

IN THE COURT OF COMMON PLEAS
OF NORTHAMPTON COUNTY, PA
CIVIL MINUTES

RE: MEMORIAL SERVICES FOR :
RALPH W. BARTHOLD, ESQUIRE, :
ROBERT UNGERLEIDER, ESQUIRE, :
RUSSELL KOWALYSHYN, ESQUIRE, :
DANIEL F. JOELLA, ESQUIRE, :
WAINWRIGHT E. H. DIEHL, ESQUIRE, :
GEORGE J. BLASCO, ESQUIRE. :

Memorial Services held in Courtroom No. 1 in the Northampton County Government Center, Easton, Pennsylvania, on Wednesday, September 7, 1988.

HONORABLE ALFRED T. WILLIAMS, JR., PRESIDENT JUDGE
HONORABLE RICHARD D. GRIFO, JUDGE
HONORABLE MICHAEL V. FRANCIOSA, JUDGE
HONORABLE ROBERT A. FREEDBERG, JUDGE
HONORABLE WILLIAM F. MORAN, JUDGE
HONORABLE F. P. KIMBERLY McFADDEN, JUDGE

JUDGE WILLIAMS: The Court en banc is specially convened this morning to recognize those members of this bar who have passed away during the last year. The Court recognizes the President of the Northampton County Bar Association, Charles Peischl.

MR. PEISCHL: May it please the Court, Your Honors, ladies and gentlemen. We are here this morning to remember, to eulogize and to honor the members of the Northampton County Bar Association who have passed away during the last year.

There are six of our colleagues who have died during that time. Those six are Ralph W. Barthold, who died on October 23, 1987; Wainwright E. H. Diehl, who died on December 22nd, 1987; Robert Ungerleider, who passed away on April 6th, 1988; Russell Kowalshyn, who died on April 17, 1988; Daniel F. Joella, who died on May 16, 1988; and George J. Blasco, who passed away on May 26, 1988.

The purpose of this morning's memorial service is to remember and to pay a final tribute to our deceased colleagues. In offering this final tribute, we are recalling as a profession what each of these colleagues has contributed to a mutual calling and to the general public it has served. In eulogizing these six individuals, we are paying our respects to their assembled family members and thanking them for the support that they gave to their husband, their father, their son or brother during his years of practice. In a much broader sense, we are recognizing and celebrating the richness of their lives and their unique and varied careers, talents and interests which make our profession and also the individual and collective associations within it so meaningful.

On behalf of the Northampton County Bar Association, I want to thank our judges for setting aside this specially designated time this morning for this memorial service and for your full participation in it. I want to acknowledge, welcome and pay our respects as the Bar Association to the families and the friends who are here today, and I want to thank the six members of our Bar Association who are serving this morning as eulogists. Those six individuals are the Honorable Carleton T. Woodring, Keene Jabbour, Edward G. Ruyak, Frank W. Yandrisevits, Morris Mindlin, and Lorenzo W. Crowe, Jr.

JUDGE WILLIAMS: The Court recognizes Edward G. Ruyak, Esquire.

MR. RUYAK: Thank you, Your Honor. May it please the Court, members of the family of Robert Ungerleider, fellow attorneys, friends and relatives. In April of this year we lost a giant amongst the legal profession of our community in both the Northampton County Bar as well as the Lehigh County Bar. It was my pleasure to have known Bob Ungerleider for the past thirty-eight years, and whoever came in contact with him came to admire and respect him for his many varied and talented manners and efforts.

It has been said among the legal profession that the law is a jealous mistress. If this is so, then the law certainly loved and was loved by Bob Ungerleider. He was one of the hardest working and most intelligent men of the bar.

He was born on July 21, 1913, in Phillipsburg, New Jersey, the son of Morris and Mary Ungerleider and was one of four brothers, being survived by Abe of Bethlehem, William of Allentown and Dr. Harry of St. Petersburg, Florida. He is also survived by his wife, Louise, and three daughters, Lisa, wife of Tzvi Millstein of Columbia, Maryland, Susan of Philadelphia and Pamela of Allentown.

Bob graduated from Lafayette College with honors and was a member of the Phi Beta Kappa Society. He studied law at the University of Pennsylvania and likewise graduated with honors. He was admitted to the Bar of Northampton County on July 1st of 1940 and practiced law for forty-seven years in the City of Bethlehem.

