault.

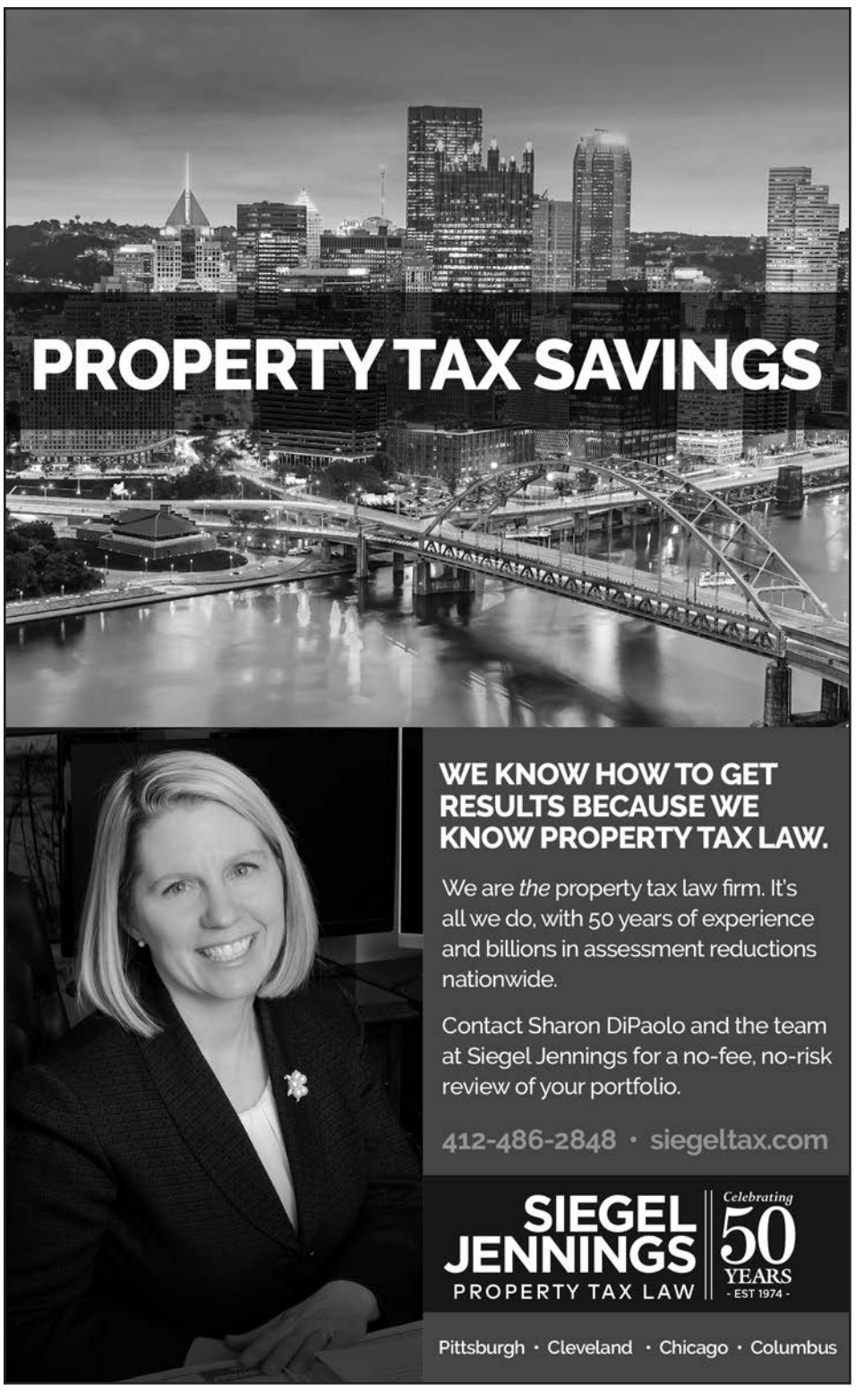
After an ex parte temporary order is granted, a plaintiff must prove abuse by a preponderance of the evidence at a Final PFA hearing. A final order can last up to three years and grant significant remedies, including exclusive possession of a home, temporary child custody, mandatory gun surrender, and strict no-contact conditions.

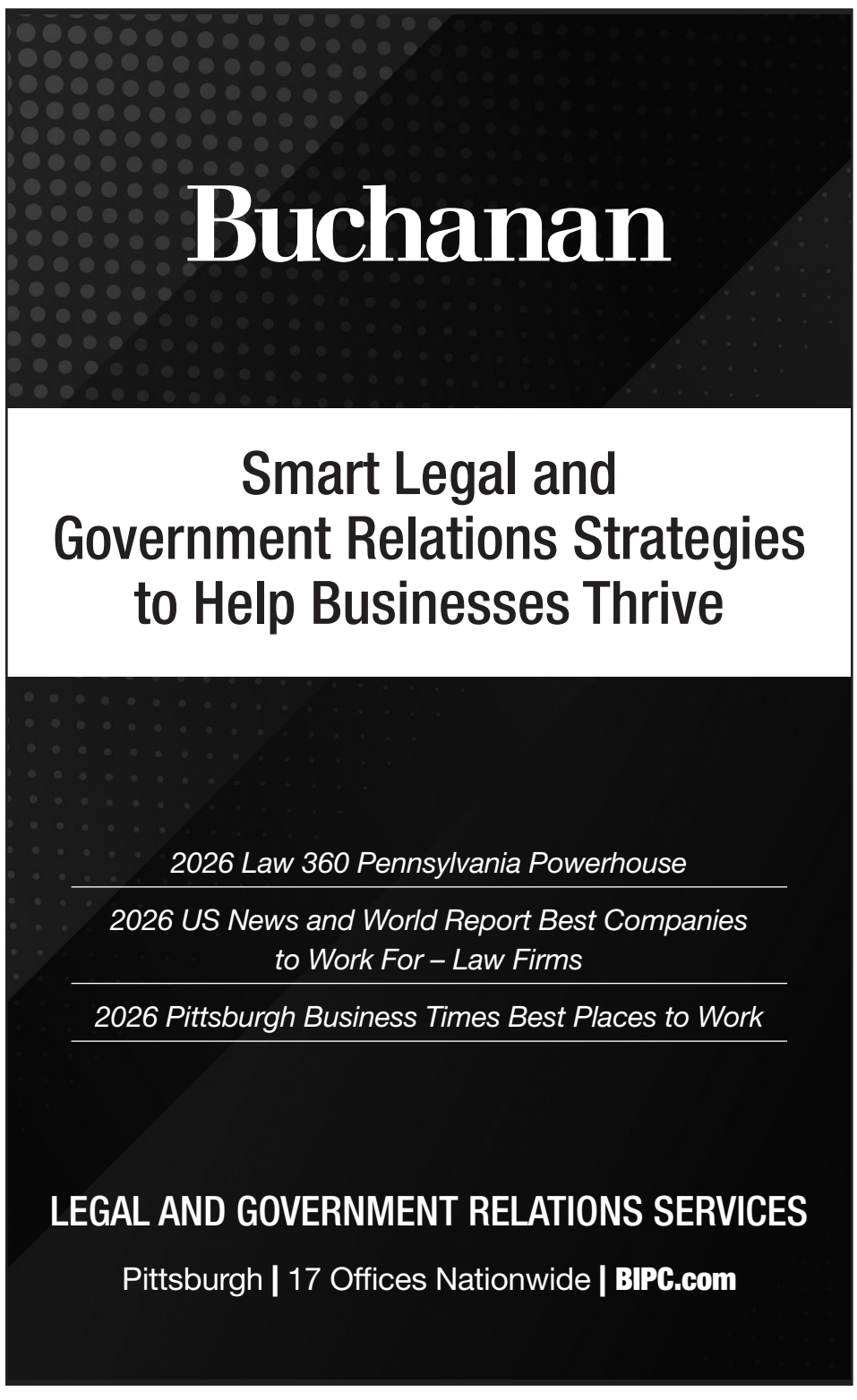
Because a final order alters property rights, custody, and firearm access, hearings require strict evidentiary and procedural standards. Trying to introduce evidence, examine witnesses, and handle cross-examination without a lawyer puts unrepresented survivors at a severe disadvantage.

