

COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

2023 BAR MEMORIALS CEREMONY

MONDAY, MARCH 6, 2023
9:00 A.M.
COURTROOM NO. 2A
LEHIGH COUNTY COURTHOUSE
ALLENTOWN, PENNSYLVANIA

IN MEMORY OF:

TERESA I. SAILLANT-RESENDEZ
MARK R. MALKAMES
FREDERICK E. CHARLES
EDMUND J. HEALY
HON. JOHN E. BACKENSTOE
CHARLES J. VOLKERT, JR.
SAMUEL R. KASICK

BEFORE:

HONORABLE J. BRIAN JOHNSON, P.J.
HONORABLE ROBERT L. STEINBERG, J.
HONORABLE JAMES T. ANTHONY, J.
HONORABLE MICHELE A. VARRICCHIO, J.
HONORABLE DOUGLAS G. REICHLEY, J.
HONORABLE ANNA-KRISTIE M. MARKS, J.
HONORABLE THOMAS M. CAFFREY, J.
HONORABLE THOMAS A. CAPEHART, J.
HONORABLE ZACHARY J. COHEN, J.

* * *

BRIANNA M. SEESE, OFFICIAL COURT MONITOR

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1 COURT CRIER: Please rise. The
2 Honorable Judges, the President Judge and Judges
3 of the Court of Common Pleas of Lehigh County,
4 Pennsylvania.

5 Oyez, oyez, oyez. All manner of
6 persons having anything to do, before the Court
7 of Common Pleas of Lehigh County, Pennsylvania,
8 may they please come forward and they shall be
9 recognized in the Court of Common Pleas. Please
10 remain standing for the Pledge of Allegiance.

11 (Whereupon, the Pledge of Allegiance
12 was recited.)

13 PRESIDENT JUDGE JOHNSON: Good
14 morning. On behalf of my colleagues on the Court
15 of Common Pleas and personally, I welcome you to
16 the annual Bar Memorials Ceremony, sponsored
17 jointly by the Bar Association of Lehigh County
18 and the Court.

19 Joining me on the bench in order of
20 seniority are the Honorables Robert L.
21 Steinberg, James T. Anthony, Douglas G.
22 Reichley, Melissa T. Pavlack, Kristie M. Marks,
23 Thomas M. Caffrey, Thomas A. Capehart, and
24 Zachary J. Cohen.

25 We also recognize other judges and

1 elected officials present: former U.S. District
2 Chief, Edward N. Cahn; Senior Judges and former
3 President Judges of our Court, Carol K.
4 McGinley, and Edward D. Reibman; Senior Judge of
5 our Court, Kelly L. Banach; former Judges of our
6 Court, William E. Ford; also Sheriff, Joseph
7 Hanna; District Attorney, James B. Martin; Chief
8 Public Defender, Kimberly Makoul Goodge; and
9 Allentown City Solicitor, Matthew Kloiber. If
10 anyone else is here that we would normally
11 recognize, I apologize. I can only see the first
12 row of chairs. So if you're back there, I
13 apologize.

14 In this special session of the
15 court, we pause to remember and pay respects to
16 those members of our Bar Association, our
17 colleagues, who have passed away during 2022.

18 Those of us in the legal profession
19 and those who live or work among us, know that
20 our days in this profession are often long. It
21 is at this time however, we are reminded that
22 our years are short.

23 In our annual Bar Admissions
24 Ceremony, we admit new members to our Bar with
25 great joy as they commence their professional

1 lives and with great hope that they will do well
2 for themselves and their clients, and do good
3 for our community and our profession.

4 Now, we have a more somber, but no
5 less important duty of paying respects to our
6 departed colleagues.

7 Birth is a beginning and death is a
8 destination; life is the journey between them.
9 In remembering our departed colleagues and the
10 journey they took, we also remind ourselves of
11 our own mortality, the kind of life we live, and
12 the legacy we will leave behind.

13 The Court recognizes the President
14 of the Bar Association of Lehigh County,
15 Attorney Nancy Conrad.

16 MS. CONRAD: Good morning, and may it
17 please the Court. We gather today for what is
18 one of our finest traditions, the Annual Bar
19 Memorial. This is a tradition that we have
20 recognized for over 100 years dating back to the
21 beginning of our esteemed organization.

