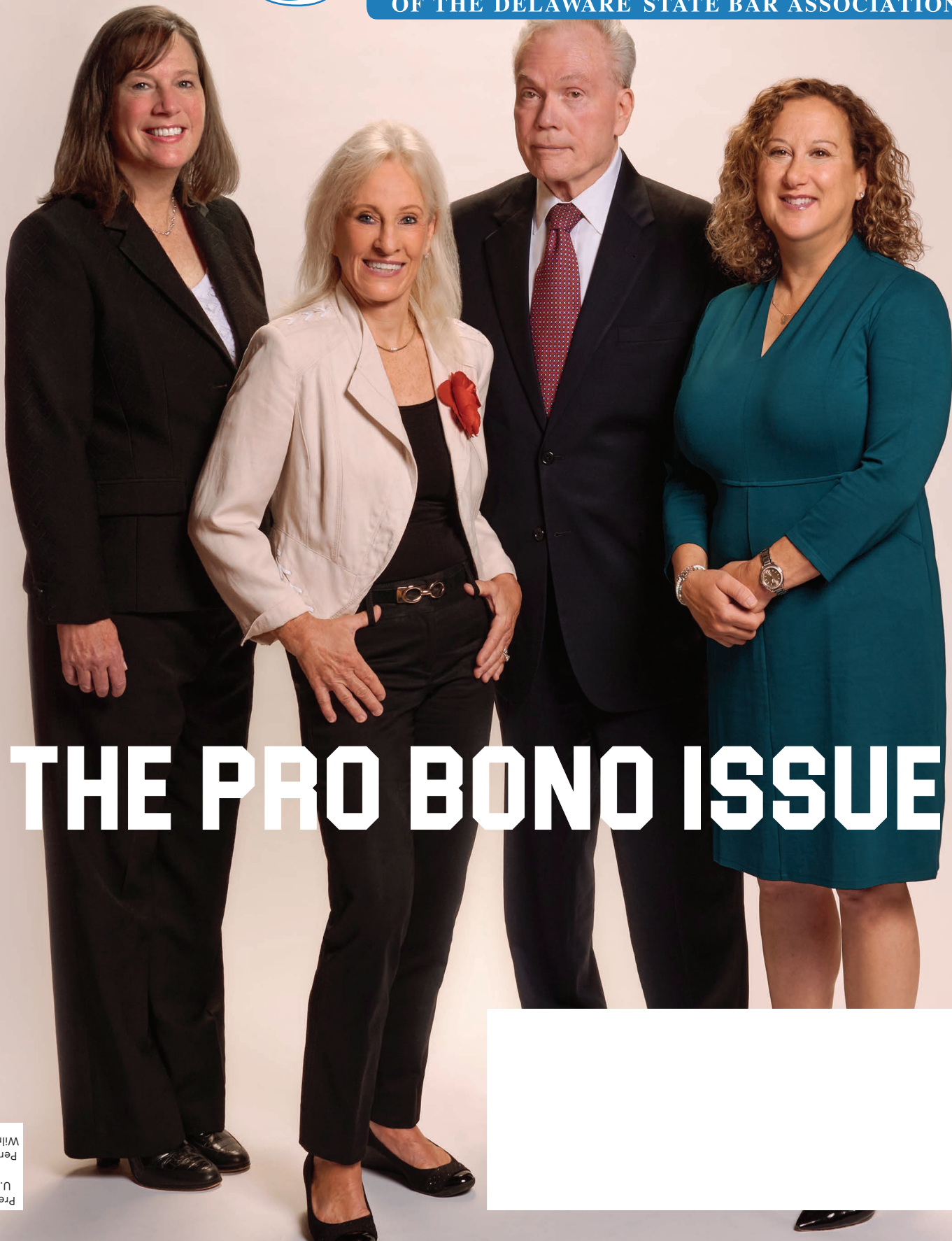




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OF THE DELAWARE STATE BAR ASSOCIATION



THE PRO BONO ISSUE



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THE JOURNAL

OF THE DELAWARE STATE BAR ASSOCIATION

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ON THE COVER: Four long-time volunteer attorneys for DVLS (from left): Leslie Spoltore, Esq., Cathy Thompson, Esq., Pete Clark, Esq., and Jill Spevack Di Sciullo, Esq.
Photo courtesy of DICK DUBROFF/FINALFOCUSPHOTOGRAPHY.



Can We Work Together to Help End Political Violence?

The job of DSBA President is not political, nor should it be. However, I am compelled to speak out against political violence, and I ask, humbly, for you to join me. As we all know by now, conservative activist Charlie Kirk was assassinated September 10, 2025 at an outdoor college event in Utah. As I see it, we are all weaker because of it. As Americans, we should be horrified by this tragedy and our condolences should go out to Mr. Kirk's family, his loved ones, and everyone else who is suffering. Mourning a tragic loss of life should never be a matter of political ideology.

Political violence of any sort, regardless of the victim or the perpetrator, is abhorrent and anathema to the highest ideals of our great country. It corrodes us and threatens the very foundation of our democratic republic. Indeed, the great promise of our democratic experiment is that we can engage with each other and resolve our differences, political or otherwise, through rational, fact-based dialog, robust debate, and fair elections...not violence. We must hold true to that promise and strive toward it with our fullest effort, even if it feels furthest away.

I would be remiss if I did not also mention that the day before Mr. Kirk was shot and killed, several students were shot and injured at Evergreen High School in Colorado. And just two weeks before that, there was a horrific mass shooting at Annunciation Catholic Church in Minnesota during a scheduled school-wide Mass attended by students and faculty, that killed two children and injured 21

more. Three months ago, a state lawmaker from Minnesota, Melissa Hortman and her husband, were shot and killed in their home, and in a separate incident another state legislator and his wife were shot and injured. Just last month a failed candidate for office in New Mexico was sentenced to 80 years in prison for orchestrating a politically motivated shooting spree that targeted the homes of four officials of another political party back in 2022. And we can't forget the two assassination attempts against Donald Trump last year when he was campaigning for President.

So far, there have been over 300 mass shootings in the United States this year alone; many of which took place at schools. While this piece is not about guns, regardless of your political views, you just can't deny that gun violence is plaguing our country and that we desperately need to come together on reasonable gun safety laws to help put an end to this epidemic of tragedy and pain. No matter the ideology of the victims or perpetrators, one thing always seems to be constant: guns. We must do whatever it takes to make it possible for our children and grandchildren to go to school without fear, and for everyone to engage in a cool-headed, public debate without the constant threat of gun violence looming over us.

Sadly, I could go on. But the rising tide of political violence, which is the focus of this piece, if left unchecked, can only lead to a darker and more dangerous place... and it has to end. In a moment like this, I believe it is the responsibility of all public figures, including thoughtful members of

the Bar, to put aside their political differences and marshal their dignity and compassion to help lead us to a calmer and more rational place. And those critical efforts cannot be one-sided. No one party is immune from political violence. Violence transcends party lines...and the way to address and have true peaceful debate is for leaders to speak and act with moral clarity. And regardless of political party affiliation or ideology, those efforts have to start at the top.

A Dartmouth University study last year found that the vast majority of Americans across the political spectrum reject political violence. Like me, they are waiting for our leaders to join them.

So, at the same time we zealously advocate for protecting our judges, standing up for our judiciary and upholding the Rule of Law, we need to advocate for ending political violence in all of its sinister forms. I hope you will join me in this existential, non-political call to action. 🕊️

David A. White is the 78th President of the DSBA. He is a former Superior Court Commissioner and former Managing Partner of McCarter & English, LLP. From March 2021 to November 2024, he served as Chief Disciplinary Counsel, an Arm of the Delaware Supreme Court. He is currently working as a Professional Neutral at Delaware ADR (www.delawareadr.com/).

The Delaware State Bar Association staff is Making Strides! Join our team (**The Pink Docket**) as we walk and raise money to support and fight breast cancer.



DETAILS:

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GET INTO THE SPIRIT WITH THESE SPOOKY MOVIES AND SHOWS

What is better than a list? A spooky, ghoulish list filled with fun but definitely scary movies and shows to enjoy! I will be busy-ing myself with my October tradition of re-watching some favorite classics and enjoying some new treats. If you are enthralled by fall and all the fun entertainment that comes along with spooky season like I am, check out these treats!

1. *It - Welcome to Derry*. As a lifelong Stephen King and Tim Curry fan (isn't everyone?) I am so looking forward to HBO's prequel to the classic movie that ruined clowns for so many, which also happens to be one of my many favorite books and movies. While I am partial to the original *It*, I can't find fault with the remake and love the idea of Bill Skarsgård, who played the iconic role in the remake, returning as Pennywise the Dancing Clown. The series will air on HBO Max on October 26, 2025.

2. *The Conjuring: Last Rites*. Playing in theaters in September, expect to enjoy another page out of the Ed and Lorraine Warren spellbook. I found this *Conjuring* movie to be tamer than many of the nine hits that preceded it yet still enjoyable if you want a thrill and are a little curious

about things that go bump in the attic.

3. *28 Days Later*. My favorite horror movie/allegory, bar none. The movie is aesthetically pleasing despite the subject matter and ends on a hopeful note. It should also be noted that Cillian Murphy really can do no wrong.

4. *28 Years Later*. If you enjoyed the original, or the sequel *28 Weeks Later*, you will enjoy this movie, too. The acting is solid, the characters are strange and heartbroken, their portrayal of isolation is stark and fierce, and the story lives on just like it should in a movie about the undead.

5. *30 Days of Night*. No spoiler alerts, but this movie reminds me of a good old-fashioned western with a good-guys-verses-the-bad-guys trope, just the right amount of creepy, and an epic battle to survive until the sun rises.

6. *The Shining*. This movie might be better reserved for when the snow is falling but is there ever a bad time to watch Jack Nicholson spiral down into madness? Probably not.

7. *The Walking Dead*. End of times horror redefining what "the fittest" means in our common understanding of survival of the fittest, this show inspired games and multiple spin-offs

but nothing hits like the original, taking on a life of its own in ironic fashion!

8. *Friday the 13th* franchise. What better way to commemorate Halloween falling on Friday this year than with a *Friday the 13th* marathon? Campy camp horror, what fun. There are so many of these movies to choose from you could probably fill an entire weekend and then check out Camp No-Be-Bo-Sco in nearby New Jersey, the primary filming location for Camp Crystal Lake in the movies. Just don't investigate any strange noises.

9. *Nightmare on Elm Street* franchise. I cannot in good conscience mention Jason and not Freddy. Friends 'til the end! My favorite *Nightmare* is the third one, which is in my opinion one of the best and simultaneously worst films of all time but all the *Nightmare* films achieve their jump-scare, get-your-heart pumping goal.

10. *The News*. New but horrible and the same every day, this one is self-explanatory. Enjoy!¹

Note:

1. I could not resist throwing a trick in the mix!

Bar Journal Editor **Kristen S. Swift** is a partner in Kaufman Dolowich LLP's Delaware office. All opinions expressed are her own.

