



Peacock Tales

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To Clients and Friends of the Firm

After 44 years of practicing law, 41 of which were with Peacock Keller & Ecker, LLP, I decided to retire. It was a difficult decision. My clients are also my friends and I am going to miss contact with each and every one of them.

When I began practicing law with the firm before I went to the Army Judge Advocate General's Corps, I was attorney #6. Today, there are 18 attorneys. I am proud to have worked with each and every one. They are my friends and co-workers and I can trust each one to assist in representing my clients. I will miss each of them.

In particular, I will miss Chuck Keller who has been a mentor to me and at 92 years old, remains a wise and capable counselor to all of the firm. His life is an inspiration to us all.

Finally the staff which numbers approximately 32 are an integral part of providing legal services. Again, they too are close friends. Most have been with the firm for many years, some almost as long as I have been. We are truly a family.

The fact that the firm has been the largest local law firm in Washington County for many years and has been in existence for 90 years speaks for itself.

As many of you know, history, music and involvement in the community are my interests. I will continue until the end of my term to be on the Board of Directors of the Washington Symphony, to serve as the President of the Washington Jazz Society, the Chairman of the Scouting for Food program in Washington County, a member of the Laurel Highlands Council Board of Directors of Boy Scouts of America and I will continue to be active in the Washington Rotary Club.

My plan is to volunteer for the Washington County Historical Society, do some genealogy, be a part of a new mentor program currently being developed by Mary Jo Podgurski to help high school students graduate from Washington High School, continue working on my book on the history of jazz in Pittsburgh and spend time with my two grandchildren who are 13 months and 2-1/2 years old. I'm sure all of these projects will keep me busy.

I hope I will continue to have contact with each of you and that in the words of the Irish blessing:

*May the road rise up to meet you.
May the wind be always at your back.
May the sun shine warm upon your face;
the rains fall soft upon your fields and until we meet again,
may God hold you in the palm of His hand.*



Kenneth L. Baker, Esq.

On behalf of the Peacock Keller attorneys, we thank Ken for his patient mentoring and his friendship for so many years.

We will miss him seeing him in the office on a regular basis and we wish him well in this new chapter of his life!

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Peacock Keller Adds Two New Partners to Its Ranks

Peacock Keller proudly announces the selection of two new Partners, Rachel K. Lozosky and Donald B. Formoso. During their time as associate attorneys, Ms. Lozosky and Mr. Formoso carved out significant niches with respect to their particular areas of practice and we look forward to their continued contribution to the Firm's success.

Ms. Lozosky joined Peacock Keller in the fall of 2008 and concentrates her practice in education and employment law. She serves as solicitor for numerous public school districts, providing counsel on a wide variety of issues and represents public school districts throughout the greater Pittsburgh region through the Firm's position as an approved defense firm with the Pennsylvania School Boards Association Insurance Trust. Ms. Lozosky also represents private companies and non-profit entities in employment law matters, including employee discipline, hiring and termination, and counsels these clients regarding compliance with myriad employment laws including the Family and Medical Leave Act, COBRA and federal and state anti-discrimination laws.

Ms. Lozosky graduated cum laude from Washington & Jefferson College in 2001 with a B.A. in Political Science and Psychology with a minor in Spanish and was elected to several honor societies. Ms. Lozosky went on to earn her law degree from the University of Pittsburgh in 2004. She is very active in professional organizations, presenting numerous continuing legal education courses and is an active member of the Rotary Club of Washington and the Washington and Jefferson College Alumni Executive Council.

Mr. Formoso joined Peacock Keller in the fall of 2010 and concentrates his practice in the areas of business law, estate planning, estate administration and real estate. Mr. Formoso provides counsel to business owners with respect to start-up, sales and purchases of existing businesses, commercial transactions, corporate governance and shareholder agreements. In addition, Mr. Formoso prepares Wills, Trusts, Power of Attorney documents and Living Wills, and advises clients with respect to estate administration, estate and gift tax planning, special needs planning and business succession planning. Mr. Formoso is a frequent lecturer at continuing legal education programs on business, estate planning and tax issues.

Mr. Formoso earned his J.D. from the University of Pittsburgh and is a magna cum laude graduate of the University of Pittsburgh Honors College of Politics and Philosophy program. While studying at the University of Pittsburgh, he was selected as a Brackenridge Research fellow, served as an undergraduate teaching assistant, and was elected to several honor societies.

Mr. Formoso volunteers his time on many non-profit boards, such as the Olivia Scott Foundation, and is active with the Knights of Columbus. Most recently Mr. Formoso joined the Peters Township Chamber of Commerce Board of Directors.



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Business Law, Estate Planning & Administration and Real Estate

PEACOCK TALES is published quarterly for the information of our clients and friends. The Editorial Group is composed of Stephen P. Curry, editor, John A. Rodgers and Susan T. Roberts, co-editors, and Kate McCoy, Marketing Director.