22 Today we honor those attorneys that
23 passed in 2022. We thank the Court for its
24 continued commitment to this tradition and for
25 joining us today to pay tribute to our members.

1 We also thank Attorney Jenna Fliszar, who
2 diligently serves to organize this celebration
3 of life.

4 Today we will honor the memory of;
5 Teresa Resendez, who will be remembered by
6 Kathleen Stirba; Mark Malkames, who will be
7 remembered by William Malkames; Fredrick E.
8 Charles, who will be remembered by Ronald
9 Corkery; Edmund J. Healy, who I will remember;
10 the Honorable John E. Backenstoe, who will be
11 remembered by David Backenstoe; Charles J.
12 Volkert, Jr., who will be remembered by Ronald
13 Corkery; Samuel R. Kasick, who will be
14 remembered by the Honorable Robert Steinberg.

15 Please welcome Kathleen Stirba.

16 MS. STIRBA: May it please the Court.
17 Good morning. My name is Kathy Stirba. And I am
18 honored and grateful to be able to speak to you
19 this morning about my friend, Teresa Resendez,
20 who tragically passed away last year.

21 Teresa was truly one of a kind. She
22 was smart, hardworking, utterly devoted to her
23 family and friends, and passionate about her
24 work. I first got to know Teresa in Juvenile
25 Dependency Court. Many, many years ago, Teresa

1 and I worked together on the same team of
2 attorneys appointed by the court to represent
3 various parties in dependency proceedings.

4 So every Tuesday morning, Teresa and
5 I would appear before a juvenile hearing
6 officer, along with our third teammate, the
7 late, great, Lee Rothman, where we would
8 zealously represent the interest of mothers,
9 fathers, and children in dependency court.

10 Teresa and I had some epic battles.
11 Our respective roles pitted us against each
12 other more often than not, and Teresa was not
13 one to hold back when it came to vigorously
14 defending her clients.

15 I remember one time, Lee, Teresa,
16 and I were in front of Juvenile Hearing Officer,
17 Jackie Paradis. I was appointed guardian *ad*
18 *litem* for the child at issue, and Teresa
19 represented one of the parents. I think it was
20 the child's mother. Teresa was adamant that her
21 client was substantially compliant with what the
22 court had ordered her to do, while I insisted
23 that, that was just not the case for a variety
24 of reasons.

25 Lee just watched both of us, amused

1 by our antics, as usual, while Teresa and I
2 battled it out until Court Hearing Officer
3 Paradis broke in and told us she had heard both
4 of our arguments and she was going to take the
5 matter under advisement; largely just to shut us
6 up at that point, I think.

7 So fortunately, that was the last
8 hearing of the morning. So we went to our
9 separate corners and I started gathering up my
10 things. And then, Teresa hesitantly approached
11 me and said, "Kathy, we're still friends; aren't
12 we?" I said, "Of course, we're still friends,
13 Teresa. I just can't talk to you right now." And
14 then after about five minutes later, we were
15 back to normal with one another.

16 But that was one of the things about
17 my friendship with Teresa that I valued the
18 most. We could be diametrically opposed in
19 court, but I never felt that she was anything
20 other than respectful, professional, and just
21 passionate about her viewpoint.

22 We could be arguing an issue in
23 court, and then five minutes later after our
24 hearing was over, we'd be commiserating about
25 raising teenagers and trying to figure out how

1 we were going to afford to send them all to
2 college.

3 But Teresa's steadfast belief in her
4 clients, her ability to empathize with them and
5 to fight for them so zealously in court, that
6 was something I admired very much about her.
7 Fighting with Teresa made me a better lawyer.

8 One of the reasons I felt that the
9 decline in Teresa's health was so massively
10 unfair, is because Teresa had one of the
11 healthiest lifestyles of anyone I had ever met.
12 She only ate healthy food in my presence;
13 always. For example, Teresa was always the one
14 who would schedule times for Lee, Teresa, and I
15 to go to lunch together long after we had
16 stopped being a team in court. She was always
17 really good about making sure that we stayed
18 connected to each other, even after we stopped
19 working together. And I'm grateful for that.