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a great idea?



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QUESTION OF THE MONTH



WHAT **ADVICE** WOULD YOU GIVE A NEW LAWYER?

Stefanie Ramirez, Esquire: As a fairly new lawyer myself, I have a few pieces of advice (in absolutely no particular order):

- **Ask questions.** Don't be afraid to admit you do not know something. There are others who have gone through what you are going through and you should lean on them instead of trying to figure it out yourself—even if they are on the other side of the “v.”
- **Mistakes happen.** It is how you recover and the relationships you build that matter.
- **Relationships matter.** Building off the last piece of advice: the Delaware Bar is small, and it is special. It is highly probable that you will be working with the same opposing counsel in more than one matter. Keep that in mind when you interact with opposing counsel, their staff, and others within their orbit. “The Delaware Way” (which should probably be trademarked) is not just something we say, it is who we are, and your reputation within the legal community may very well be impacted by whether you ascribe to and practice “The Delaware Way.”

Davis Lee Wright, Esquire: Mentoring is important to the successful development of young attorneys and a privilege and responsibility that I do not take lightly.

- First, it is critical that attorneys closely review any applicable court rules or administrative procedures and pay meticulous attention to case facts and other details.
- Second, excellent communication skills are vital. Not only does this involve effective communication and relationship-building with colleagues, clients, and opposing counsel, but also clear and convincing legal writing and argument.
- Finally, growth as an attorney comes from embracing challenges and learning from setbacks. Resilience and adaptability are essential traits. Do not be afraid to ask questions or ask for help, but do not expect the answers to be spoon-fed to you.

Next month's question will be: *Was there a case that left a lasting impression on you?* If you have a response you would like to submit for the Question of the Month, please contact Danielle Bouchat-Friedman at dbouchatfriedman@dsba.org. 

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CALENDAR OF EVENTS / CLEs

October 2025

Thursday, October 9, 2025 • 9 a.m. - 11 a.m.

Wills for Seniors

DSBA Office

Tuesday, October 14, 2025 • 1 p.m. - 5:15 p.m.

Corporation Law Council 2025 CLE

DSBA Office

Friday, October 17, 2025 • 11:30 a.m. - 7 p.m.

Why Delaware? Expedited Dispute Resolution for Complex Commercial Disputes

Riverfront Events

Tuesday, October 21, 2025

Christopher W. White Breakfast Awards

Riverfront Events

Friday, October 24, 2025 • 9 a.m. - 12:15 p.m.

Best Practices in Mediation

Wilmington University, Brandywine Campus

Wednesday, October 29, 2025 • Noon - 1 p.m.

Introduction to Third Party Opinion Letters

DSBA Office

Thursday, October 30, 2025 • 12:30 p.m. - 2 p.m.

Navigating the Chaos of Disruption CLE

DSBA Office

Dates, times, and locations of events and CLEs may occasionally change. Please consult the DSBA website for the most up-to-date information at dsba.org.

OUT & ABOUT

TABLE DAY AT DELAWARE LAW SCHOOL

Student Bar Association Table Day took place on Tuesday, Aug. 26 at Widener University Delaware Law School, and showcased the vibrant spectrum of student organizations shaping the future of legal advocacy. From public interest initiatives to professional development groups, students had the opportunity to connect, engage, and explore pathways to leadership beyond the classroom (including staff members from the DSBA)! 📺

Pictured at right: LaTonya Tucker, DSBA's Director of Bar Services and Membership, and Alison McLaughlin, DSBA's Continuing Legal Education Coordinator.



OF NOTE

Condolences to the family of **The Honorable John E. Babiarz, Jr.**, who passed away on July 30, 2025.

Condolences to the family of **George B. "Barry" Heckler, Esquire**, who passed away on September 3, 2025.

Condolences to the family of Eric J. Monzo, Esquire, whose father, **Jack Monzo**, passed away on September 9, 2025.

If you have an item you would like to submit for the Of Note section, please contact Danielle Bouchat-Friedman at dbouchatfriedman@dsba.org. 📺

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DEATH OF A DIGITAL DINOSAUR

BY SARA BETH A.R. KOHUT, ESQUIRE

Dial-up internet service is going the way of other Dodos like floppy disks, Internet Explorer, and Skype. With the exception of Skype, these digital dinosaurs were mainstream technology when my generation started practicing law.

AOL, once formally known as America Online, recently announced it will be discontinuing its dial-up internet-connection service as part of efforts to respond to the modern digital landscape. I'm guessing that seeing the name AOL calls to mind for some readers the iconic sounds of the beeps, crackles, and whirs involved in using a dial-up internet service, followed by the AOL voice saying "Welcome! You've Got Mail!" I also suspect some readers are thinking, "Dial-up internet service still exists?" Yes, it does. Census data indicates that a few hundred thousand Americans still rely on dial-up internet service.

Emerging in the early 1990s, AOL was one of the first companies to provide the masses with access to the internet via a dial-up connection using a land-based phone line. Early users of AOL needed a CD-ROM to use the service. AOL distributed more than one billion CDs via junk mailings or other marketing inserts offering a free trial service (good luck finding a device to use a CD-ROM these days as those are also digital dinosaurs!).

The marketing blitz worked and AOL literally lived up to its name by getting Americans online. By 2000, AOL had more than 23 million subscribers. In its heyday, it was the most popular internet-service provider. For millions of Americans, AOL was their introduction to the world wide web, providing a safe and secure experience to venture into that new realm. AOL was so popular it even spawned the 1998 rom-com movie “You’ve Got Mail” starring two of America’s top 1990s stars, Tom Hanks and Meg Ryan.

Of course, communications technology evolved to provide other internet-access options, such as digital subscriber link (DSL), cable, fiber optic, wireless internet, and satellite. For some places in America, however, the availability of those options varies, as can the ability (or willingness) of persons to use them. Rural communities and persons who are elderly or have limited finances face challenges in accessing these options. Hence, the hangers-on still using dial-up internet.

Besides competition from other access providers, AOL also faced competition from other providers of email accounts, particularly those offering free services. By the mid-2000s, one could acquire an email account from AOL for no charge, but within the past five years, the service still had more than 1.5 million subscribers paying a monthly fee of just under \$10 for an email account and secure browser.

About 25 years ago, AOL entered an ill-fated merger with Time Warner. It was later acquired by Verizon, which went on to sell its AOL and Yahoo! holdings to a private equity firm. AOL is now nestled under

the Yahoo! family of brands. And, now, I suspect some of you readers are thinking, “Yahoo! still exists?” Yes, but like AOL it too has lost the prominence it once held.

To be clear, AOL’s announcement does not mean that AOL email accounts will disappear anytime soon; rather, it affects that seemingly small sector of AOL users who had yet to upgrade to a different internet-access option.

I’ve been surprised at how many clients and other contacts I’ve encountered who still use an aol.com email address. It seems like an anachronism, bringing to mind questions about how secure such an account can be when surely it must be a legacy technology at this point. In one sense, it is a sign that the account holder was an early adopter of internet access, and of what was once the gold standard. For some, perhaps they are hangers-on because AOL became that recurring monthly charge they didn’t know they didn’t have to pay to access the internet or to have an email account. Or perhaps they didn’t know how to shut off the subscription. Or perhaps they were retaining the account to hold onto old content they did not know how to transport.

It is incredibly convenient to communicate via email, but frustrations often arise when dealing with someone with limited technology-use ability. While younger generations have grown up not knowing the pre-internet (or even pre-cell-phone) world, the oldest among us may have never even learned how to type, let alone become proficient at using email. For that latter group, as well as those with other access obstacles, the world has become

more challenging as so many things, from medical records to newspapers and magazines to grocery-store coupons and even legal services, have moved to electronic databases requiring online access or smart-phone-based applications.

Much of the focus on technology these days is on the many opportunities (and pitfalls) that come with the evolution of artificial intelligence services. But there’s still a segment of the population for whom that is still a distant unknown as they struggle with more basic challenges of access. Imagine trying to practice law without reliable, fast-speed internet and smart phones that enable communications from just about anywhere (or at least where there are sufficient cell towers to provide a decent signal)! And yet that is the challenge that some of our professional colleagues and clients face.

So, while we bid adieu to the service that helped bring internet access to the masses and now usher in the latest and greatest technologies, let us not forget that there are sectors of the population that may be a few levels of technology behind us and for whom different communications tools may be necessary to provide quality service. And when you send an email to a client or contact at an aol.com email address, smile at the thought that they may hear that iconic voice announcing “You’ve Got Mail!” when they receive your message. ☺

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Sara Beth is principal attorney at Enduraylant Law, LLC, where she focuses on data protection and business law matters. She is also the current chair of the DSBA Technology and the Law Section.



Finding Steadiness in Unsteady Times: Promoting Civility and Wellbeing Amid Unrest

Across continents, the headlines tell a common story: wars displace families, economies falter, and political protests spill into the streets. This climate of disruption does more than rattle markets or shift borders. It creates an atmosphere in which conflict, division, and fear feel like constants rather than exceptions. The “chaos of disruption” is no longer on distant shores; it surrounds us.

And while these events may unfold thousands of miles away, their reverberations are felt much closer. The same forces that fracture communities abroad echo here in our own towns, courtrooms, and neighborhoods. Public discourse grows sharper, patience wears thin, and everyday interactions feel more fragile.

In recent years, we have all witnessed moments that shocked our senses and challenged our very belief in humanity. The ground beneath us feels less certain, as if the rules that once held communities together no longer apply. Division creeps into workplaces, trust frays within neighborhoods, and even the quiet of our homes is disturbed by the relentless echo of unrest. The chaos of disruption, in short, is not abstract; it is lived, and it tests our stability and our hope.

The Weight of Unrest

When civility declines, we feel it not just intellectually but physically. The steady stream of conflict—whether on our screens, in our workplaces, or in our communities—raises stress, shortens patience, and leaves us more prone to



anger than understanding. The environment around us matters; constant exposure to disruption makes constructive dialogue more difficult and steadiness harder to sustain.

Pathways Toward Calm and Civility

We may not be able to quell conflict abroad or repair fractured governments however, we can influence what happens here: in the way we practice law, in how we treat colleagues, and in how we care for our communities. The greatest antidote to global instability may be local steadiness—choosing civility when voices rise, offering empathy when others feel unseen, and extending kindness in daily ways that rebuild trust. Kindness does not erase conflict, but it softens its edges. Acknowledging effort, showing patience in disagreement, or greeting someone with respect may seem ordinary, yet in times of disruption such acts become extraordinary. They remind us that while we cannot control the noise of the world, we can create islands of calm through the way we engage one another.

This vision of steadiness is not abstract—it can be practiced in daily choices. Consider the following pathways, each simple but powerful, for cultivating calm and civility:

Pause Before Speaking. In a climate of sharp rhetoric, pausing before responding is not weakness—it is leadership. Choosing to clarify rather than escalate is a daily act of integrity.