Articles are carefully researched, but are not intended as legal advice or as a substitute for legal counsel. Inquiries concerning articles or requests for inclusion on our complimentary mailing list should be addressed to your Peacock Keller attorney or to the Editorial Group at:

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New Escheat Rules in Pennsylvania

In July of 2014, the escheat rules in Pennsylvania were changed. Many of you might be asking yourself, “What the heck are escheat rules?” Well, when property is unclaimed or abandoned, after a certain period of time, the property is “escheated,” or transferred, to the state. As of July 2014, the period of time before property may be transferred to the state was reduced from five years to three years for most kinds of property. To better understand what this means, here is an example.

You have a checking account at a local bank. It is the only account you have with that particular bank. The account has a significant balance, but you haven’t withdrawn any money from the account or deposited any money into the account for a period of three years. At that point, the bank has the right to consider the property unclaimed and abandoned and the bank can transfer that money to the state.

Why you might ask, didn’t the bank notify me that they were going to do this? Well, according to the law, the bank doesn’t have to. There is no requirement in the law that notices have to be sent to the owners of the property letting them know that it will be transferred to the state. That being said, the Pennsylvania

Treasury Department recommends that notices be sent to owners of soon to be transferred property.

The three year clock starts running at different times, depending on the kind of property in question. For example, the time period starts running for checking and savings accounts from the last withdrawal or deposit. In those cases, the clock is reset multiple times a year, depending on how often you make a deposit to, or withdrawal from, the account. But what about other types of property? The time period for some property doesn’t start until the property owner passes away, while the time period for other types of property starts on the date the property reaches maturity. Let’s look at another example.

You purchase a five year CD from a bank. The time period for the CD to be transferred to the state does not start until the CD reaches maturity. Once the CD matures, the three year clock begins to run and if nothing is done with it, it could be transferred to the state.

So what can you do to make sure that your property doesn’t get transferred to the state? As already mentioned, the time period restarts on checking and savings accounts

every time a deposit or withdrawal is made, but what about other property? There are several ways you can notify the holders of your property that you still have an interest in the property. You can contact the holder of the property by written communication, you can make verbal contact with the holder of the property (we recommend you document the conversation), or you can make electronic contact through a secure or password protected site.

If you’re worried that your property may have been escheated to the state or that it could potentially escheat sometime soon and you don’t know what you should do, we urge you to contact Peacock Keller for assistance.



By: Daniel P. Gustine

Case Notes

- In Indonesia, a photographer left his camera unattended and a monkey took a picture of itself. The photographer published a book including the photo with other animal “selfies.” Wikipedia published the photo without permission. The photographer sued for copyright infringement. The U.S. Copyright Office ruled that the office would not register works produced by animals. People for the Ethical Treatment of Animals (PETA) sued the photographer in the U.S. District Court for the Northern District of California for profits and other relief on behalf of the monkey. U.S. District Judge William Orrick, in announcing his intention to dismiss the complaint, said, “I’m not the person to weigh in on this. This is an issue for Congress and the president. If they think animals should have the right of copyright they’re free, I think, under the Constitution, to do that.”
- A Louisiana attorney who purchased a “detox shampoo” for a client facing drug testing in order to scrub his client’s hair of any signs of illegal drug use has been disbarred.
- A South Carolina attorney has been reprimanded for buying Google ads that linked the names of opposing lawyers as keywords in a derogatory internet marketing campaign. The lawyers’ names were linked to other key words, “Ripped off?” “Lied to?” “Scammed?”



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PEACOCK KELLER IN ACTION

Peacock Keller hosted an exhibit booth at the Washington County Chamber of Commerce Annual Business Expo and Celebration.



Andy Chumney presented at the National Business Institute’s continuing education seminar, “Mineral Rights: What you Need to Know NOW!”



Rachel Lozosky presented “Protecting Pennsylvania’s Children: Clearances and Mandatory Reporting for Employers, Employees and Volunteers” at the Washington County Bar Association’s 2016 Winter Bench Bar.



Peacock Keller announces the winner and runner ups (respectively) in the Firm’s Inaugural Ugly Christmas Sweater Party.



From left to right: Andy Chumney - First Runner-up, Terri Lovejoy - Second Runner-up, David Huggins - WINNER!

PARTNERS:

- Roger J. Ecker
- Wesley A. Cramer
- Richard J. Amrhein
- Barbara A. Graham
- Douglas R. Nolin
- Jonathan G. Higie
- John A. Rodgers
- Susan T. Roberts
- Susan Mondik Key
- Andrew S. Chumney
- Stephen P. Curry
- Rachel K. Lozosky
- Donald B. Formoso

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- Frank G. Adams
- Eva H. Ahern
- Daniel P. Gustine
- Thomas A. Steele

SENIOR COUNSEL:

- Charles C. Keller