20 So when the three of us would go to
21 lunch, we would always go to the Olive Garden
22 because that was close to where Lee's office
23 was. And we always ordered the same thing; a
24 soup, a salad, and the breadsticks. And without
25 fail, Teresa would politely, but firmly insist

1 that our salad have romaine lettuce, not regular
2 lettuce. Because romaine lettuce has more
3 nutrients. Needless to say, we were super
4 popular at that Olive Garden.

5 Teresa was also very enthusiastic
6 about exercise. When we were in dependency court
7 together, our courtroom was on the 7th floor of
8 this courthouse. And if luck would have it, such
9 that Teresa and I would enter the lobby at the
10 same time, Teresa would inevitability talk me
11 into taking the stairs, rather than the
12 elevator; the 14 stairs that lead up to room
13 731.

14 Well, Teresa was a whole eight
15 months older than I was, so I figured if she
16 could do it, I could do it; right? About four
17 flights in, I would be panting and saying, "Look
18 Teresa, I will walk this with you if you want,
19 but I am not going to run it. So either slow
20 down or just wait for me when you get to the
21 top." And then, she would usually slow down and
22 give me a chance to catch up with her. She was
23 good that way.

24 I was truly inspired by the love
25 that was generated by Teresa just being herself

1 and living her life. There were countless
2 tributes made to her at her funeral, not just
3 from friends and family, but from people from
4 all walks of life who were helped or guided by
5 her in some way.

6 There were some who spoke about how
7 Teresa had mentored them and provided them
8 support and assistance when they needed it;
9 changing their lives for the better. There were
10 family members who reminisced about how much
11 Teresa loved to organize gatherings among her
12 relatives because she recognized how valuable
13 time with her family was.

14 These testimonials spoke of a life
15 well lived. And while it wasn't surprising to
16 me, I was truly moved by the impact Teresa had
17 on so many people whose lives she touched.

18 A few years ago, my daughter
19 suffered some serious health issues. Despite the
20 fact that Teresa's own medical condition was
21 progressively worsening during that time, she
22 consistently made it a point to check in with
23 me; asking for updates about how Jessie was
24 doing, offering her prayers, her support, and
25 her friendship.

1 Her ability to focus on others even
2 while she was suffering herself was something
3 that I admired and deeply appreciated about her.
4 The faith exhibited by the community of people
5 who joined at Teresa's funeral to celebrate her
6 life and mourn her passing was really something
7 to see. Teresa definitely lives on through the
8 lives, loves, and memories of the people who
9 were lucky enough to get to know her.

10 ALS; that terrible disease ravaged
11 Teresa physically and it took her out of this
12 world far too early. But it really seemed to
13 just strengthen her spirit, rather than diminish
14 it. And it deepened her faith in a belief that
15 there is life after this.

16 I don't know that I've ever seen
17 anyone who displayed the kind of courage,
18 acceptance, and grace of spirit that Teresa did
19 in the face of unimaginable suffering. Her deep
20 love of her family, her resolve to continue her
21 important work for as long as possible, and her
22 ability to make you feel like "you" and what was
23 going on with "you," was more important to her
24 than herself. These are the things that really
25 set her apart from other people in my mind.

1 Teresa was my colleague, at first.
2 Over time, she became my friend. And ultimately,
3 she became an inspiration to me; a reminder that
4 every day we have in this world is a gift and an
5 opportunity to cherish and enjoy the people that
6 we love.

7 I miss Teresa. And I'm grateful that
8 I got to know her. And since she passed, every
9 time I've trudged up those 14 flights of stairs
10 on the way to courtroom 731 -- and I'm not going
11 say I do it nearly as often now as I used to,
12 but you know, I still do it occasionally. In the
13 times that I have, I made it a point to say,
14 "Hi," to Teresa, and to tell her that I'm
15 thinking of her.

16 Thank you for joining me in
17 celebrating her memory today.

18 MS. CONRAD: Thank you. Our
19 condolences. Please welcome William Malkames.

20 MR. MALKAMES: Members of the Court,
21 and past members of the -- members of the Bar,
22 and past members of the Court -- members of the
23 Court, past members of the Court; I recognize
24 you all.

25 Mark Richard Malkames; 12/29/59 to

1 1/29/23; 60 years. A life too short. He was born
2 in Hazleton, Pennsylvania in 1959. He has two
3 siblings; William K. Malkames, who's under the
4 weather today and cannot be here. He would if he
5 could, but he can't. And his daughter, Susan
6 Glass, who is a resident of Florida, and she's
7 safely down in Florida.