Respect in Practice. The *Principles of Professionalism for Delaware Lawyers* remind us that courtesy and respect are not optional but “essential to preserve both the integrity of our system and the esteem in which the public holds the profession.”¹

Lead With Kindness and Empathy. Kindness is more than courtesy—it is a stabilizing force. Acts as simple as acknowledging a colleague’s effort, showing patience with a client, or extending empathy to an adversary shift the tone of interaction and open the door to understanding.

Build Circles of Connection. Unrest can leave us feeling powerless, but community restores balance. Sharing meals, mentoring colleagues, and listening with intention are small but powerful ways to steady ourselves and those around us.

Model Calm for Others. What we carry into our offices and homes matters. Redirecting tense meetings toward solutions or limiting media exposure

at home creates steadiness for those around us.

Shielding What Matters Most

The ripple effects of unrest do not end at the courthouse door. They reach our offices, our homes, and our communities. What can we do to tamp down rhetoric, promote calmness, and shield our loved ones from the constant noise?

- **In the Workplace:** Model civility, redirect heated discussions toward solutions, and acknowledge contributions.

- **In the Community:** Join organizations that value service over division, show empathy across differences, and create opportunities for connection.

- **At Home:** Set boundaries on media exposure, prioritize shared meals, and demonstrate kindness in daily interactions—whether through gratitude, listening, or simple acknowledgment.

These actions may not silence global storms—but they create havens of calm. In doing so, they reaffirm that

civility and wellbeing are not only professional obligations but also personal gifts we extend to those around us.

Notes:

1. *Principles of Professionalism for Delaware Lawyers*, Delaware State Bar Association & Delaware Supreme Court (effective Nov. 1, 2003). 

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Sage Advice from William D. Johnston, Esq.



CURATED BY RICHARD K. HERRMANN, ESQUIRE

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During the academic part of my career, the most valuable aspects of my classes were the visits from members of the Bench and Bar, who would look back on their careers and share the more important advancements and moments with our students.

I aim to continue facilitating these discussions through a column called “Sage Advice.” In this issue, I sought advice from William D. Johnston, Esq.



Q If you wanted to offer one nugget of Sage Advice to those developing their legal careers in Delaware, what would it be?

A Follow your interests and passions and recognize that they may change over time. Also, be prepared (i) to join and engage with the best Bench and Bar anywhere (for example, serve on court and

DSBA committees and join DSBA sections), and (ii) to uphold your reputation and the reputation of the Delaware Bench and Bar every step along the way.

Q When you attended law school, did you have a thought as to what you would like to do with your career? And if you did, what was it?

A My focus during law school was principally on Delaware corporate law and litigation, and initially I intended to start practice in New York City (it was the beginning of the corporate “takeover” era). I was quickly disabused of that plan after meeting my future wife Mary in law school, who essentially said, “Great. Go to New York, with my best wishes.” Happily, she was willing to move to Wilmington.

Q What was your first position after you were admitted to the Delaware bar?

A I was admitted to the Delaware bar in 1982 while clerking for Delaware Supreme Court Chief Justice Daniel L. Herrmann, father of two distinguished senior Delaware attorneys and grandfather (“Chiefy Pops”) of a rising-star Delaware attorney.

Q When you started your career, was it your plan to stay in that field until you retired or was this a stepping-stone to something else?

A It definitely was my plan to stay in the legal profession until I retired. At the same time, I was committed to serving the bar and the broader community and hoped to make a difference in those areas as well.

Q If you were to choose one person who had the most impact in the advancement of your career as a member of the bar in Delaware, who would that be and why?

A I have had so many critically important mentors—ranging from my mother and father (non-lawyers) to my uncle Edgar J. Smith, Jr. (a corporate General Counsel) to Victor F. Battaglia, Sr., Vincent A. Theisen, David J. Baldwin, Bruce M. Stargatt, William F. Taylor, and Edward B. Maxwell, II. But my most important mentor, bar none (pun intended), was Chief Justice Herrmann. He identified for me the qualities of highly competent, ethical, professional, and civil attorneys. And he epitomized and modeled for me and other members of the Delaware Bench and Bar the qualities of outstanding jurists. Finally, as a pioneering cheerleader of Alternative Dispute Resolution, the Chief Justice introduced me to the importance of ensuring that ADR be part of the tool kit of any effective counselor or litigator—at its best to avoid litigation or arbitration in the first place.

Q What was the most interesting matter in which you were involved in your career?

A It's hard to say, because I have been blessed to be involved with so many interesting matters during 40-plus years of practice as an advocate and now continuing on my journey as a full-time neutral—arbitrator, mediator, and special magistrate. But I can say that the most gratifying legal work that I ever did was as a volunteer for Delaware Volunteer Legal Services (DVLS), where, in partnership with an outstanding full-time DVLS attorney, I was able first to extend a Protection from Abuse Order in Family Court and then to gain for a divorced father full custody

of his to minor children—a matter completely outside my professional “comfort zone.” I was especially appreciative of the trial judge’s patience and indulgence as I appeared before him.

Q What was your most challenging problem that you faced in your career as a member of the Delaware bar?

A It's probably fair to say that the most challenging problem that I personally faced as a member of the Delaware bar was the deposition that I took in *Paramount Communications, Inc. v. QVC Network, Inc.*, 637 A.2d 34 (Del. 1994). I was grateful for the resulting decision of the Delaware Supreme Court, authored by Chief Justice E. Norman Veasey, which I believe had—and continues to have—nationwide impact. More broadly, the most challenging problem that I and others faced—and continue to face—as members of the Delaware bar is to meaningfully enhance the diversity of the bar in all respects. I applaud the leadership of the Delaware Supreme Court—in particular Chief Justice Collins J. Seitz, Jr.—or all of the initiatives that the Court is pursuing to build on the progress that has been made. And I applaud the Delaware State Bar Association for all of the initiatives that it continues to pursue, in partnership with the Court.

Q If you had to start your career again, would it be as a lawyer in Delaware?

A Absolutely. No better place to practice law, to serve as a judge, or to serve as a neutral. If I had to start my career again and that career was other than law, I would have hoped to have become a member of the clergy serving in Delaware.

Q What does work-life balance mean to you and did you have it?

A Some have suggested that there is no such thing as “work-life balance.” I don't share that view. Instead, I believe

that work-life balance is a worthy goal, yet it can mean different things to different people. On a personal note, when Mary and I were parents of our two young daughters and we were both pedal-to-the-metal associates looking to become partners at our respective firms, “work-life balance” was not something being addressed in any meaningful way, if it was even in anyone's vocabulary. But, with the full support of Mary's law firm, Morris James, we successfully navigated those waters, leading ultimately to Mary serving as Deputy Disciplinary Counsel, Chief Disciplinary Counsel, a Delaware Superior Court Judge, and now a professional neutral—while all the time being an outstanding mother.

Q You started with a nugget that you wanted to leave those developing their practice or careers in Delaware. Is there another nugget you would like to offer?

A There is no doubt that the practice of law is a business, even for attorneys committed to full-time pro bono work rather than for-profit work—given the ever-present threat of funding cuts to the Legal Services Corporation and other legal services providers (such as CLASI and DVLS). But, fundamentally, our privilege to practice law as Delaware attorneys carries with it the responsibility and imperative of a profession to uphold the Rule of Law in all respects and to make clear that no person, no thing, and no cause is or ever can be above the law. ☪



Richard K. Herrmann consults with Wilmington University on Emerging and Innovative Technologies. He can be reached at richard.k.herrmann@wilmu.edu.

PARANORMAL PROCEEDINGS AND OTHER SPOOKY MUSINGS¹

BY HOLLY VAUGHN WAGNER, ESQUIRE



My commute home from work each night allows me to drive south along State Street in Dover from Division Street to Walker Road. The street is bordered by Victorian, Edwardian, and Craftsman-style homes, and in the fall, are canopied by trees glowing with hues of red, orange, and yellow. It feels cozy, driving down that street. Despite the colors, coziness, and crisp air, State Street in the fall reminds me of John Carpenter's 1978 classic, *Halloween*.²

Halloween is one of the horror movie masterpieces that ushered in the '80s era of slasher flicks and introduced one of the first and most beloved final girls in horror history, Laurie Stroud. Michael Myers escapes the psychiatric hospital where he's been held for 15 years after murdering his sister on Halloween in Haddonfield. The local teenagers' primary activities in the fictional and quiet suburb of Haddonfield appear to be walking to school, babysitting for neighbors, and getting frisky with fellow teenaged love interests.

Myers spends much of the movie stalking Haddonfield on neighborhood streets that look a lot like Dover's State Street. In the fall, my thoughts wander past Dover's Halloween-like appearance and into scenes that aren't in the movie: what happens when the citizens of Haddonfield start calling attorneys to ask who can be held legally responsible for Myers' rampage?

The psychiatric hospital from which Myers escapes likely has some liability. Myers' psychiatrist, Dr. Loomis, tries

to convince the hospital administration to notify the proper authorities of Myers' escape, but the administrator refuses to do so. Dr. Loomis warns the administrator that Myers is headed back to Haddonfield to kill again, but the administrator, likely trying to avoid the awkwardness of explaining how a patient escaped the facility, argues that Myers couldn't possibly make the 150-mile trip from the hospital to Haddonfield. The administrator is warned of the risk presented by Myers' escape but still takes no action. He knowingly avoids taking steps to mitigate potential damage, even after seeing that Dr. Loomis is so panicked about the escape that he peels off in his butter-yellow BMW 320i to try to stop his murderous patient.

As it turns out, Dr. Loomis was right to panic. Myers makes it to Haddonfield and kills six individuals, including three Haddonfield teens.

Passing over the low-hanging fruit of the numerous crimes Michael Myers could be charged with, several potential legal questions come to mind. Did the hospital keep sufficient security to prevent escape? Did the administrator's decision not to contact the appropriate authorities make him liable for the deaths in Haddonfield? For that matter, who could be held liable for the escape and murders: the hospital, the administrator, or a combination of the two?³

My trail of thought moves on to the paranormal, specifically *Ghostbusters*.⁴ A small team of scientists open a business to assist anyone who calls them after seeing something strange in their neighborhood. Dana calls them after finding in her refrigerator a portal containing the demigod Zuul, a dog-servant to and the Gatekeeper for the ancient and malignant entity, Gozer. Ultimately, the Ghostbusters defeat Zuul and Gozer, but not before causing significant damage to New York City.

To start, the Upper West Side is awash in the remains of the roasted, 100-foot-tall Stay Puft Marshmallow Man. Further, to beat Gozer, the Ghostbusters

could not avoid causing a great deal of damage to Dana's apartment building, a 19-story Art Deco building. In the movie, the building remains standing, but the top several floors are obliterated, perhaps destabilizing the entire building. Such is the fate of a building that houses an ancient and malignant entity from another dimension.

No one could reasonably question whether the damage to one building was worth it to save the rest of a city of several million people. Someone, however, will have to pay the bill to clean up and rebuild. But who?