During that time, he distinguished himself as a lawyer, and his talents and ability were recognized in being president of the Bar Association of Northampton County and a member of the American Bar Association, the American Judicature Society, the American Trial Lawyers Association, the National Association of Claimants Counsel and was solicitor for many bureaus in the county, being the County Childrens Bureau and the County Hospital and the Industrial Development Authority as well as the Moore Township Planning Commission.

He was also a director of the Kiwanis Club and also of the Bethlehem Chamber of Commerce; and last year, he had the honor of being sworn in to practice before the United States Supreme Court. He was also a First Assistant District Attorney of Northampton County.

Not only was he a brilliant lawyer and advocate, but he was also a responsible, faithful and dedicated family man. He was close to his wife, Louise, and three daughters and brothers and loved them very much, was generous to them and counselled them on many occasions; and when they needed him, he was around to answer their wants and needs. He boasted about them on many occasions and their accomplishments.

He was also a deeply religious man who observed the traditions and tenets of his faith and was admired and respected for his beliefs and contribution as a member of the Congregation of Brith Sholom in Bethlehem.

I remember in 1957 when I became District Attorney, I had the privilege and the honor of choosing him as my First Assistant, and he became a very valuable and tremendous asset to our staff; and together we enjoyed many enviable experiences and sometime adventures in the administration of justice in our County and the compliments of Judges Woodring, Palmer and the late President Judge Barthold who, upon our completion in the D.A.'s office, attested to his valuable assistance.

I believe our record still stands during the administration of the District Attorney's Office when Bob served as First Assistant for having gone through an entire Criminal Court Term without having to try a single case; and all the Defendants pleaded guilty and Court adjourned by Wednesday of that week after Bob and the staff urged the attorneys for the Defendants that it was useless to go to trial because of the preponderance of the evidence against their clients and because of the preparation; and, of course, a small dose of "plea bargaining" helped. I might also add, I'm sure, that Judge Williams, had he had such an agenda at this particular time of day would be most welcome.

However; Bob was noted for his meticulous and painstaking preparation of a case and being an excellent trial lawyer. He was respected and admired by his colleagues, noted for his astuteness and intelligence as a practitioner to such an extent that in later years he became known as a "Lawyer's Lawyer", and that is what other members of the bar, particularly the younger members, looked to for guidance and advice and his opinions regarding complex or intricate matters of the law or a procedural problem requiring interpretation or a course of action to follow, and Bob always gave of his time freely and without compensation or reservation.

He had a passion for the law and its challenges, and there was nothing unusual to find him in his office late at night and his wife Louise calling him and urging him to come home because of the lateness of the hour. However,

that was his nature, best described as a fastidious, concise, and precise individual when it came to the practice of the law, well prepared and a brilliant advocate and a shining example to the younger members of the bar.

It should also be noted that he had a valuable assistant in the form of his secretary, Bernice, who served him well for twenty-four years, not only as a secretary but also as his girl Friday.

His brilliance as a lawyer was complimented by a charismatic personality, full of warmth, a gregarious, caring and sensitive individual in whose company you felt comfortable and at ease. In short, he was delightful company and enjoyed a multitude of friends and clients and members of the bar.

Although he was an immensely successful lawyer, nevertheless he was unpretentious, unassuming and an impeccable dresser and always had a kind greeting or warm hello whenever you saw him. He enjoyed politics and was counsellor to many people in elective office today and was a delegate to the Democratic National Conventions in 1964 and 1968.

If there were two outstanding attributes to his character that stand out in my memory, they would be loyalty and integrity. He was intensely loyal to his wife, his children, his brothers, his faith, his clients and his friends.

Secondly, he possessed that quality of virtue known as integrity which made him outstanding. His word was his Bond, his handshake was his signature, and he was widely respected and admired for it.

And so it is with a heavy heart and sadness that we say "Sholom" to a dear departed husband, father, brother, friend and former member of our distinguished bar. Let our sadness be laced with the memories, thoughts and reflections of a truly great human being, a well respected and greatly admired lawyer whose spirit lives with us today.

He was not only a gentleman but a gentle man who died with dignity and grace, and we who survive him are all the richer for having him in our midst. All in all, he was quite a man and quite a lawyer who enjoyed life, his family, his friends and his chosen profession; and I am sure if he were alive today would say, I have no regrets, I have led a full and happy life.

Thank you.

JUDGE WILLIAMS: The Court appreciates very much the efforts of each of the eulogists as well as the members of the bar who are with us today. Judge Grifo will speak on behalf of the Court.