8 Mark attended Salisbury High School,
9 where he earned -- or perhaps, deserved the
10 name, "Psycho." That tells you a little bit
11 about Mark's early years.

12 Mark attended Ursinus College. He
13 was a lead singer in a group called "The Zits."
14 The band must not have been very good because I
15 never heard him sing again.

16 Mark attended Widener University,
17 where he got his law degree. And Mark started
18 practicing with me from the time he graduated
19 from law school until the time of his death.

20 Mark and I were always very close.
21 He was a hard worker, seven days a week. He had
22 a reputation in many areas of the law, but he
23 was a go-to guy in mobile home parks. He
24 represented more than half the mobile home parks
25 in Lehigh and Northampton County and some of the

1 surrounding counties. He lectured on mobile home
2 park law statewide.

3 Mark never married and has no known
4 offspring. I can vouch for that. I think he was
5 just too busy to get involved in a family. He
6 loved going to baseball games, primarily the
7 Reading Phillies, and college basketball games.

8 We were able to endow a scholarship
9 at Ursinus College in Mark's memory. As long as
10 there -- as long as there is a Ursinus College,
11 there will be somebody remembering Mark. I
12 attended a meeting of the Ursinus College donors
13 on Friday night, and there was a wonderful poem
14 called, "The Dash" by Linda Ellis. And this is
15 what it says:

16 "I read of a man who stood to speak
17 at the funeral of a friend. He referred to the
18 dates on the tombstone from the beginning to the
19 end.

20 He noted that first came the date of
21 birth and spoke the following date with tears.
22 But he said, 'What mattered most of all was the
23 dash between those years.'

24 For that dash represents all the
25 time that they spent alive on earth. And now

1 only those who loved them know what that little
2 line is worth.

3 For it matters not, how much we own;
4 the cars, the house, the cash. What matters is
5 how we live and love and how we spend our dash.

6 So think about this long and hard.
7 Are there things you'd like to change? For you
8 never know how much time is left that cannot be
9 arranged -- or that can still be rearranged.

10 If we just slow down enough to
11 consider what's true and real and always try to
12 understand the way other people feel.

13 And be less quick to anger and show
14 appreciation more and love the people in our
15 lives like we've never loved before.

16 If we treat each other with respect
17 and more than often wear a smile, remembering
18 this special dash might only last a little
19 while.

20 So when your eulogy is being read
21 with your life's actions to rehash, would you be
22 proud of the things they say about how you spent
23 your dash?"

24 I think Mark spent his dash well.

25 Thank you.

1 MS. CONRAD: Thank you. Our sympathy.
2 Please welcome Ronald Corkery.

3 MR. CORKERY: May it please the
4 Court. Members of the bench, retired members of
5 the bench, and distinguished guests, friends,
6 and family. I am pleased to have the opportunity
7 to tell you about my friend and longtime
8 colleague, Fred Charles.

9 I would guess that many of you knew
10 Attorney Charles and have your own fond
11 recollections of him. He was a courthouse
12 fixture for many years. He was born in
13 Allentown, graduated from Dieruff High School in
14 1968. He subsequently graduated from the
15 University of Pittsburgh Greensburg, and then
16 from the University of Louisville Law School in
17 1976.

18 He began his legal career working
19 for Attorney Wally Worth, which obviously almost
20 everybody in the court remembers Wally. In '79,
21 Fred was appointed as an Assistant Public
22 Defender, and he was eventually appointed as the
23 Chief Public Defender in 1981. He served in that
24 capacity until 1991 when he was appointed as the
25 Lehigh County Solicitor; a position he held

1 until 1994.

2 Both of the county positions were
3 part-time when Fred served in those capacities.
4 But Fred devoted a full-time effort to both. I
5 would periodically remind him that these were
6 only part-time jobs and that he was spending too
7 much time, but he showed up at the courthouse
8 every day to give it his best effort.

9 I met Fred in 1977 and we were the
10 best of friends until his untimely death in May
11 of last year. We shared many good times
12 together. One could not have had a better
13 friend. As people that knew him, he had a
14 remarkable memory. You could bring up something
15 that happened 15 years ago and he would remember
16 what day of the week it was, what time it was;
17 everything else. And some of his high school
18 friends are here today and they know he still
19 had that from when he was in high school.