At the time of Gozer's defeat, ghostbusting was still a new concept and industry, so there was not yet statutory, regulatory, or case law to define the parameters of or responsibility for the collateral damage of the work. It's doubtful that the Ghostbusters were insured or had the finances to pay for reconstruction. They were heroes at the end of the movie, but the fuzzy feelings may very well have changed once the city realized the amount of damage done.

The lawyer in me would love to see how legislation and the courts might address the issues inherent in ghostbusting. Existing law probably could guide the approach to determining liability, but this new profession involves questions of law relating to something American jurisprudence has not yet, to my knowledge, formulated: the application of law to dealing with beings beyond our corporeal realm.

What is the environmental impact of the Ghostbusters' work, and does the Environmental Protection Agency have the power to limit what they do? The movie directly presents these questions when EPA inspector Walter Peck arrives at the Ghostbusters' office-slash-fire station. The process of capturing and storing paranormal entities has brought out Peck, as it may involve noxious, possibly hazardous waste. Peck is a bureaucratic, power-hungry rule-follower who wants to stop our heroes who do, after all, carry unlicensed nuclear accelerators—proton

packs—on their backs. Do existing federal laws adequately control the ghostbusting process? Is this new profession better addressed through legislation or regulation? Should the New York legislature go into special session to quickly pass relevant statutes and, if so, can the new laws be applied retroactively? Would it be better to govern paranormal powers through regulation? Should it be at the federal or state level? Might spiritual beings seek venue in the otherworld? If so, is the presiding officer Beetlejuice's Judge Skullface?

Thankfully, by the time I've started to bring in a third movie franchise, my commute is over and I'm home. ±

Notes:

1. Warning: spoilers ahead for older movies you really should have seen by now.
2. Carpenter, J. (1978). *Halloween*. Compass International Pictures.
3. I don't reach actual conclusions on the legal questions that I daydream about on my drive home. After a day of working to find answers to any manner of legal questions, it's a bit of a luxury to think only of the questions and pay no mind to actual outcomes.
4. Reitman, I. (1984). *Ghostbusters*. Columbia Pictures.



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The Delaware Bar: Creating a Legacy for Delaware's Children

BY KELLY ENSSLIN, ESQUIRE, CWLS

When the Office of the Child Advocate (OCA) moved into its first office space in September of 2000, there were only two attorneys on staff—the Child Advocate and a Deputy Child Advocate. With the hefty statutory charge of providing legal representation to Delaware children who are abused, neglected, or dependent, OCA relied heavily on volunteer attorneys to fill the void. In October of 2000, a day-long conference was held in Dover for interested volunteers, and by the end of the first year, OCA had 28 volunteers. While there have been many shifts and changes in child welfare, and at OCA, over the last 25 years, volunteer attorneys have continued to fill a critical role in our child welfare system, and we could not provide zealous advocacy to the 500 children experiencing foster care each day without them.

OCA volunteer attorneys are diverse and have a broad range of experience. They work in the areas of Corporate Law, Bankruptcy, Workman's Compensation, Personal Injury, Real Estate, and Family Law. They are solo practitioners, small to large firm practitioners, in-house counsel, legislators, stay-at-home parents, and retired attorneys. Some are litigators in Family Court or other courts, but many are transactional attorneys. No matter their practice area, OCA volunteers bring both their professional and personal experience to their representation of children, which provides a unique perspective to help our children and the system as a whole. While it would be impossible to talk about each of the volunteers OCA has been lucky enough to have over the years, let me tell you about just a few of the warriors who helped to shape OCA and have made a lasting impact on Delaware's child welfare system.

Above and Beyond Advocacy

Today, OCA tries to keep the more complicated cases in-house with Deputy Child Advocates, but in those early years of the office, it was nearly impossible to shield volunteer attorneys from the most horrific child abuse cases. Shaku Bhaya was one of OCA's very first volunteers, as her wife was one of the community advocates who fought for the creation of the office. Probably because of her Family Law experience and skill, Shaku was thrown right into one of the worst cases of child sexual abuse the office has seen to this day. This highly complicated case involved a sibling group that she represented over a span of 15 years, and she kept in touch with two of those youth well into their adulthood. Shaku's dedication to representing these children, and continuing to provide support and encouragement after that representation was complete is a testament to the dedication of OCA's volunteer attorneys.

A Culture of Support from the Delaware Bar

As a long-time friend of OCA's first Child Advocate, Tania Culley, Natalie Wolf probably didn't have much choice but to join OCA as a volunteer. Regardless, she has been a committed partner who has helped create a firm culture at Young Conaway Stargatt & Taylor (YCST) in support of OCA. Natalie represented 13 children in her almost 25 years of service, including a child who lost her entire family in a motor vehicle accident, whom she still assists into her young adulthood. Natalie also worked to pull in other partners and associates to represent OCA clients

and assist in other ways. YCST currently boasts eight volunteer child attorneys and has represented 75 children over just the past five years. Additionally, there is no call for help that YCST has not answered, and the firm's assistance has also spilled over to tangential support. YCST has raised money for the OCA Donations Fund for the past several years, contributed significant funds to the burial of several OCA clients who died from medical complications, and has provided pro bono representation to OCA clients on non-child welfare matters such as personal injury, estates and trusts. Having the support of YCST, as well as many other large firms, has provided immeasurable support to OCA and its clients, and it is those early, steadfast volunteers like Natalie who helped establish OCA's relationship with these firms and the culture of support that thrives within these firms today.

Changing the Narrative for Children

Like many of those first volunteer attorneys, Mike Isaacs was not a Family Law practitioner. Mike worked as a real estate attorney, with a focus on commercial real estate transactions and litigation. Yet, he volunteered to represent children in Family Court matters—and he did it well. In addition to his advocacy for 12 children experiencing foster care, including one young man whom he represented for seven years, Mike connected OCA with the Delaware Mortgage Bankers Association (DMBA) to make OCA the recipient of DMBA's annual fundraising event. From the beginning of this partnership in 2016 to today, the Holiday Jingle event, held each December, has raised over \$180,000 for the OCA Donations Fund. This has made a tremendous impact on children experiencing

foster care, as the extra money to provide normalized experiences was often not available. As available funds increased over the years, OCA has been able to provide children and youth experiencing foster care with the opportunity to attend summer camps, travel with their foster families, attend school trips, and take martial arts, dance, or music lessons, just to name a few. OCA has also been able to use this money to provide tangible items that are needed or desired, such as cell phones, clothing and shoes, yearbooks, and senior portraits. These experiences and items help youth feel like other kids their age, rather than being defined by their foster care status, and build self-esteem for children who are in an often-isolating situation. Mike's dedication to children experiencing foster care has had a lasting impact on OCA's clients, as has the boundless generosity of many attorneys, law firms, and legal entities who have donated to OCA's clients over the years.

OCA is deeply grateful to the 165 volunteer attorneys currently serving (see list on page 22), as well as to the hundreds more who, over the past 25 years, have represented children and advanced OCA's mission of safeguarding Delaware's children in many different ways. Your legacy lives on in every child who is safer, healthier, and more hopeful for the future, all because you took the time to care. If you would like to make a difference in the life of a child, please visit the OCA website for information about upcoming volunteer training opportunities. 📞



From left: Rep. Krista Griffith, Esq., Kelly Ensslin, Esq., Lt. Gov. Kyle Evans Gay, and Tania Culley, Esq. PHOTO COURTESY OF RUTHIE KLEINMAN



Kelly Ensslin has been employed with the Office of the Child Advocate for 15 years and recently became Delaware's Child Advocate in August of 2025. In this leadership role, she oversees OCA's three Divisions- Legal Services, Investigation Coordinator, and Training and Policy- and serves as the Executive Director of the Child Protection Accountability Commission (CPAC).

Kelly earned her Master's degree in Social Work from the University of Pennsylvania and her Juris Doctor from Widener University School of Law (now Delaware Law School). In 2013, she was awarded Certification as a Child Welfare Law Specialist (CWLS) by the National Association of Counsel for Children.

The Impact of Child Representation Goes Beyond the Courtroom

BY JILL DI SCUILLO, ESQUIRE & TAYLOR ANN ROCKHOLD



CA volunteers contribute significantly to the well-being of the children they represent, and their representation of children contributes to their own well-being in turn. In this article, we will illustrate how representing a child through OCA can have lasting benefits even beyond the conclusion of the court case.

An Attorney's Perspective: Jill Di Scullo, Esq.

Jill DiScullo has volunteered for OCA for 23 years, representing 21 children during that time. Due to her vast Family Law experience, Jill has often been tasked with handling the more complicated and frequently traumatic cases. Now, Jill shares her thoughts about what volunteering for OCA gives back to her.

There is a Jewish precept of “Tikkun Olam:” repairing the world. To represent a child, you are working to repair a tear in that child’s world. It means being a voice for a child whose voice was already drowned out by the chaos and failures created by the adults charged with their care and protection. To me, it feels important and auspicious to represent a child who is caught in the fracture between their parents and the state. The child attorney stands in that gap to ensure that the child is taken care of at a time when nothing in their world is certain and when the shortcomings of their caregivers leave them vulnerable. To be a child’s advocate in a world where adults are making decisions for them, about them, or even about themselves, is one that to me has no equal. As advocates, we ensure that the child’s voice is elevated in a system that protects the rights of parents and provides parents with resources to better themselves. As an attorney in this role, I have felt both reward and heartbreak from being charged with

the advocacy, care, and protection of a child.

However, I have had the benefit of following a child’s journey long after their case closes in the court. It gives me a humble sense of joy to know that I was with them and advocated for them on their way. I have seen the world of a child repaired, their trajectory possibly redirected, due to the entire team’s efforts, and there is nothing that can compare to that.

It is challenging to separate the professional benefits of representing a child from the personal benefits and sense of accomplishment that come with it. The satisfaction of a successful legal outcome is inseparable from the feeling of satisfaction of knowing that a child’s life may be safer, more stable, or more hopeful because of my advocacy. Each case is a reminder that the law is not just about statutes and procedures; it is about humanity. On a practical level, representing children brings together every skill set you can imagine. You must call on varied skills in your professional toolkit, often all at once. It is not just lawyering—it is problem-solving, counseling, negotiating, and sometimes even improvising and crafting creative solutions that integrate all facets of a child’s “family” and support systems. As lawyers, we have the power, voice, and ability to help those who cannot help or speak for themselves. In our profession, there is no greater opportunity to do this than when we represent a child.

A (former) Foster Youth's Perspective: Taylor Ann Rockhold

As Jill indicates, there are numerous personal and professional benefits to representing a child experiencing foster care, and one of them is the opportunity to interact with amazing and resilient young people, such as Taylor Rockhold. Sometimes you don't know what impact you made as a volunteer attorney, but Taylor was kind enough to share her story and the lasting impact of having legal representation for her and her son.