Meeting the need

While caseloads and case severity remain high, legal aid resources are stretched thin. Internal NLS metrics show that volunteer attorney participation decreased by half during COVID-19 and has not recovered. With hundreds of plaintiffs going to court alone, the need for pro bono representation is greater than it was a decade ago.

Strong participation from the local bar is essential to keeping the system functioning fairly. Attorneys who take PFA cases through NLS receive primary malpractice coverage, administrative court support, and CLE credits for their time. To get involved, please contact *probono@nlsa.us*. ■





DIVERSE LAW STUDENT RECEPTION

PHOTOS BY **JAMES PIAGGIO**









Linda Onwugbenu, Mayar Elbasheir and Emmanuel Agladima pause for a photo during the Diverse Law Student Reception at the law offices of Dickie, McCamey & Chilcote last month. The event was sponsored by Quatrini Law Group.

TOP LEFT: *Mayar Elbasheir connects with YLD leadership and other law students during the event.*

MIDDLE LEFT: *YLD Education Chair James Miller, YLD Chair Devyn Lisi, YLD Chair-Elect McCall Chafin and YLD Diversity Committee Chair Darious Singleton pose for a photo during the event.*

BOTTOM LEFT: *YLD Communication Chair Samantha Dorn speaks with law students during the Diverse Law Student Reception.*

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MARGARET GLEASON
CONTINUED FROM FRONT PAGE

also served on the Third Circuit's Lawyers Advisory Committee and chaired a merit selection panel responsible for evaluating candidates for appointment as a U.S. Magistrate Judge.

Before joining Jones Day, Gleason began her legal career as a law clerk for Judge Joy Flowers Conti of the U.S. District Court for the Western District of Pennsylvania, serving from 2005 to 2007.

Gleason earned her law degree from Yale Law School in 2005. Before attending law school, she studied at the University of Oxford for three years as a Rhodes Scholar, earning a bachelor's degree in philosophy, politics and economics and a master's degree in economics for development. She previously earned a bachelor's degree in philosophy from Saint Louis University.

U.S. Magistrate Judges are appointed by the district judges of their respective courts and, pursuant to federal law, preside over a wide range of civil and criminal proceedings. They also participate in other activities and responsibilities of the courts.

Gleason serves in the court's Pittsburgh Division. The Western District of Pennsylvania encompasses 25 counties and serves approximately 3 million residents. ■

The ABCs of a legacy lawyer's guide for young family lawyers



By Jeffrey L. Pollock

Always know the law and be prepared; your reputation and livelihood are at stake.

Be accessible to your clients; they need to be able to count on you and your expertise.

Copy your clients on every important document/pleading/correspondence/order.

Draft specific (and update as needed) client fee agreements defining both your duties.

Economic disputes with clients should never affect your service; your standing is at stake.

First impression is key to earning a good reputation; be punctual and dress for success.

Golden Rule: Treat others fairly, as you would want to be shown the same respect by them.

Hold confidential all those communications that clients expect/deserve to be privileged.

I enjoy my practice; so I do not resent going the extra mile to help appreciative clients.

Jot short status notes, birthday cards, etc. to keep your clients informed and in touch.

Keep open, cordial lines of communication with your client and opposing counsel.

Let your clients assist in their own case; they want to feel involved and not powerless.

Mind your manners regarding clients, counsel, Judges, court staff, secretaries, paralegals.

Never curse/yell; you never know whom you may offend as to your character or for referrals.

Often attending CLEs increases expertise, boosts networking, keeps your library current.

Promise-keeping and pursuit of excellence are hallmarks of quality in any career.

Quiet confidence in and genuine empathy for your clients' needs enhance professionalism.

Reply to all phone calls/emails by sundown of the day received or at least within 24 hours.

Stake out the high road; do not be dragged down to the "Rambo Litigator's" level.

Tell the truth always to keep your integrity intact; honesty helps to define one's eminence.

Use every opportunity to solve problems without trial, but get client buy-in to settle.

Vigorous advocacy with civility ensures zealous representation without offending others.

When you lie down with dogs, you get up with fleas; don't stoop to a lower conduct level.

Xactly the right answer later is better than bluffing the wrong answer now.

Your personal honor/ethical standards should be evident/consistent in all areas of life.

Zero typographical errors is a good indicator of diligent time, effort, and dedication.

Alpha and Omega of family law: Give back to your community; do regular pro bono for indigents and good causes because our profession holds itself to a higher standard. ■

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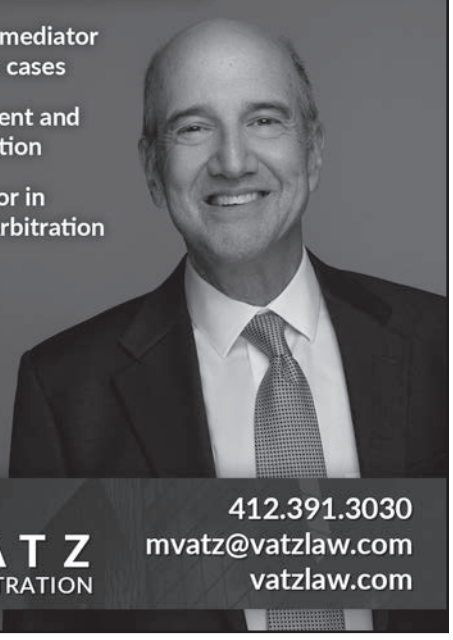