20 Fred loved sports and he attended
21 many professional and collegiate sporting events
22 including World Series games, and even a Super
23 Bowl with his brother, Dennis, who is here
24 today. Two of his high school friends are here
25 today too. And they went to many of those. Fred,

1 in fact, played basketball at Pitt-Greensburg
2 collegiately. And his team -- he was always
3 proud of it. Recently, the team he was on was
4 inducted into Greensburg's Pitt-Greensburg Hall
5 of Fame.

6 When we would go anywhere, it seemed
7 like everyone knew Fred. He was proud of his
8 east-side background. Attorneys who worked with
9 and for Fred in the Public Defender's Office for
10 those 12 years all say he was extremely loyal to
11 his staff and was a phenomenal teacher; some
12 even members of the bench worked in the Public
13 Defender's Office in their early careers.

14 He never asked any of the people
15 that worked for him to do anything that he had
16 not already accomplished and performed. When he
17 was a Chief Public Defender, he handled many of
18 the difficult cases himself, rather than simply
19 assigning an assistant public defender to do
20 them; did murder trials -- other serious matters
21 when he was the chief.

22 I was also told, that I knew as a
23 fact, when a jury was out deliberating and
24 awaiting the verdict, Fred would come to the
25 courthouse to sit with the assistant public

1 defender that had tried the case and wait for
2 the verdict. He was always there in case there
3 were questions or needed to be helped.

4 He displayed the same type of energy
5 when he was the County Solicitor. He was the
6 boss you could respect and that he would freely
7 give you advice and encouragement, but he
8 expected very hard work from his staff in both
9 the Solicitor's Office and the Public Defender
10 Office. He kept updated on matters in both
11 offices and was -- had his staff meetings in
12 which he would inquire of the people handling
13 the business matters.

14 Fred was also very active in his
15 church affairs. He was president of the church
16 council of St. George Church, here in Allentown.
17 And after he moved to Greensburg, he was also
18 president of church council for St. Michael's
19 Church in Greensburg.

20 Fred's legal career had many
21 different facets. He initially spent most of his
22 time doing public defender work and a private
23 criminal practice. When he became the County
24 Solicitor in 1971, he also began to develop a
25 private civil practice to go along with the

1 private criminal practice that he had for many
2 years.

3 After leaving the Solicitor's Office
4 in 1994, Fred began to represent sportscaster
5 Matt Millen in connection with Millen's TV
6 contracts and his eventual hiring as the general
7 manager with the Detroit Lions. Most people
8 didn't know that. Fred didn't make all those
9 facts known. He also did work with some of
10 Millen's other TV coworkers and sportscasters.

11 Fred eventually developed a
12 significant federal civil practice involving
13 civil rights, employment law, Title 7, 1983
14 Actions, *et cetera*. All of those latter years,
15 he basically wasn't doing the criminal cases
16 anymore, it was federal civil litigation.

17 Fred and his wife, Denise, moved
18 approximately 10 years ago to Greensburg to be
19 with -- near family and friends that they had in
20 that area. But he continued to be involved in
21 numerous federal matters until his untimely
22 death in May of last year at age 71.

23 Besides his legal achievements, Fred
24 also engaged in many charitable activities such
25 as extensive work with the Sixth Street Shelter,

1 and many other charitable organizations. He
2 never made a big deal of any of those either.

3 Fred and I had some arguments about
4 certain things. Fred graduated from Louisville
5 Law School and I graduated from Duke. And there
6 was a lot of college basketball games between
7 those two universities. And there was a lot of
8 arguments concerning it. And Fred could be --
9 well -- not that pleasant sometimes. And in
10 1986, when Duke played Louisville in the
11 national championship game, he and I agreed that
12 no matter who won or lost, we wouldn't say
13 anything. That was the agreement. Well,
14 Louisville won with a buzzer-beater -- beat Duke
15 for the national championship in '86.

16 So the next day when a lot of people
17 were down at the Plaza Restaurant, I was amazed
18 that Fred hadn't said anything yet. When all of
19 a sudden when everybody was there, Fred stood
20 up, ripped off his shirt, and there's a
21 Louisville jersey underneath. And I said, "Fred,
22 I thought we agreed not to say anything." And he
23 said, "I didn't say anything." You know, always
24 trying to get the better of you.