Navigating the foster care system as a teen mom was one of the most overwhelming challenges I've ever faced. There was chaos, confusion, and so much I didn't understand. That's when the OCA stepped in and became the consistent, stabilizing force I never knew I needed. Through the OCA, I was assigned a volunteer attorney who was dedicated entirely to me. For the first time, I had someone in my corner whose only job was to advocate for what I needed—academically, emotionally, legally, and more. My attorney helped keep me on track with school, work, health, my son, and finances, even when everything else felt like it was spiraling. The OCA recognized the complex barriers I was facing, managing mental health, becoming a mother at only 14, and fighting to break free from generational trauma. Others saw my spark as a behavioral issue, but the OCA saw it as a fire waiting to be harnessed. Something that could propel me and my son into a better future. They didn't just see my potential; they nurtured it.

The OCA made sure I understood every court proceeding and empowered me with the knowledge to participate in my own case, not just be present for it. They taught me my legal rights I had as a mother, and showed me how to advocate for myself, and eventually for my son and siblings. They even ensured my son had representation of

his own, at only 2 years old, which became a powerful learning tool for me as well. I was taught not only how to care for him in the moment, but how to prepare for what he would need in the future. Despite my ability to always maintain good grades, my behavior often reflected my trauma, but the OCA never let that define me. They placed mentors and professionals in my life who taught me how to manage my mental health, reinforced my parenting, and created opportunities for me to grow in spaces I had never been allowed into before. They pushed me to experience the normal joys of high school—sports, homecoming, prom, clubs, and friendships, and encouraged me to go after my desire for higher education. With their guidance and support, I applied to colleges and scholarships, eventually earning a Presidential Scholarship to Widener University.

Even after I aged out of care, the OCA never left my side. When I needed to set boundaries and protect my peace after high school, they supported me through filing a Protection From Abuse (PFA) order against my mother. They provided resources, explained potential outcomes, and helped me prepare thoroughly for court. I studied the court system and prepared for mediation as if it were a test. When mediation failed, I went to trial and won. While pursuing my undergraduate degree, I wanted to begin working in the legal field in any way possible. I was tired of missing evenings with my son due to school during the day and work at night. I reached out to the OCA again, and they helped me create a resume and connect with opportunities. That outreach led me to a job at Rhoades & Morrow LLC, where I started as a law clerk and now after graduating from undergrad, proudly work as a Litigation Paralegal as I prepare to apply to the Delaware Law School. The OCA

opened my eyes to the power of advocacy. Not just in the courtroom, but in real life, in policy, and in healing. They showed me that my life experience holds a real value. That it carries a raw truth that can't be found in textbooks. And with their support, even now, I remain surrounded by people who are committed to helping me reach the future I envision. Through the OCA, I've connected with other former foster youth, and together we continue to use what we've learned to uplift each other and inspire change. My story didn't end when I left care. It continues today, and the OCA is still a part of it. 🌱



Jill Spevack Di Sciuolo is a partner in Obermayer's Family Law Department, with over 25 years of experience in domestic relations matters, including divorce, separation, custody, child and spousal support, pre- and postnuptial agreements, marital property division, adoptions, guardianships, and assisted reproduction cases. She's known for her strategic approach, compassion, and commitment to helping families.



Taylor Rockhold is a litigation paralegal at Rhoades & Morrow, where she supports the firm's civil litigation practice while preparing to pursue her legal education at Delaware's Law School. She earned her bachelor's degree in Psychology with a minor in Legal Studies and Analysis from Widener University in 2023. She currently serves as Vice President of First State Youth MOVE, a youth-led mental health advocacy organization that she helped build from the ground up to serve young people across Delaware.



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Delaware Volunteer Legal Services: Matching Vulnerable People With Pro Bono Attorneys

CURATED BY JACKI CHACONA, ESQUIRE

PHOTOGRAPHY BY DICK DUBROFF/
FINALFOCUSPHOTOGRAPHY



Jill Spevack Di Sciuillo, Esquire.

Delaware Volunteer Legal Services (DVLS) is a pro bono-based legal services agency. Our primary mission is to match the most vulnerable people in our community who have civil legal issues with pro bono attorneys. The concept is simple, but the implementation can be complex. I see us as a scalene triangle: three sides of different lengths, all connected. One side, the longest, is the never-ending line of people who need help. On the other side there, is the finite number of attorneys who volunteer, and the third side is DVLS connecting the two sides together. Pro bono attorneys are the most essential part of this triangle: Without them, the entire shape collapses. Part of my job is to make sure that all sides of the triangle are fully supported and solid. So, every day I ask, how can I make it easier for attorneys to volunteer? How can we help motivate attorneys to take from their finite time and give it away, for free, to DVLS clients? How can we get firms to buy in and make pro bono a priority and part of firm culture? How can we help the maximum number of people? I have worked at DVLS for 25 years, and for 25 years I have asked attorneys to give our clients their expertise and time. I have talked to hundreds of potential volunteers, and I recognize the challenges of volunteering. Despite the challenges, I still ask attorneys to volunteer because the help that pro bono attorneys provide changes the lives of so many people. I tell potential volunteers that they can fit volunteering into their lives/practices no matter where they are in their careers.

I realize I am not the best person to tell you how you can volunteer at any stage of your career/life, so I asked a few attorneys in various stages of their careers to answer some questions about what doing pro bono work means to them, why they do it and how they make pro bono work part of their life. Thank you to the following attorneys for participating in the interview: Trevor York is an associate with Morris Nichols Arsht and Tunnel in the Commercial Law Counseling group. Trevor has been practicing for less than a year. Leslie Spoltore is a partner with Obermayer Rebmann Maxwell & Hippel LLP., and has been practicing for 27 years. Jill Spevack Di Sciallo is a partner with Obermayer Rebmann Maxwell & Hippel LLP., and she has been practicing for 26 years. Cathy Thompson is a very active retired attorney, who, during her 45-year career, worked as Corporate Counsel for the DuPont Company. Elaine Reilly is another very active retired attorney. During her 35-year career, she worked as an attorney at Chemours, the DuPont Company and Morris Nichols Arsht and Tunnell. Pete Clark, who retired from the firm Connolly Gallagher after 50 years in the bar and immediately started volunteering every week for DVLS, has been practicing for 53 years.

Q If you have been practicing for several years and doing pro bono work for several years, how has the amount of pro bono work changed over the years (has it ebbed and flowed and if yes why?

A Cathy Thompson: Pro bono work is always there—and has been for 45 years. The DE bar has responded overwhelmingly positively to the need for resources and support. **Jill Spevack Di Sciallo:** I do not think the work has ebbed or flowed over the years. I do think the level of complexity of some of the cases has increased, but I attribute that to those that “dole out the assignments.” I understand that notwithstanding my earlier statement that it’s not a “steep climb” for any one of us to take on a pro bono matter, regardless of our area of practice, I do understand that there are complex cases. I think it is part of our obligation to the State and to the bar that those of us that may have more specialized experience, be called on to represent those that need us. **Leslie Spoltore:** I have seen pro bono work change over time. It ebbs and flows with the economy, being more necessary when the economy struggles.

Q What drives you to do pro bono work?

A Cathy Thompson: The desire to give back and provide support—especially to those with limited means. I have a skill that I can use to help others, and I want to use that. **Trevor York:** I’ve always thought that service to the community is important. This is my first job since leaving the military, so I think engaging in pro bono legal work is something I can do to feel like I’m still serving others to an extent. **Pete Clark:** With 50 years of courtroom experience, I just wanted to continue assisting victims of domestic violence in some small way. **Jill Spevack Di Sciallo:** I see representing clients pro-bono as an obligation we all have as citizens and members of a community. As lawyers we are trained to speak on behalf of others. What better way to be a part of a community than to speak on behalf of those with no voice. **Leslie Spoltore:** The legal system can be intimidating, and I want to help people navigate that system in order to protect their rights and the rights of their family.

Q What are challenges to doing pro bono work?

A Trevor York: I work at a larger corporate law firm so nearly all of our clients are either other large law firms or large legal departments. Due to the nature of their work, they generally know how the law works and they’re familiar with it. Pro bono work can be different sometimes when you’re trying to explain legal concepts to some clients who may not have any understanding of how a particular area of the law works. With that said, I actually enjoy teaching my clients. Of course, it can also be difficult at times to fit pro bono work in when you’re also managing billable hours. I haven’t found that part to be too difficult yet.

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Elaine Reilly: Many pro bono clients have multiple and complicated challenges in their lives. Sometimes what they are asking for may not make financial sense—it may have unintended consequences for the client's or their dependents' benefits. It's important to try to understand the critical aspects of their overall situation in order to provide effective representation. Frequently, pro bono clients have become quite frustrated working with various state and federal agencies, and this frustration may come out when they meet with you. It's usually venting—not directed at you.

Cathy Thompson: Having to do all the typing, filing, and paperwork my-

self. Ensuring that I am competent to practice in areas in which I have had little practice—but I do get a lot of support from DVLS and local attorneys.

Jill Spevack Di Sciullo: The biggest challenge, in my opinion, is getting the buy-in from the law firms for which you work. We are all aware that the work we do is a business. But as I stated before, not only do our ethical rules place on us an obligation to give to our community, we have the responsibility to speak up and represent those in our community who experience difficulty in accessing the legal system and systems of justice in which we work every day.

Leslie Spoltore: One challenge is the absence of other litigation resources for the client. For example, a client may not have the financial resources to retain an expert witness or for the costs associated with depositions. Without those resources, case preparation may look different.

Q What are the rewards of doing pro bono work?

A Trevor York: The biggest and most obvious reward is the satisfaction from helping others. A lot of people who seek legal assistance through DVLS



Leslie Spoltore, Esquire.

"The reward of doing pro-bono work is in the impact that you have on someone else's life. The work you do can completely change the trajectory of their life—and for you, it may have been a lengthy involvement, or it may only be a few hours. The work you do is invaluable to those you do it for."

—Jill Spevack Di Sciullo, Esquire

haven't had much interaction, or any interaction, with lawyers, so it's a really cool experience helping them with their issues. As a new attorney at a larger law firm, you oftentimes feel like are still learning from the more senior associates and partners and don't contribute as much on your own. Doing pro bono work has shown me that a lot of people in need have pretty basic legal questions that your average new attorney could easily answer or find an answer to. In the pro bono context, I feel like I've been able to contribute a lot to clients from the start.

Elaine Reilly: By the time most clients seek pro bono legal assistance from DVLS, they are dealing with some truly desperate personal and financial circumstances—and probably have been dealing with them for some time. Working on DVLS matters gives you the opportunity to "give back" by helping someone who really needs your help. As a recently retired lawyer, I have found that working with pro bono clients offers me the opportunity to do many of those things we're all supposed to as we age—have a cause you care about, socialize, and engage your brain. It also makes me appreciate just how fortunate I am.

Cathy Thompson: Meeting interesting people, tackling new subjects, being reminded of how grateful I am for all in my life, using my legal skills to learn a new area. I also get a lot of help from DVLS and local attorneys who are familiar with the subject matter, so it is great to make all those connections. The rewards are many and great.

Pete Clark: Hopefully getting many—if not all—of my clients to a better place in their lives.