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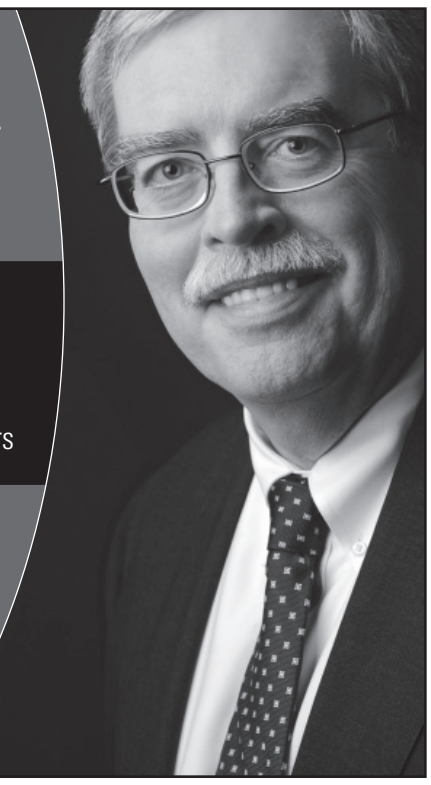

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Why a business valuation in divorce is unreliable without forensic accounting



By Deborah Iwanyshyn

In Pennsylvania divorce litigation, the valuation of a closely held business often represents one of the most significant components of the marital estate. Yet many valuations rest on unverified, management-provided data that may not reflect economic reality. This article argues that a business valuation performed without adequate forensic accounting procedures cannot be considered valid or reliable under Pennsylvania's equitable distribution standards. It explains the differences between valuation and forensic accounting, identifies common sources of financial distortion and offers practical recommendations for attorneys and courts seeking defensible valuations.

I. Introduction

In equitable distribution proceedings, Pennsylvania courts must determine the fair value of marital assets, including any business interests held by one or both spouses. While business valuation can dramatically affect property division, many divorce-related valuations fail to include the forensic accounting procedures needed to confirm the accuracy of the underlying data. When a valuation expert relies solely on management-provided financial statements, the resulting report may look sophisticated but remain fundamentally unreliable. Without forensic validation – through document tracing, cash flow analysis and verification of related-party transactions – there is no assurance that the business's reported income and assets represent reality. In short, if the foundation of the valuation is flawed, the conclusion is meaningless.

II. Valuation versus forensic accounting

A business valuation estimates what a business is worth, often using accepted methodologies such as the income, market or asset approach. These rely on reported financial statements to calculate normalized earnings and apply appropriate capitalization or discount rates.

A forensic accounting analysis, by contrast, determines whether those financial statements are truthful and complete. Forensic accountants apply investigative techniques to identify hidden income, unreported assets, inflated expenses and related-party transfers. In the divorce context, these two disciplines depend on each other. Forensic accounting provides the factually accurate data on which a valuation must rely. Without forensic work, the appraiser is merely performing mathematical operations on potentially manipulated figures.

III. The unique challenges of divorce-related valuations

Divorce valuations differ markedly from valuations performed for tax or business sale purposes. In those settings, both parties generally share a mutual goal of fair pricing. In divorce, however, one spouse may have both the motive and the opportunity to conceal true business performance in order to reduce the apparent value of marital property.

Common tactics include:

- Underreporting revenue
- Inflating expenses
- Creating new entities to divert income streams
- Prepaying liabilities to depress short-term profits
- Manipulating inventory or receivables

Because of these incentives, any valuation conducted without forensic scrutiny risks rewarding financial misconduct and producing an inequitable distribution.

IV. The 'assumed accuracy' problem in valuation engagements

Most appraisers explicitly state in their reports that they have not audited or verified the data provided by management. While this disclaimer may protect the appraiser, it does nothing to protect the client or the integrity of the process. Courts and counsel often overlook that a valuation expert's opinion is only as reliable as the data on which it rests. Without forensic review, an appraiser cannot know whether reported income reflects actual earnings or whether expense categories conceal personal spending or related-party transfers.

V. Forensic accounting's corrective role

Forensic accountants bridge the gap between reported and actual performance. Their work may include tracing deposits, reconciling tax returns, analyzing owner compensation, identifying personal expenses and reviewing related-party transactions. This process uncovers discrepancies and normalizes earnings, allowing the valuation expert to base conclusions on verified, defensible numbers.

VI. Legal context in Pennsylvania

Pennsylvania's Divorce Code, 23 Pa. C.S. § 3502, requires equitable distribution based on the value of marital property. Courts rely on credible, competent evidence to determine that value. Under Pennsylvania Rule of Evidence 702, expert testimony must be based on sufficient facts or data. A valuation expert who performs no verification of the financial data may fail to reach that standard. As the Superior Court has held, the weight accorded to expert valuation testimony depends on the factual foundation supporting the opinion.

VII. Illustrative examples

Example 1: A restaurant owner reports $400,000 in annual income. A forensic accountant performs a bank-deposit analysis and discovers $150,000 in unreported cash receipts. The business's true earnings are 37.5% higher, substantially increasing its marital value.

Example 2: A construction company records $120,000 in 'consulting fees' to a relative's LLC. Forensic review reveals no services rendered. Removing this fictitious expense increases EBITDA and raises value by nearly half a million dollars.

Example 3: A professional practice delays billing clients until after the valuation date, creating the illusion of declining revenue. Forensic examination of historical billing patterns exposes the manipulation and corrects the valuation.

VIII. Judicial implications

Judges often encounter dueling experts presenting drastically different business values. Frequently, the disparity arises not from differing valuation methods but from differences in the integrity of underlying data. A valuation supported by forensic accounting gives the court confidence that income and expenses are accurate. In contrast, a report based on unchecked management figures invites skepticism.

IX. The cost of not knowing

Attorneys sometimes avoid recommending forensic work due to cost concerns. Yet the cost of error in an inaccurate valuation can dwarf the cost of investigation. If a $2 million business is undervalued by just 20%, the resulting $400,000 discrepancy could significantly alter both spouses' financial lives.

X. Integrating forensic and valuation disciplines

The most reliable results arise when valuation and forensic professionals work collaboratively:

1. Forensic phase (verify data)
2. Valuation phase (apply methods)
3. Reporting phase (integrate findings)

This ensures that the final opinion of value reflects economic reality rather than financial fiction.

XI. Conclusion

A divorce valuation without forensic accounting is like building a house on sand. No matter how precise the calculations or elegant the report, if the underlying data is unverified, you cannot trust the result. Forensic accounting transforms valuation from a mechanical process into a credible, fact-based analysis. ■

Deborah Iwanyshyn, *was formerly a CPA and business appraiser. She is an attorney and forensic accountant focusing on divorce, business valuation and financial investigations. She combines legal experience with financial expertise to uncover hidden assets and clarify complex financial issues in litigation.*





Yes! We really do need all of this information!



By Angelica L. Revelant

Executive compensation frequently becomes a central issue in divorce litigation, including equitable distribution and support proceedings. It is also highly relevant in properly calculating economic damages in personal injury and employment matters. The more complex the pay structure, the more documentation is necessary to understand the details of each component.