JUDGE GRIFO: President Judge Williams, my colleagues on the bench, members of the Northampton County Bar Association, and family and friends of Ralph W. Barthold, Wainwright E. H. Diehl, Robert Ungerleider, Russell Kowalyshyn, Daniel F. Joella and George J. Blasco.

Once again, it is my melancholy duty, yet privilege, to represent the bench in paying tribute to the deceased members of our bar. Although I am honored to have been selected by President Judge Williams to speak on behalf of this Court on this, the occasion of memorializing the passing of our deceased members, I must confess humbly and candidly that I do so with diffidence and with a sense of total inadequacy.

How does a Court, as opposed to a Bar Association, do justice to closing the final chapter in the book of the lives of these men? Mere words cannot express the deep sense of loss which we always feel on occasions such as this. The sense of loss has been recorded, and their many achievements have been recounted in the resolutions that have been prepared and offered for adoption by the members of the bar composed of their intimate associates. The Court is grateful for these appropriate and deserved tributes. We concur and join in the sentiments expressed; and we, of course, will not repeat what has been so well said by their associates.

My duty requires me to go beyond the content of the resolutions. I must memorialize with the annals of the history of our County Court, the contributions these men have made as sworn officers of this Court and as advocates in this, our judicial forum.

Ralph W. Barthold took his oath of office in the well of this very room on November the 11, 1935.

Bob Ungerleider took his oath of office in the well of this courtroom on July 1st of 1940.

Russell Kowalyshyn took his oath of office in the well of this courtroom on December 3rd, 1951.

Daniel Joella took his oath of office in the well of this courtroom on the 13th day of December of 1954.

Wainwright Diehl took his oath of office in the well of this room on the 6th of February, 1956.

George Blasco took his oath of office in the well of this courtroom on the 16th day of May of 1980.

That familiar ancient oath that reads as follows: I do solemnly swear that I will support, obey and defend the Constitution of the United States and the

Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity as well as to the Court and as well as to the client, that I will use no falsehood nor delay the cause of any person for lucre or malice.

Each of them fulfilled that oath and did that with distinction, bringing credit and honor not only to the bar of this County but also to this Court; and not to be overlooked, to the credit and honor of the bar associations and courts across this state and nation. What more can any person do than to bring credit and honor to his profession? Especially in this day when all professions are under such close scrutiny by the public and by the world. As a Court, we salute them and memorialize in the annals of our history their accomplishments. I knew each of the deceased members well and was in this very courtroom as a lawyer when four of the six took their oath as lawyers.

The list of those to be honored this morning is a long one. It includes some whose careers were ended early and some whose careers were long and active. It includes trial lawyers who loved the arena and excitement and drama of a jury trial, who were involved in significant civil and criminal litigation, as well as solicitors; in the English sense, who preferred an office practice representing and involved with business, real estate and estates. Their number includes a wide variety of government services as legal advisors, as well as an outstanding record of voluntary service on the boards of a multitude of community agencies and educational institutions, but they shared a common pride and goal, and that was remembering the oath that they took and being a good lawyer.

The Court is proud to record our admiration and deepest respect for each of them. Each had his own special claim to the affection and esteem of the judges of this Court as well as the lawyers of this county as well as the citizens.

The judges of this Court feel a deep sense of sorrow and loss, but there is a measure of consolation in the knowledge that theirs were useful and active lives. Their records stand unblemished and will forever bring honor to them, to their families and to this Court which they served with fidelity and unflinching devotion.

In recognition of the distinguished careers of Ralph W. Barthold, Robert Ungerleider, Russell Kowalshyn, Daniel Joella, Wainwright E. H. Diehl and George Blasco, the resolutions presented by the several committees of the Bar Association are unanimously adopted. The record of these proceedings is ordered transcribed and filed and made a part of the Court Minutes of this Court. Copies thereof shall be sent to the families of each of our deceased brethren.

This Court now stands recessed in honor and out of the deep respect for Ralph W. Barthold, Robert Ungerleider, Russell Kowalshyn, Daniel Joella, Wainwright E. H. Diehl and George Blasco; and when the Court adjourns this day, it will do so in honor of these distinguished members of our bar.

JUDGE WILLIAMS: Thank you, Judge Grifo. Court will stand in recess so we might meet the members of the families who are with us today.

(Memorial service concluded.)