Jill Spevack Di Sciullo: We hold this truth to be self-evident—the reward of doing pro-bono work is in the impact that you have on someone else's life. The work you do can completely change the trajectory of their life—and for you, it may have been a lengthy involvement, or it may only be a few hours. The work you do is invaluable to those you do it for.

Leslie Spoltore: One of my favorite aspects of pro bono work is meeting new people. I enjoy meeting the clients and the community partners that provide other services to the clients.

Q What would make doing pro bono easier?

A Trevor York: I think a lot of this depends on where you work. Morris Nichols has been very accommodating for my pro bono work from the start, and they actively encourage attorneys to engage in pro bono work. I've had some friends at other firms who don't count pro bono work toward their billable hour requirement, so doing pro bono work is a lot harder to fit in. So, from a firm's perspective, there are definitely things that can be done to encourage pro bono work. From a broader perspective, it's always helpful if there are Continuing Legal Education (CLE) events that prepare lawyers to engage in pro bono

work in certain areas of the law that are less familiar. I observed a CLE on Miller Trusts, and it was an incredibly helpful training that gave me the basic tools to set up Miller Trusts for pro bono clients.

Elaine Reilly: I have found it to be extremely beneficial to work on pro bono matters with a "partner." Not only is it helpful to have someone to bounce ideas off of (particularly in areas that are not part of your core practice area), but "partners" can cover for each other when professional and personal conflicts arise. There are many Delaware lawyers who are experts in subject matters that impact a pro bono matter. While they may not have the bandwidth to completely handle a matter, many are willing to consult on discrete questions. Having connections to these experts through an organization like DVLS is critical.

Jill Spevack Di Sciullo: I don't know if "easy" is the right word. What I would do is to do my best to convince all of us that we are capable of helping someone who needs our representation, regardless of your practice area. To be sure, the majority of the pro bono cases we see, fall within certain areas of law (e.g., family law, landlord/tenant, etc.) The courts are well aware of the work we do in pro bono, and while we are expected to work within the rules, showing up and assisting a person who otherwise would not be able to have representation but for pro bono representation is not a steep climb for any of us.

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Pete Clark, Esquire.

Leslie Spoltore: Pro bono work would be easier if there were more resources for those in need. Not only do clients need support in the court system and with the litigation process, but collaterally as well. For example, a client going through a family law matter may need help with affordable housing or finding counseling for a child. Those necessary resources are not always readily available and the absence of a solution to those issues can make a case more difficult to resolve.

Q What do you see as common misconceptions about pro bono work?

A Trevor York: I'm not sure about other's misconceptions, but I often associ-

ated pro bono work with being in court. I'm a transactional attorney, and generally prefer transactional work over court appearances. I was pleasantly surprised to learn that there's a lot of pro bono options for transactional attorneys like me.

Pete Clark: Attorneys fail to make the same commitment to representing pro bono clients as those who have been privately retained by them, which is totally untrue.

Jill Spevack Di Sciuolo: I am not sure I have experienced any "common misconceptions" about pro bono work. I think that some of us who do not practice law that is more "forward-facing" may be reticent to take on a matter with direct human contact or that has a very direct impact on someone's life, but I believe that regardless of your

practice area or personality type, not only are you capable of representing a person, you will also be surprised at how much you are impacted emotionally by the work you do for someone else.

Leslie Spoltore: The biggest misconception I see is the idea that as a volunteer attorney you are on your own. In my experience, help is always available. For example, if you volunteer for Delaware Volunteer Legal Services, the staff are wonderful and so helpful. And DVLS will find a family law practitioner who can be available to answer questions and provide guidance to volunteer attorneys.

Q How/does the pro bono work you engage in influence your private practice?

A Trevor York: I work at a larger corporate law firm. Thus, as a very new associate, you don't often have the opportunity to handle matters on your own. For obvious reasons, all of my work is with another partner who makes the big decisions for that matter and provides legal advice. With my pro bono clients, I'm the only attorney and I get to manage the matter how I want. I've consulted other more seasoned attorneys at our firm when I have questions during my pro bono work, but ultimately, it's my pro bono client. As a result, I think learning to be more proactive and work autonomously has helped my private practice work. I still ask the partner I'm working with for their approval on matters, but my pro bono work has definitely helped me feel a little more empowered as a young attorney.

Cathy Thompson: I am now retired so for the past five years it hasn't at all. When I was working, I headed up the pro bono program at the DuPont Company and we were able to recruit fellow lawyers, legal assistants, and secretaries to help with a wide variety of pro bono work in Delaware. Our management advocated strongly for staff to get involved and we were very successful with that program.

Jill Spevack Di Sciallo: I don't know if my pro bono work influences my private practice. There is no distinction between my work that I do for remuneration and the work I do pro bono.

Leslie Spoltore: I think pro bono work enhances private practice. Through pro bono work I see legal issues and personal challenges that I might not otherwise see in private practice. Working through those questions/issues broadens and strengthens my perspective and my skills.

Q Have/how have the clients you have worked with changed how you see legal work/access to justice/and equity in the legal system?

A Trevor York: It's changed my perspective on how I view access to civil legal services. A lot of people understand

that lawyers are generally required to represent indigent defendants for criminal cases, but I don't think many people understand that for other areas of the law, there's no court-appointed attorney. There are many times in all of our lives where you need an attorney outside of the criminal context. People lose government benefits due to an administrative error, get wrongly evicted, need a power of attorney for an aging parent, the list goes on and on. A lot of people have this happen to them and can afford to pay a couple hundred dollars to have an attorney handle it quickly. But a lot of other people cannot afford that but still need those services performed.

Pete Clark: With the increasing recognition by those directly involved in the judicial/criminal justice system—including law enforcement, courts, attorneys, mental health professionals—the sheer volume of pro bono PFA cases have significantly increased.

Jill Spevack Di Sciallo: I am well aware that our legal system is not "user-friendly" to those not "in the know." I work in the family court, and while it would be preferred for anyone to be able to access the legal system and understand all the processes, I understand that the next best thing is to have a community of attorneys willing to help and willing to help our most vulnerable citizens access the legal system when they are in need.

Leslie Spoltore: The clients with whom I have worked have helped me to appreciate the need for access to justice, whether it is the need for transportation to the courthouse, or the need for a translator, and/or the ability to pay a cost/fee associated with litigation. These are real concerns that can impact whether a client not only has access to the legal system, but whether they feel they have been heard by the system.

Q What is the biggest challenge working with pro bono clients?

A Trevor York: I haven't had any big issues. All of my clients have been very kind and appreciative of my work. The one thing

that I've learned to keep in mind is just how I explain things. I really need to make sure that I take the time to explain all the legal concepts clearly, so my clients know what they're signing and what's happening.

Elaine Reilly: It is quite challenging to really understand a pro bono client's circumstances—they are so very different than what I have encountered with clients who can afford a lawyer. During an initial meeting with a client, I misread the client's intake form, thinking she had \$2,000 in her bank account. It was quite humbling when she corrected me—she had \$20 in the bank.

Cathy Thompson: Ensuring that I understand their issues, so I can respond in a timely manner and can help them reach their desired goals. Sometimes communications is a big issue—such as reaching them via phone or email can be a challenge.

Jill Spevack Di Sciallo: A lot of our pro bono clients are starting from "behind the eight ball." Either they are children, at the mercy of the adults in their lives, or they may be victims of domestic violence, or they could be someone that is separated from their family due to having their motivations misunderstood. It is our job to "level the playing field" and to ensure that their voices be heard. This is not to say that they are all misunderstood, but even those that have deficits can use help accessing the resources to ameliorate those deficits.

Leslie Spoltore: One of the biggest challenges can be getting in contact and staying in contact with a client. If, for example, a client is in a domestic violence situation, he/she may not be able to call freely or to come to meet with counsel in person. If the client has unstable housing, it can also be difficult to keep in touch and in contact.

Q What are some of the biggest challenges your pro bono clients face?

A Trevor York: I think access to legal assistance is clearly the biggest challenge. There's a lot of factors that contribute to this lack of access, and I think it would be difficult to pinpoint

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which factor is the biggest. But the key part to understand for young lawyers like myself is that we have the ability to help pro bono clients with real issues. I think it's easy to feel a bit overwhelmed as a young lawyer in terms of solving the world's biggest legal problems and all that we see in the news cycle. Very few lawyers are ever able to be a part of *Brown v. Board of Education* or other landmark legal victories. However, young lawyers are all able to do their part by helping pro bono clients in our community and making their lives a little bit better.

Elaine Reilly: Many pro bono clients have complicated family circumstances requiring them to support multiple children and other family members. Frequently, they support family members with disabilities. They do this with very limited and precarious financial resources. While there are state and federal systems set up to help folks in these circumstances, those systems have always been complicated to understand and access. That has become even more difficult with federal reductions in personnel.

Cathy Thompson: Generally, it is lack of resources, be that financial, transportation, and/or understanding how to proceed. Many are challenged by family members with significant disabilities that make it hard for them to function.

Pete Clark: Because many pro bono PFA clients lack self-esteem and have limited education and/or financial independence, the circle of domestic violence just continues.

Jill Spevack Di Sciuillo: My pro bono clients have experienced the gamut of challenges. If I over-generalize, I would say that youth, domestic violence, and the mental health issues that are a result of domestic violence are the genesis of the myriad challenges that my pro bono clients have faced.

Leslie Spoltore: One of the biggest challenges pro bono clients face is managing the unknown world of litigation. Many of the clients have never been involved in a legal proceeding before. The process, the paperwork, and the court appearances can be overwhelming.

"During an initial meeting with a client, I misread the client's intake form, thinking she had \$2,000 in her bank account. It was quite humbling when she corrected me—she had \$20 in the bank."

—Elaine Reilly, Esquire

Q If you were trying to recruit an attorney to do pro bono work, what is the one thing you would tell them?

A Trevor York: Most importantly, you get to help people. That's my favorite part of the work. I enjoy my job at the firm a lot and I feel really at home in our commercial counseling group. But our work is more focused on consummating transactions rather than helping individual people in need. From a professional perspective, it's fun because you really can find pro bono work in almost any area of the law you want. I think a lot of people associate pro bono work with criminal law or maybe family law, but there's a lot out there if you want to do estate planning work, landlord-tenant disputes, and more.

Elaine Reilly: Your investment of time will be rewarded by an incredible sense of personal and professional fulfillment. In other words, you will get much more out of it than you put into it.

Cathy Thompson: How gratifying the work is, and how supportive the Delaware bar is to assist when needed.

Pete Clark: Be a good listener and don't just adopt unreasonable expectations from your clients.

Jill Spevack Di Sciuillo: The one thing I would tell someone is that not only are they capable of doing the work, but that

in the event they needed resources, there is a host of resources in the form of your colleagues that will be more than happy to field your calls, or even help you work through your matter so that you are comfortable and can dispatch your role with care and professionalism.

Leslie Spoltore: I would tell them how rewarding it is. Through pro bono work we have the opportunity to make a lasting difference in someone's life, and there is no better feeling.