Common compensation packages now include salaries, bonuses, stock options, restricted stock units (RSUs), performance shares, deferred compensation and other incentive-based benefits. These arrangements often involve complicated vesting schedules, performance conditions, tax consequences and payment dates that extend years into the future. Consequently, meaningful discovery is essential to determine the true nature, value and purpose of an executive's compensation.

A particularly important concern is the potential for "double dipping," which occurs when the same economic benefit is counted twice – for example, when an equity award is included in income for purposes of calculating support and also considered as an asset for equitable distribution. Proper discovery is necessary to distinguish between compensation that represents an existing asset, compensation intended to replace future earnings and compensation that may serve both functions. In addition, spelling out how income was calculated in an interim or final support order can save headaches later in the proceedings.

But we gave you the tax returns?!

Tax returns may show you the total taxable earnings, interest and dividends, capital gains or losses, retirement distributions, rental or royalty income and reportable earnings from partnership or shareholder interests. However, a tax return alone is the least effective tool for understanding the full scope of an executive's financial resources.

The same goes for W-2s, although some now at least break down the differences between gross pay and taxable earnings. The differences in gross pay, federal taxable wages, Medicare wages, Social Security wages and state wages may be affected by health insurance premiums, retirement contributions, deferred compensation, restricted stock vesting, group-term life insurance and more!

A detailed paystub should be your starting point – ideally the year-end paystub from the prior year and the most recent paystub for the current year. These two items should show you the total breakdown of what was received for the prior year, particularly where a bonus, restricted stock vesting or other such event has not yet occurred during the current year.

When the paystub reveals line items for restricted stock vesting and deductions, or other components beyond salary and bonus, relevant discovery should include employment agreements, annual compensation summaries, executive compensation and deferred compensation plans, grant agreements, award notices, vesting schedules, performance criteria and brokerage statements. These records can establish when an award was granted, what services it was intended to compensate, when the employee obtains enforceable rights, whether the award is forfeitable or transferable, when shares or cash will actually be delivered and whether shares are withheld for tax purposes.

Obtaining and understanding the summary plan descriptions and award agreements for each award is important, as vesting schedules can vary by award type and from year to year. For instance, a company may award RSUs on a three-year vesting schedule for performance over the past year and also award performance shares on a cliff vesting schedule with performance measures in each of the following five years. Further, RSUs that previously had a four-year vesting schedule may change to a two-year schedule, with prior awards grandfathered in and retaining the original vesting schedule or with automatic vesting of all currently unvested shares.

Finally, reviewing both the statements showing where unvested RSUs are held upon grant and their status once vested is essential. If vested shares were sold, the sale may result in capital gains or losses, and the disposition of proceeds may be important for quantification of the marital estate and income available for support.

In divorce proceedings, the classification of RSUs may depend on the jurisdiction's governing law, the date of acquisition, the marital period during which the award was earned and the purpose of the grant. An award granted during marriage may compensate for services performed both during and after marriage. Conversely, an award granted after separation may relate to work performed during the marriage or may be intended entirely to compensate for future services. For this reason, discovery should identify the grant date, vesting commencement date, service period, vesting conditions, settlement date and any applicable forfeiture provisions.

The parties should also determine whether the award replaces a previously earned bonus, compensates for past performance, rewards future service or serves primarily as a retention incentive. These distinctions can materially affect classification, valuation and the appropriate treatment of the award in support calculations.

Ultimately, careful and comprehensive discovery promotes accurate financial

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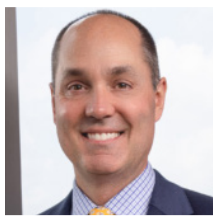
Gray divorce: Plan ahead before your client is dead (or in long-term care)



By Robert Weinberg

When a divorce raises the specter of elder law concerns, it is critical to consult an expert, which I recently did with Matthew Kikta, a partner with Julian Gray Associates and a seasoned elder law and estate planning attorney. The following is a somewhat accurate summary of that discussion.

The case involved a wife whose husband was unwell and likely needed long-term care. Grounds for divorce had not been established; assuming no competency issues, Matt's advice was to get the parties divorced as soon as possible, for at least two critical reasons.

First, if there is an intestate estate, and the parties haven't done any estate planning, Pennsylvania's intestate statutes provide a portion of an intestate estate to a surviving spouse. That spouse may generally receive the first $30,000 plus half of the estate. Even if there is an estate plan, the surviving spouse can claim an elective share if they're still married.

Second, the county assistance office can claim an elective share should the spouse have built up a debt to the state for his care. Medical Assistance law generally only delineates between the applicant being married or single, so designations like "separated" or "estranged" generally will not enable the applicant to be considered "single." This could subject the applicant to the rules of a married Medicaid case, which means the assets of both spouses would be considered in a spend-down prior to getting that spouse on Medical Assistance.

Moreover, a major concern for divorcing parties is whether one spouse will be financially liable if the other party goes into a care facility.

In a married Medicaid case, with the exception of the primary residence, one vehicle and the community spouse's qualified retirement accounts, all other assets regardless of title are considered countable and must be spent down before Medical Assistance can be obtained.

So, even if a married couple is separated and maintains separate assets, those assets could still be considered for the husband's care costs. A divorce decree demonstrates that the ex-husband is a single applicant, thus protecting the other spouse's assets.

The question then arises as to whether, assuming he's competent, the husband in this case could shield assets or financial interests from being intercepted to repay public benefits.

If the husband is about to go into a facility, it's likely too late. There is a five-year look-back rule, so efforts to "plan" in that window may be futile. There are creative ways to plan for these issues, such as Medicaid trusts, but those discussions need to happen early.

Another concern is the implication of an alimony award where the recipient spouse is receiving public benefits. Alimony could be allocated to the husband's income threshold when considering income-sensitive benefits such as the Medical Assistance Waiver program, which has a monthly income cap. So, depending on the husband's situation, an alimony award may be detrimental.

Talking to Matt provided significant relief regarding my case. So, I asked him how to be more proactive in managing elder law issues in future divorce cases.

He told me that, generally, there are two types of clients he works with. The first are "pre-planners" looking to get their ducks in a row by creating an estate plan to protect their family and to shield assets from being exposed to long-term care. These clients are typically proactive in adjusting their estate plans when life throws a curveball such as a divorce.

The second are "crisis planners." These clients plan to pay for care and then get sticker shock from the first facility invoice. There are still steps to protect assets, but it's much better to be in the preplanning category than in crisis mode, which protects a larger percentage of assets.

The bottom line is this: when representing a "gray divorce" client, consult early and often with an expert like Matt, so the client is not attempting to triage a crisis scenario in the last years of his or her life. ■

Matthew Kikta *is a partner and Certified Elder Law Attorney at Julian Gray Associates. He can be reached at 412-458-6016; Matthew@GrayElderLaw.com.* **Robert Weinberg** *is a partner in the family law and estate planning groups at Pietragallo, Gordon, Alfano, Bosick & Raspanti, LLP. He is also a fellow with the Pennsylvania Chapter of the American Academy of Matrimonial Lawyers. He can be reached at 412-263-2964; rdw@pietragallo.com.*

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Lessons from chambers: What four years as a law clerk have taught me



By Samantha Dorn

Four years as a judicial law clerk have taught me quite a bit about the practice of law, much of it outside the pages of a law textbook. I've watched families navigate some of the most difficult moments of their lives and seen attorneys at their best, as well as opportunities for improvement. Here are a few lessons worth sharing, particularly with attorneys in private practice.