DVLS helps some of the most vulnerable people in our community, victims of domestic violence, the elderly, the terminally ill, people facing the loss of housing, people with limited education, language barriers and many people who have little to no positive experiences with the legal system. The need for volunteers has never been greater, and the number of volunteers has not increased as the need has increased. It is likely we will never have enough volunteers to help everyone in need, but we can do better. I can do better at matching attorneys with the people who need their help the most. The number of volunteers taking cases decreased during COVID and has not yet reached pre-COVID levels. The goal is to increase the number of active volunteers to levels never seen before in Delaware. DVLS wants to connect people in need with pro bono attorneys, it is that simple. Attorneys in Delaware are generous, caring people and can change lives, just like Trevor York, Leslie Spoltore, Jill Spevack Di Sciuillo, Catherine Thompson, Elaine Reilly, and Pete Clark. Special thanks to each of them for their candid thoughts on pro bono work and for all they have done and continue to do to help the people in our community. ⚖️



Jacki Chacona is the Deputy Director of Delaware Volunteer Legal Services. She has been with DVLS for 25 years. If you are interested in volunteering, you can contact her at jchacona@dvls.org.




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ATTORNEY STATUS UPDATE

TRANSFER OF A DELAWARE LAWYER TO DISABILITY INAC- TIVE STATUS

DISABILITY INACTIVE

Supreme Court No. 382, 2025

Effective Date:

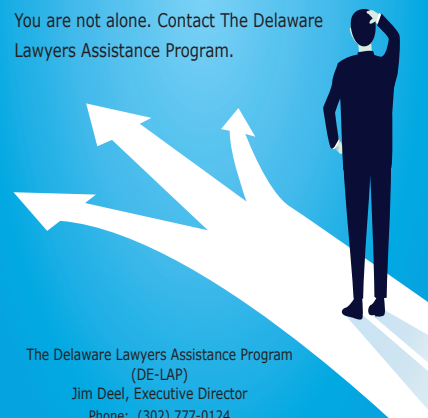
September 11, 2025

By Order dated September 11, 2025, the Delaware Supreme Court transferred Kevin M. Carroll, Esquire to disability inactive status effective immediately pursuant to Rule 19(b) of the Delaware Lawyers' Rules of Disciplinary Procedure. Mr. Carroll is prohibited from practicing law in Delaware until such time that he is reinstated to active status. 

Do you need help getting on the right path?

Do you, or someone you know, need help with personal problems such as alcohol or drug abuse, gambling, stress, grief, and/or other mental health issues that are affecting work productivity and quality of life?

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The Delaware Lawyers Assistance Program
(DE-LAP)
Jim Deel, Executive Director
Phone: (302) 777-0124
E-mail: jdeel@de-lap.org
Website: www.de-lap.org

Report: 2025 Annual Meeting of the ABA House of Delegates

BY WILLIAM C. CARPENTER, JR., HOD STATE DELEGATE

The Rule of Law does not defend itself...Lawyers do!

With this message, the 2025 Annual Meeting of the ABA House of Delegates (HOD) began on August 11, 2025, in Toronto, Ontario, Canada. With the events in this country over the past nine months, it is not surprising that the attack on the Rule of Law, judicial independence, voting rights, immigration, and safeguarding our basic constitutional rights highlighted this year's meeting. Outgoing ABA President William Bay emphasized the importance that we remain steadfast and united in the fight to uphold the Rule of Law and due process. He reminded all that "To be a nation of laws, there cannot be government by threat, fear or retribution... We will never surrender in the fight for the Rule of Law and due process because there is never a wrong time to stand up for what is right." With these important comments he concluded his term as ABA President and passed the torch to the new President, Michelle Behnke of Wisconsin. In her remarks to the HOD, she emphasized the important work of the ABA in speaking out and defending the Rule of Law and detailed her determination to defend liberty and justice while eliminating bias and promoting diversity in the legal profession. "Going forward, it is imperative that we not only respond to attacks, but we must be proactive and fulfill our goals and strengthen our association. Because when you have a strong ABA, ... you have a strong defense for the Rule of Law."

With these important messages the HOD got down to business adopting more than 50 policy resolutions, including ones related to law firm intimidation, immigration enforcement and detention, academic freedom and open civil debate at universities. While all the resolutions before the HOD addressed critical issues facing the legal community and our country, I will highlight those that I believe will be of greatest interest. The following resolutions were adopted at the meeting.

- Opposes government action punishing or threatening lawyers, law firms or other organizations for representation of clients or causes disfavored by the government.
- Urges the Executive Branch and Congress to adopt policies and enact legislation that ensures due process protections, including meaningful notice, opportunity to be heard and access to legal

counsel, in all proceedings involving denial of entry, visa revocation, rescission of lawful permanent residency or removal from the United States, including those based upon alleged security or criminal concerns.

- Opposes the dismantling or defunding, in whole or in part, of any federal agency or independent agency created by legislation or halting any of such an agency's functions, in the absence of legislation expressly authorizing such measures; condemns the arbitrary termination of employment of agency employees and urges congress to investigate the lawfulness of such actions.
- Reaffirms the ABA's commitment to upholding the Rule of Law and protecting civil rights; and urges all levels of government to: 1) ensure that laws are enacted and enforced consistent with constitutional principles; 2) preserve judicial independence; 3) safeguard the rights of vulnerable communities and 4) promote civil education.
- Supports the academic freedom of American universities, colleges and law schools; and opposes governmental efforts to impose the government's viewpoint with respect to the academic qualifications of students or faculty, the content of curricula or specific courses.
- Urges the federal government to enact legislation and promulgate regulations recognizing a reporter's privilege that enables journalists to protect their unpublished work product and protect the press from retaliatory defamation claims for reporting on matters of public interest and concern.
- Supports the First Amendment rights of public employees at all levels of government, including judges and lawyers, to speak about matters of public concern without fear of retaliation.
- Urges bar associations to establish policies, training and actions to address and prevent bullying in the legal profession.
- Urges federal and state courts to gather, assess, and report demographic data necessary to ensure that they are assembling representative jury pools.
- Urges the Department of Homeland Security and other agencies charged with immigration enforcement to adopt regulations and policies that prohibit immigration enforcement operations in or around sensitive locations.



From left to right: Lauren DeLuca, William Carpenter, Judge Calvin Scott, Nicole Mozee & John "Jack" Hadin Young.

- Urges the Executive Branch to adopt policies and Congress to enact laws that prohibit detention of immigrants in Department of Defense facilities and to establish and implement procedures for immigrant detention, selection of detention facilities or construction of new facilities.

- Opposes the enactment and enforcement of laws, policies and practices by federal and state authorities that punish, penalize or authorize punishment or penalization of persons experiencing homelessness and poverty.

- Urges federal, state and local governments and school boards to develop and implement policies and protocols that provide a uniform response to incidents involving antisemitism and hate within K-12 public schools.

- Urges institutions of higher education to educate students, staff and employees on forms of discrimination and harassment on the basis of religion and national origin.

- Urges federal, state and local governments to oppose laws that address non-citizen voting that imposes undue burdens on eligible voters and elected officials.

- Urges Congress to reauthorize and implement the Older Americans Act of 1965 to address the specific health care needs of LGBTQ+ older Americans.

- Opposes the adoption of civil or criminal laws that impose criminal and civil penalties or rights deprivations based on an individual's conduct during pregnancy or its outcome.

- Urges law schools to implement and adopt clear, specific and transparent policies governing the use of generative artificial intelligence tools by students.

- Urges Congress to amend the Uniformed and Overseas Citizens Absentee Voting Act to address the inability of U. S. citizens residing overseas to vote.

For a detailed description of all resolutions and the report prepared in support, please see www.americanbar.org or contact me or other members of the Delaware delegation for additional information.

The Delaware Delegation

The House of Delegates is the primary policy-making body of the ABA and creates policy that guides the positions taken by the association's leadership. The

Delaware delegation at this year's annual meeting included the Honorable Calvin L. Scott, Jr., as the ABA Judicial Division Representative, Nicole M. Mozee, DSBA Delegate, Lauren P. DeLuca, DSBA Young Lawyer Delegate, John "Jack" Hardin Young, Senior Lawyer Division Delegate and yours truly as State Delegate. I would also note that Jack Young was appointed as a special advisor to the Central and Eastern European Law Institute. The Institute was founded in 1990 to assist Eastern European countries after the fall of the Soviet Union and assist in advancing the Rule of Law in the world to protect fundamental rights and liberties. Congrats, Jack!

Your ABA

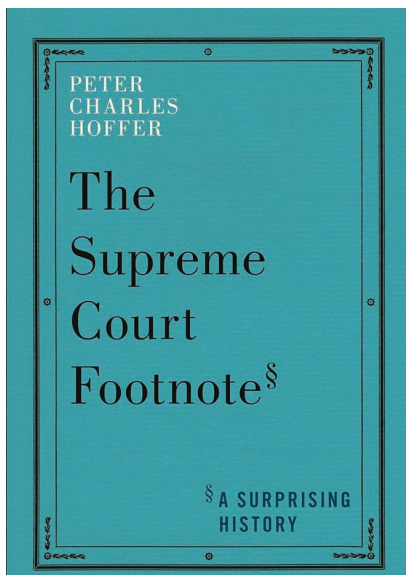
On behalf of the Delaware delegation, if you are not a member of the ABA, we encourage you to consider joining. It is important that lawyers have a strong voice in protecting the Rule of Law and our constitutional rights, and while it is difficult for a lone voice to make a difference, joining with thousands of lawyers around the country can. It is more important now than perhaps ever in our recent history that we have a strong national voice to protect the rights of all our citizens. Please consider joining, and if you are a member already, consider becoming more active in the sections, divisions and forums of the association. The House of Delegates will meet again in February 2026 at its Mid-Year meeting in San Antonio, Texas. If you have any questions or comments in the meantime, please feel free to reach out to me (carpenteradr@gmail.com) or the other members of your Delaware Delegation. 📧

Judge Carpenter retired in 2023 from the Superior Court of Delaware after serving nearly 30 years on the bench. Prior to his judicial service, he served 19 years in the United States Attorney office. In retirement, he has handled mediations, arbitrations and served as a discovery magistrate in Chancery/CCLD matters.





(Duly) Noted



The Supreme Court Footnote, A Surprising History

By Peter Charles Hoffer
(NYU Press, 2024)

There may be no more famous footnote in legal history than footnote 4 in the United States Supreme Court’s 1938 opinion in *Carolene Products*. It was in that footnote that Justice Harlan Stone stated that while ordinary legislation may be upheld if there was a rational basis to support it, for those laws affecting “discrete and insular minorities” “more exacting juridical scrutiny” (i.e., strict scrutiny) would be applied. Although this footnote has since become one of the most important in Supreme Court jurisprudence, it was, for all intents and purposes, surplusage and unnecessary in the opinion itself, as *Carolene Products* was a case about economic regulation and whether Congress could prohibit “filled milk” (that is, skim milk to which fat or oil, other than milk fat, is added) from being shipped in interstate commerce—a simple regulation of commerce that easily passed the rational basis test.