Meet and confer, even if the other side is pro se

Not every disagreement requires court intervention. Yet many cases return to Motions Court week after week over issues a simple conversation might have resolved. Before filing a motion, actually communicate with opposing counsel. You may find a compromise without having your client pay for your time in court.

The same goes for self-represented parties. I've heard that some firms prohibit lawyers from speaking with pro se opponents, or consider doing so futile. That shouldn't stop you from meeting and conferring, so long as the pro se party understands you do not represent them. If you reach an agreement, memorialize it in a Consent Order signed by everyone and file it with the Court.

Keep in mind that a judge may ask whether counsel have met and conferred and, if not, direct them to do so or even decline to hear the motion until they have.

Understand the people behind the cases

Each family brings its own dynamics. This includes cultural and religious traditions, experiences and backgrounds. Learn about them and tell the Court. Ask your client which holidays and traditions matter to their family, and build them into your proposed custody order. If there are any assets of particular cultural importance, flag them.

But cultural competency goes further. People have different communication styles, experiences, abilities and needs. Those differences affect how they participate in the legal process. In Housing Court or foreclosure proceedings, you may meet someone who has lived in the same home for decades and may now lose it, or someone facing physical limitations, communication barriers or mental health challenges. Effective advocacy requires more than knowing the law; it requires understanding the people affected by it.

Sometimes the problem is in your client's house

It's not uncommon for multiple adults, related or not, to live under the same roof as your client and the child, and they may influence your client's decisions more than you think. A grandparent or significant other may be pushing your client to fight when they don't really want to, adding unnecessary litigation. (You can tell this when your client holds a strong position but can't give a solid reason for it.) Or someone in the home may be a known drug addict or a registered sex offender.

Litigants must disclose to the Court if any adult in their home has a criminal history or a finding of abuse. If this surfaces later, such as through the other side's motion, talk to your client about the potential negative impact if it isn't addressed.

Sometimes the problem is your client

We like to think the other side is causing all the problems. But your own client may be adding to the conflict more than you realize, and then manipulating you into thinking they're totally innocent.

Advocate for your client, but don't become blind to concerning behaviors or patterns. If a custody evaluation raises concerns about alienating or manipulating behavior, don't dismiss it outright. If the Court orders your client to be evaluated for therapy, tell them to comply. These third parties often see and hear things you may not (want to) see. Zealous advocacy doesn't mean adopting your client's frustrations and personal conflicts; sometimes the most valuable thing you can do is help a client recognize when their position is unreasonable.

Effective attorneys are problem solvers. It's easy to identify everything wrong with a situation; the greater challenge is finding a practical path forward. Being needlessly confrontational or discourteous rarely resolves a dispute. Our legal community is small, and reputations matter. Attorneys who are prepared, reasonable, courteous and solution-oriented distinguish themselves in a positive way.

The courts are busy

The court's time is precious and limited. Every motion, hearing and argument takes time that could go to another matter awaiting resolution. Before filing, consider whether the issue has legal merit, whether judicial intervention is necessary and what relief you are actually seeking. Meritless arguments and needlessly prolonged disputes do little for your client and take time from litigants with legitimate issues.

That doesn't mean hesitating to bring difficult or contested matters to the court. Every litigant deserves to be heard; just use sound judgment and come prepared to help the Court reach a resolution.

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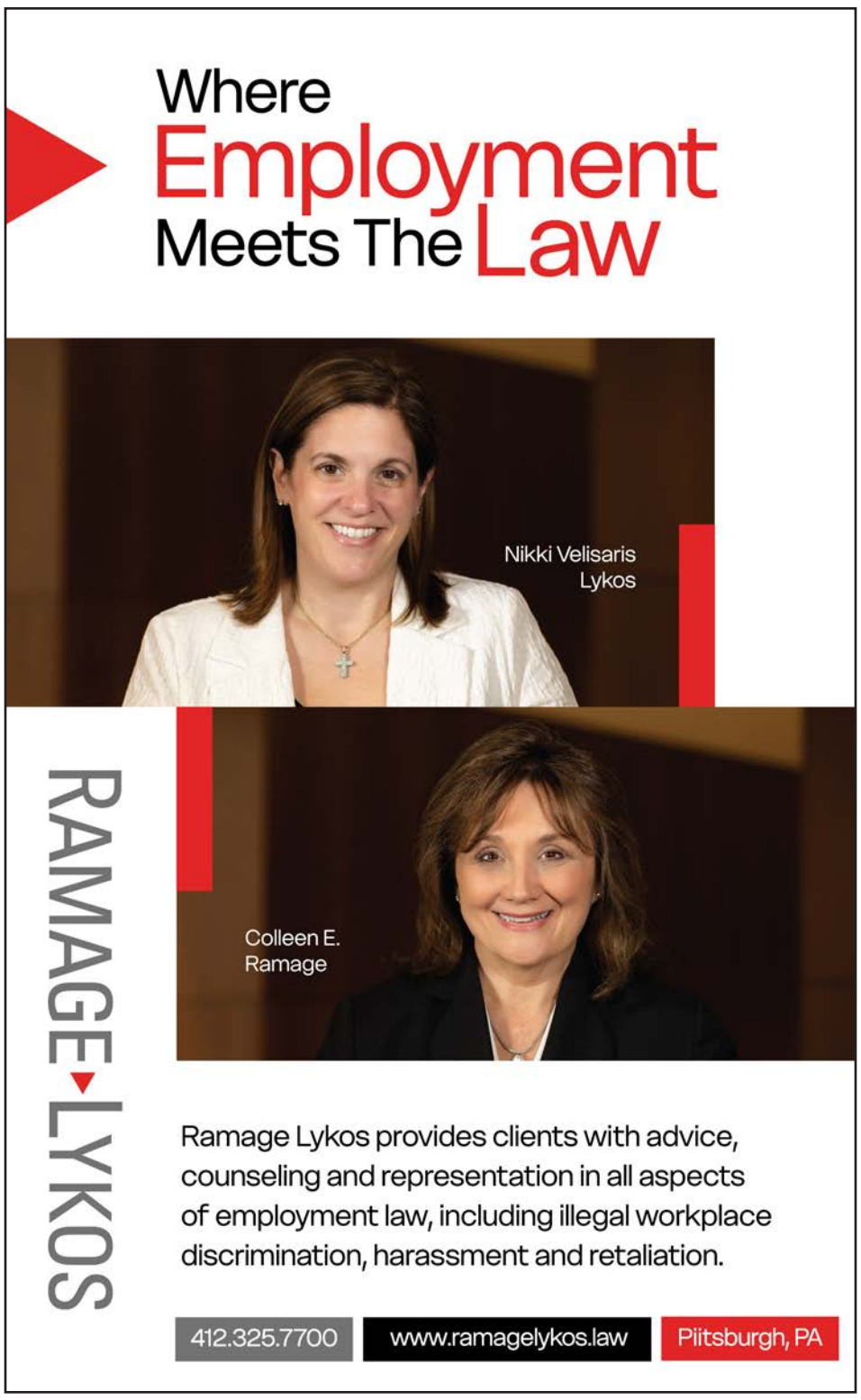

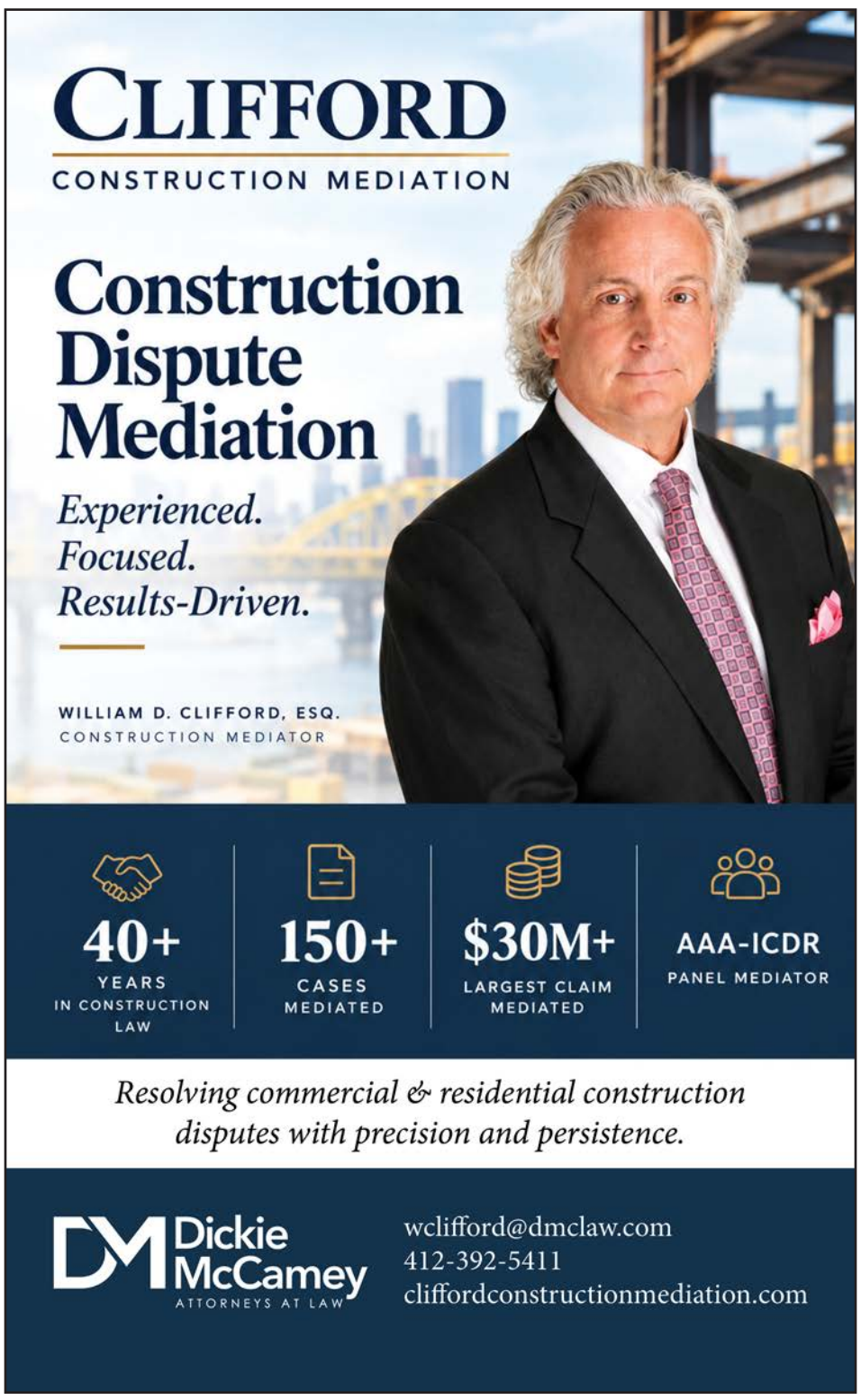

Parent coordination: The underused tool in custody cases



By Carla S. Donnelly

Since Karen and Brad settled their custody case last year, their attorneys have been in motions court every month to resolve issues about custody exchanges, haircuts, school uniforms, and communications with school personnel. Their attorneys are at the point that they are ready to throw their hands up because every small issue turns into a big fight and the judge is tired of dealing with them. This is the perfect case for Parent Coordination.

What is a parenting coordinator?

A parenting coordinator ("PC") is a court-appointed professional who helps high-conflict parents implement an existing final custody order. Despite its potential to reduce conflict quickly and minimize frequent court intervention, parent coordination remains an underutilized resource in high-conflict custody cases.

PCs are usually appointed for a period not exceeding 12 months, which the court may extend on petition or at its discretion. The parties may also agree to seek renewal of the appointment. The parties generally equally divide the cost, subject to reallocation. This is cost effective because each party only pays one half of the PC's hourly rate and their attorneys do not need to draft pleadings or attend court. Most of the work is done either on a call or through emails.

PCs cannot make recommendations on all custody issues. Per Pa.R.C.P. No. 1915.11-1, as amended effective April 1, 2025, PCs may make recommendations, among other things, on issues involving custodial transitions, schedule variations for special events, exchange of clothing and possessions, modes of communication between parents, and coordination of existing therapies. PCs cannot make recommendations that involve a change in legal custody or primary physical custody, a change in the custody schedule that reduces or expands a party's time (other than a temporary special-event variation), relocation, and major decisions affecting the child's health, education, or religion.

How the process works

When a parent raises an issue, the PC first tries to resolve the issue. If no agreement is reached, the PC recommends a resolution to the court within two days. The recommendation is binding on the parties pending the court's disposition. Upon a timely objection, which must be made within five days, the recommendation becomes an interim order of court pending further disposition. Although parents have the right to object to the recommendation and request a hearing, this rarely occurs in my experience.

Parent Coordination is needed most in high-conflict cases in which the parties cannot agree on the simplest of matters. For example, as a PC, I have decided issues about what the child wears for exchanges, sport uniform sharing, summer vacations, holiday exchange locations, and how counseling gets scheduled. When I represent a party in a high-conflict case, I like that I am not going to motions court to ask the judge to decide issues such as which party handles haircuts.

My protocol

When the parties enter into a consent order appointing me as the PC, I first set up a video meeting with each party separately for an hour to get a better understanding of the conflicts as they see them and anything else they think I need to know. That is the only time I speak with the parties separately. All other communications involve both parties.