Footnotes have come a long way, and have become very important in modern Supreme Court opinions, but it was not always this way. In *The Supreme Court Footnote, A Surprising History*, Professor Peter Charles Hoffer canvases the use of footnotes at the Supreme Court from the first 11 footnotes, employed by Justice James Wilson in *Chisholm v. Georgia* in 1793, to the 157 footnotes in the majority and dissenting opinions in *Dobbs v. Jackson Women’s Health Organization* in 2022. Whereas Justice Wilson merely used his footnotes to provide specific citations to quotes from various works, the Justices in *Dobbs* used their footnotes to criticize and attack the positions taken by their brethren in their brethren’s majority opinion and dissents.

But even before beginning his historical study of the rise of footnotes, Hoffer asks a more philosophical question about footnotes generally: can a footnote be law? Can it have a legal effect? And, in order to answer this question, one starts with the even more basic question: what is the purpose of a footnote?

For some, a footnote is intended (and should only be used) as a specific reference to the specific authority and the page in that authority for the proposition quoted in the main text. This is what Justice Wilson did. He quoted various legal works in the body of his opinion, and then provided the specific page numbers where those quotes or propositions could be found in the legal works. Nothing more. Nothing less. For many, this is the only function a footnote should serve. By placing the specific citation information in a footnote, the readability of the opinion is said to be improved. Noted legal stylist Bryan Garner is firmly in this camp, and believes that footnotes should include the case names, so that when reading an opinion, a reader is not interrupted with a legal citation between sentences or even in the middle of a sentence. It’s all about readability. Interestingly, his friend

Justice Antonin Scalia took the opposite view, preferring to see case citations in the text, so that he didn't have to jump down to the footnote to identify the case(s) in support of the proposition and then jump back to the text to pick up his reading. The readability debate continues, although certainly one can see a trend towards case citations and other citations now appearing in footnotes.

But, beyond citations, what other purpose is there for footnotes? Justice Stephen Breyer once said in an interview that the purpose of a judicial opinion "is to explain as clearly as possible and as simply as possible what the reasons are for reaching this decision. . . . If you see the opinion in this way, either a point is sufficiently significant to make, in which case it should be in the text, or it is not, in which case, don't make it." True to his beliefs, his last major opinion for the Court was footnote-free.

Today, footnotes are prevalent in Supreme Court opinions and their use has evolved from mere specific citation to authority to full blown attacks and criticisms. One can't help but wonder, though, if this evolution is a result of the process the Court now follows. Majority opinions are drafted and circulated. Dissents are then drafted in response. The author of the majority opinion, rather than try to rewrite and restructure the opinion, simply inserts footnotes to respond to the dissents. The dissenters, in turn, then add their own footnotes responding to the new criticisms in the footnotes added to the majority opinion, and so it goes until everything is finalized. Thus, one finds in *Dobbs* 157 footnotes in total.

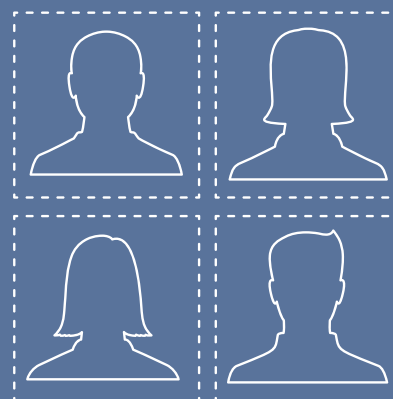
Back in the day, before modern word processing programs, page limits were the norm for briefs and other submissions, and lawyers were told not to make argument in footnotes (which are single-spaced) as compared to the main body of text (which is double-spaced). With the advent of word-counting as a feature of any computer program, that argument may be less important today, except for the position taken by Justice

Breyer and others—if a point is worth making, make it in the text. To do otherwise risks the point being overlooked.

Perhaps most important of all, for those of us who practice in the Delaware courts, the Delaware Supreme Court Rules are clear: "Footnotes shall not be used for argument ordinarily included in the body of a brief." Del. Supr. Ct. R. 14(d)(iv). And the Delaware Supreme Court Rules tell us that: "The merits of any argument that is not raised in the body of the opening brief shall be deemed waived and will not be considered by the Court on appeal." Del. Supr. Ct. R. 14(b)(vi)A.(3). Thus, the Court has ignored arguments made only in footnotes, explaining that: "Arguments in footnotes do not constitute raising an issue in the 'body of the opening brief.'" See *Americas Mining Corp. v. Theriault*, 51 A.3d 1213, 1264 (Del. 2012).

Whatever one's theory about the use and proper purpose of footnotes, however, it is certainly the case that they have come a long way from their lowly origins. Professor Hoffer's book is as much a book about judicial history as it is about footnotes and, as its subtitle indicates, the history of footnotes in the Supreme Court is a surprising history. 

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Biscuits Are Back: Stout or Cider?

This month I decided to experiment with two beverages synonymous with October—beer and apple cider. Back in November 2019, I shared my biscuit recipe with three variations on cheeses and spices. Rather than play with the dry ingredients this time, I decided to use stout and apple cider as alternatives.

BASIC BISCUIT RECIPE

- 2 1/4 cups all-purpose flour
- 2 1/2 teaspoons baking powder
- 1/2 teaspoon baking soda
- 1/2 teaspoon sea salt
- 1 stick unsalted butter, just out of the refrigerator
- 1 cup cold half-and-half

These quantities yield about a baker's dozen, depending on your biscuit cutter. I also recommend Kerrygold Irish Butter, as its smooth texture makes it easy to blend into the dry ingredients.

Line a baking sheet with parchment paper. In a large bowl, mix the flour, baking powder, baking soda, and salt. Cut the butter into small cubes and add to the dry ingredients. Rub the pieces of butter and the dry ingredients together with your fingers until the butter is broken into tiny pieces. The butter pieces should be no larger than peas. Blend in the half-and-half to create a well-mixed, cohesive ball. The dough will not be smooth like a bread or pizza dough.

Place the dough on a well-floured work surface and, using a rolling pin, flatten it into a rectangle. Fold and rotate 90 degrees. Then flatten and fold again. Repeat this process three or four times. Work quickly so that you avoid overworking the dough. Pat the dough so that it is about 3/4 inch thick. Then, using a 2-1/2-inch biscuit cutter or a serrated knife, form about one dozen biscuits. Transfer the biscuits to the baking sheet and freeze for 15 minutes. While freezing, preheat the oven to 375°.



Bake the biscuits until golden brown, about 15 minutes. If possible, serve warm with butter.

The Oktoberfest Biscuit

Substitute Guinness Draught Stout Smooth and Creamy for the half-and-half. The beer's caramel and roasted barley flavors are prominent in these denser biscuits. I also detect notes of coffee, an ideal pairing for beef. Speaking of beef, the Oktoberfest biscuits would complement a hearty braised short ribs dinner.

The Apple Cider Biscuit

Substitute pasteurized apple cider for the half-and-half. These come out much fluffier than the Stout biscuits, but the flavors are less pronounced.

Next time, before baking, I would sprinkle with Sucanat (see my December 2024 article for a description of this molasses-flavored sweetener). Even more classic than a coffee ~ beef pairing is an apple ~ pork pairing. The Apple Cider biscuits would go equally well with a bacon and egg breakfast or a roasted pork loin or chop.

I invite readers to share ideas and suggestions. There are myriad biscuit variations – cheeses, herbs, spices, sugars, and even beverage items. I look forward to hearing yours.

Happy October—from Oktoberfest to Halloween! 🍷

Susan E. Poppiti is the owner of Susan Poppiti Math Tutoring LLC. Susan holds a WSET (Wine and Spirit Education Trust) Level 3 Award in Wines with Merit. You can contact Susan at spoppiti@hotmail.com and find a searchable collection of her "Judicial Palate" articles at cucinadipoppiti.com.



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Delaware Law School's 50th Anniversary Gala

BY MARY ALLEN, EXECUTIVE DIRECTOR OF COMMUNICATIONS, WIDENER UNIVERSITY

Delaware Law School marked the milestone of 50 successful years with a gala event Sept. 19 that drew more than 200 people who reflected on the school's accomplishments and celebrated its contributions to the First State and the legal community.

The gala, held at the DuPont Country Club in Wilmington, drew alumni spanning five decades, current and former faculty and staff, university leadership, and Delaware dignitaries including Gov. Matt Meyer and U.S. Sen. Chris Coons.

"When then-Widener College entered an agreement to affiliate with Delaware Law School in May of 1975, it was the start of something big," university President Stacey Robertson said, noting the values of belonging and excellence are woven into the fabric of Delaware Law. "It is a school that creates opportunity and believes in the students it welcomes, and their ability to access a legal education that will propel them to help create a more just and fair world."

Coons said Delaware Law's 13,000 graduates have changed history, and he

lauded the value of hands-on learning experiences available through the school's multiple clinics. "Know that you have left a legacy that will endure and that there is more to come," he said.

Dean Todd Clark shared that prior to the celebration dinner, law student Olivia Scholl was named the recipient of a \$5,000 scholarship given by UMH Properties, the exclusive diamond sponsor of the evening.

Clark also announced the school was renaming its student emergency fund to honor long-time administrator Constance Sweeney, who serves as executive assistant to the dean. The Connie Sweeney Student Emergency Fund will provide a vital safety net for law students facing unexpected financial crises, ensuring they have the support needed to complete their education and become the legal leaders of tomorrow.

"To those of you who've worked closely with her, she is synonymous with Widener and with Delaware Law," Clark said of Sweeney. "She is usually the first person to arrive in the morning and often the last to leave at night. If you need her on a weekend, she's

there. If there's an emergency, she will be the first person offering help. There is nothing she cannot or will not do to make this institution and its students successful."

Several generous Delaware Law School partners committed to help kickoff off the renamed fund. Alice '92 and Walter Strine, Cary '81 and Nancy Flitter, and Chip Brown '90 and Ipek Kurul pledged a total of \$25,000. Those who want to contribute may still make a gift online as fundraising is ongoing.

The crowd also heard from Judge Scott Reid '02, a member of the Widener board of trustees and a magistrate judge for the U.S. District Court for the Eastern District of Pennsylvania; Renate Keg, a May law school graduate; and Eugene McGurk, '78, chair of the law school advisory board, former university trustee and chair of the gala celebration. McGurk toasted the school and all that is to come.

"As we look ahead, let us celebrate not just our past, but the bright future that lies before us. I hope you will join me in building that future, together," McGurk said. 🎤



U.S. Magistrate Judge Scott Reid (Delaware Law '02), Samuel Landy (Delaware Law '85), Delaware Law Dean Todd Clark, Delaware Gov. Matt Meyer, Widener University President Stacey Robertson. Melissa Kelly Photography.



Emeritus Professor J. Patrick Kelly, Connie Sweeney, executive assistant to the dean of Delaware Law, Professor Alan Garfield, Paula Garrison, retired executive assistant to the dean. Melissa Kelly Photography.



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