A party will email me with an issue that has arisen. They explain the issue and how they would like it resolved. I then ask the other party to tell me their perspective and their proposed resolution. I try to get the parties to agree to a middle ground resolution. As is often the case with high-conflict parents, they rarely agree to the middle ground. So, after each party has had their say, I issue a recommendation within two days. Sometimes my recommendation aligns more with one party's proposed resolution. Still, there are times my recommendation does not mirror what either party wanted.

I used to be surprised when parents asked to renew my appointment because my recommendations rarely give each party what they want. I have come to realize that parents like having a quick and thoughtful resolution without paying counsel fees and waiting for the court to rule.

Who may serve as a parent coordinator

A PC must be a Pennsylvania-licensed attorney or a mental health professional with a master's degree or higher, with at least five years of family-law practice or comparable post-degree experience. They also must have specialized training, including five hours in domestic violence education.

When a court can and cannot appoint a parent coordinator

A PC may be appointed only after a final custody order has been entered, and only in cases involving repeated or intractable conflict affecting implementation of that order. The rule expressly states a PC "should not be appointed in every case." That said, I am often in motions court seeing

continued on ***page 23***



HSBD FALL KICKBACK







HSBD Chair Kellie Ware (middle) paused for a photo with event sponsors Melissa Lewis of MCL Family Law (left) and Mark Vitelli of Network Deposition Services (right) atop the Dollar Bank Rooftop last month during the ACBA Homer S. Brown Division Fall Kickback.

PHOTOS BY **DANIEL PRIORE**

TOP RIGHT: *HSBD Chair Kellie Ware welcomes attendees to the event.*

BOTTOM RIGHT: *HSBD members gathered for an evening of fellowship, food and drinks during the event.*

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Live Webinar CLE – How Social Work Can Help Your Legal Practice
Credit: 1 Substantive

TUESDAY, DEC 1ST 4:00 PM - 5:00 PM
In-Person CLE – Environmental Hearing Board Roundtable Discussion
Union Trust Building, 11th Floor
Credit: 1 Substantive
*Environment and Energy Law Section Holiday Party to follow CLE

WEDNESDAY, DEC 2ND 2:00 PM - 5:15 PM
In-Person CLE – Emerging Technology and Construction Law
Revel (Hilton Garden Inn)
Credit: 1 Ethics, 2 Substantive
*Construction Law Section Holiday Party to follow CLE

WEDNESDAY, DEC 2ND 4:00 PM - 5:00 PM
In-Person CLE – The Interrelationship Among the WC Act, the Heart and Lung Act, and Acts 534 and 632
Rivers Club
Credit: 1 Substantive
*Workers' Compensation Section Holiday Party to follow CLE

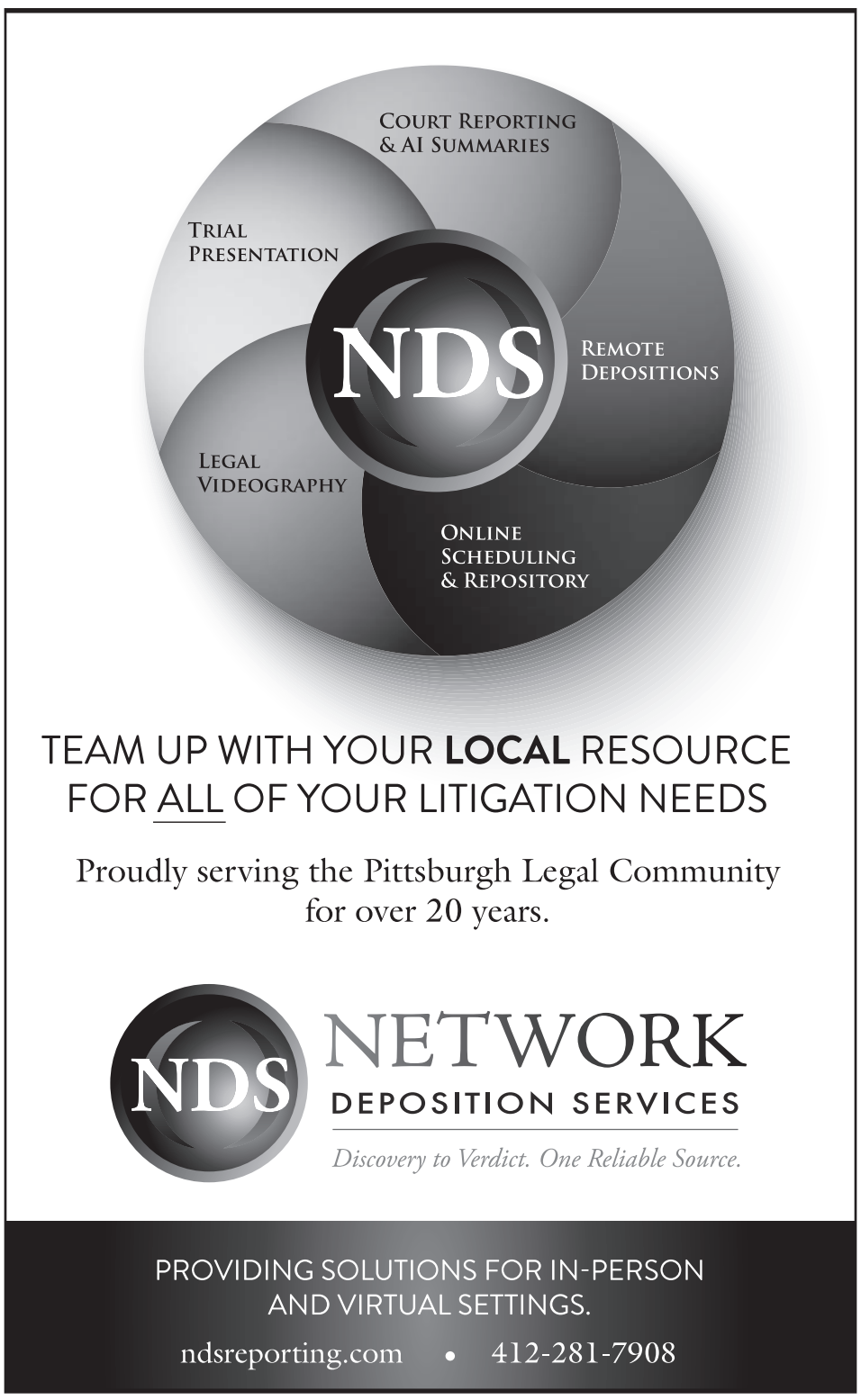
FRIDAY, DEC 4TH 8:30 AM - 5:00 PM
In-Person CLE – Bankruptcy Symposium
Westin Hotel
Credit: 1 Ethics, 5 Substantive
*Bankruptcy and Commercial Law Section Holiday Party to follow CLE

WEDNESDAY, DEC 9TH 4:00 PM - 5:00 PM
In-Person CLE – A Primer on Gifts, Gift Tax and Charitable Giving
Embassy Suites Hotel
Credit: 1 Substantive
*Probate and Trust Law Section Holiday Party to follow CLE

THURSDAY, DEC 10TH 4:00 PM - 5:00 PM
In-Person CLE – Basic International Tax Considerations While Conducting Business Abroad
Koppers Building
Credit: 1 Substantive
*Taxation Section Holiday Party to follow CLE

WEDNESDAY, DEC 16TH 4:00 PM - 5:00 PM
In-Person CLE – State of the Union:
Allegheny County Court of Common Pleas Civil Division
Rivers Club
Credit: 1 Substantive
*Civil Litigation Section Holiday Party to follow CLE

Register today at **ACBA.org/calendar.**



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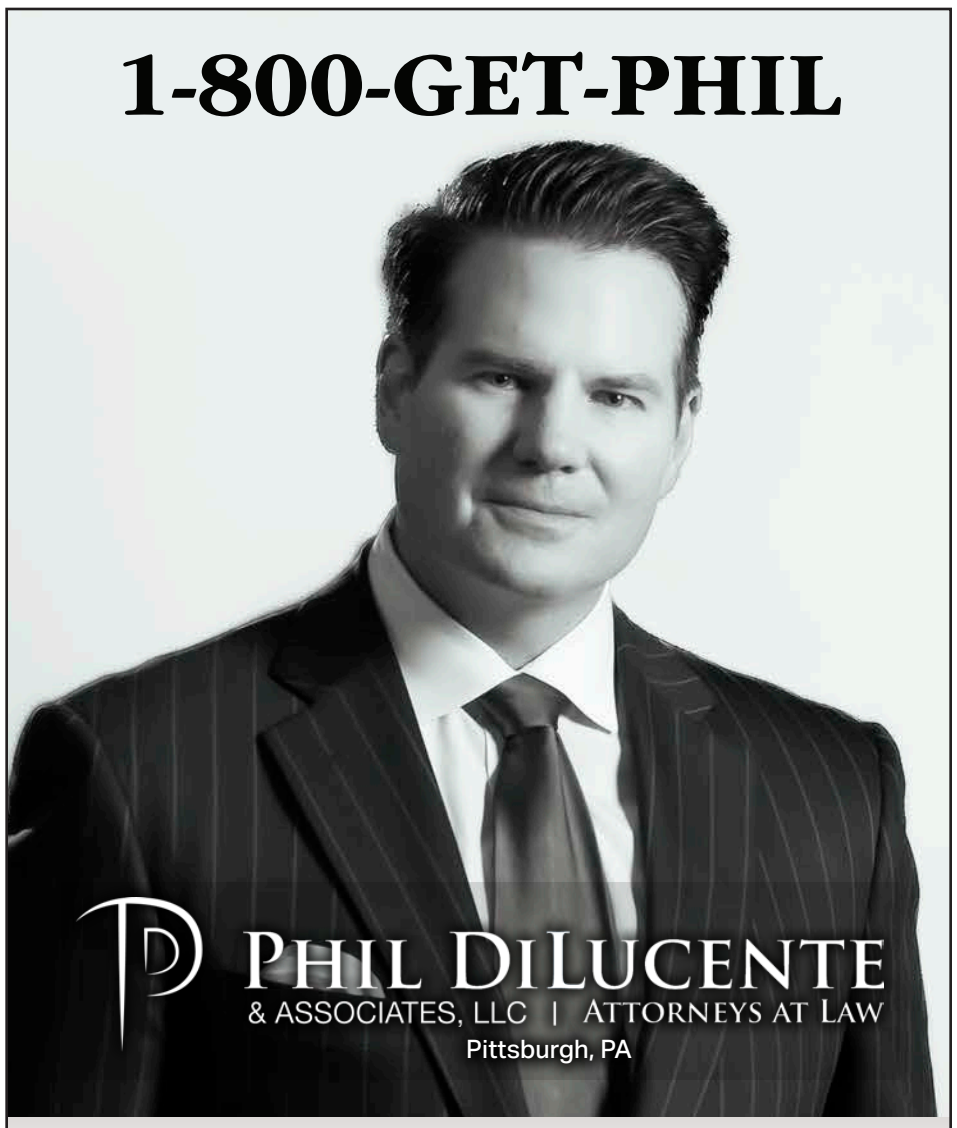

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Vendors interested in being listed in future editions of the Expert and Vendor Guide should contact Brian Knavish, the ACBA's Director of Marketing, Media Relations and Strategic Partnerships, at *bknavish@acba.org* or 412-402-6620.

ALL INFORMATION

CONTINUED FROM PAGE 17

findings, equitable property allocation and support determinations grounded in the actual nature of the executive's compensation, without overlap for items that have already been considered.

Legal note: The treatment of RSUs and double dipping varies by jurisdiction and depends on the governing statutes and case law. In a specific case, the analysis should distinguish the classification of the award, its valuation for property division and its treatment as income for support purposes. ■

Angel Revelant, *CVA, MAFF, is a financial expert qualified to testify in various state and federal courts. She provides litigation support services in areas including economic damages, lost profits, lost earnings, business valuation, retirement and pension plans, net disposable income, and fraud and forensic analysis.*

LESSONS FROM CHAMBERS

CONTINUED FROM PAGE 19

Your urgency is not the court's emergency

Just because you label something an "Emergency Motion" doesn't make it one. Emergencies are reserved for serious, extremely time-sensitive matters: a parent has absconded out of state with the child and is out of contact; a child needs immediate medical treatment the other parent won't consent to; or your client just received notice that the bank plans to foreclose on the marital home. If there's no immediate safety concern or loss of a marital asset, it can wait until Motions Court.

There are many more I could list, but these are the most important for a practicing family attorney to keep in mind. ■

Samantha Dorn *is a Judicial Law Clerk for the Court of Common Pleas of Allegheny County and has served in both Family Division and Civil Division. She also teaches Domestic Law for the Paralegal Institute of the Thomas R. Kline School of Law of Duquesne University.*

PARENT COORDINATION

CONTINUED FROM PAGE 20

counsel argue over issues that show just how high-conflict the case is and could have been handled by a PC.

Conclusion

Parent Coordination will not make a high-conflict case disappear, but it channels the endless small disputes away from motions court and toward a quicker, less expensive resolution. Parent Coordination deserves more attention than it receives. Indeed, it keeps the focus where it belongs, which is on implementing the custody order the parties already have, rather than relitigating it one grievance at a time. Attorneys with intractable, high-conflict cases early can spare their clients (and themselves!) endless trips back to the courtroom. ■

Carla Schiff Donnelly *is a partner at Pietragallo Gordon Alfano Bosick and Raspanti, LLP. She is a member of the Family Law Practice Group.*

BAR BRIEFS

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For more information or to apply, visit *ACBA.org/KTF* or contact David Gordon at *david.gordon@pnc.com.*

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