25 When both of my sons were born, Fred

1 went with me the next day to see them at the
2 hospital. He was at both of my sons' graduation
3 ceremonies and their weddings. I believe Fred
4 truly made a difference in the world and it's a
5 better place for Fred having been here. Thank
6 you.

7 MS. CONRAD: Thank you. And our
8 sympathy.

9 Edmund John Healy of Lower Macungie
10 passed away unexpectedly on April 6, 2022. He
11 was the loving and devoted husband of Deborah
12 Ann Healy for more than 31 years.

13 Edmund was born in Newark, New
14 Jersey to the late Joseph and Mary Healy. He was
15 a graduate of Rutgers University and Temple
16 University Beasley School of Law, alma mater.
17 After law school, he clerked for Judge John P.
18 Lavelle and Judge Richard W. Webb in Carbon
19 County.

20 He went on to work for the law firm
21 of Steckel and Stopp in Slatington for 23 years
22 before establishing his own private practice.
23 Most recently, he served as the First Assistant
24 Solicitor for the City of Bethlehem. He was a
25 proud attorney who loved practicing law with a

1 passion for making a difference in others'
2 lives.

3 Edmund was a spiritual pillar of his
4 family. He was a talented musician who played
5 the trombone, piano, and violin. He was a member
6 of several bands while in high school and
7 college. He loved traveling, tending to his
8 lawn, keeping up with world affairs, and
9 attending concerts and shows. He also was an
10 avid long-distance cyclist in his youth. Edmund
11 will be remembered for his thoughtfulness, love
12 of family, sense of humor, and unwavering moral
13 compass.

14 Our condolences.

15 Please welcome David Backenstoe.

16 MR. BACKENSTOE: May it please the
17 Court, distinguished guests.

18 My father, John E. Backenstoe, was
19 born on November 25, 1932. And upon his arrival,
20 his grandfather, my great-grandfather,
21 immediately announced, "John E. Backenstoe.
22 Well, those initials spell JEB." And thereafter,
23 he was known as Jeb to all his friends and
24 family.

25 He grew up in Emmaus with some brief

1 stints in Mobile, Alabama, as his father was
2 transferred there in the military. He ultimately
3 graduated from Lawrenceville School, Trinity
4 College, and then the University of Pennsylvania
5 Law School. He served as military. In 1958, he
6 enlisted in the United States Air Force Reserve
7 receiving his basic training at Lackland Air
8 Force Base. And he remained on active duty for
9 many many years thereafter in the New Castile
10 Air Force Base.

11 In 1960, he received a commission to
12 the Judge Advocate General Corps for the United
13 States Army as a Captain. And he was always very
14 proud of his service.

15 His professional accomplishments
16 were many. He was admitted to the Pennsylvania
17 Bar in 1958. He practiced law in the county for
18 the next 13 years. And in 1960, he was elected
19 to the Pennsylvania House of Representatives,
20 where at the time, he had been the youngest
21 representative ever elected, at 28. And he
22 sponsored some key pieces of legislation;
23 sportsmen legislation, civil rights and civil
24 service legislation, instrumental in passing
25 lobbyist legislation and election reform. Boy,

1 Pop, we could use you now with some election
2 reform.

3 In 1965, governor -- then-governor
4 William Scranton appointed him a Special
5 Assistant General to write Worker's Compensation
6 opinions. And later on, he was actually
7 appointed as a worker's comp referee.

8 In 1971, he was elected as a Judge
9 to the Court of Common Pleas and he was
10 reelected in 1981. And in a plebiscite held by
11 the Lehigh County Bar Association, he received a
12 retention of 96% positive vote. He was very,
13 very proud of that.

14 While on the bench, he eventually
15 served as the President Judge and was
16 instrumental in the juvenile programs that were
17 set up across the state, also serving on the
18 Judicial Ethics Commission and some of the other
19 Supreme Court positions which he had been given.

20 He retired in 1990 as a Senior Judge
21 and served Northampton County, Berks County,
22 Bucks County, Carbon County, Delaware, and
23 Chester. And he also served many civic
24 organizations: the Wiley House, YMCA, Young
25 Men's Christian Association, the American

1 Chapter for Red Cross, and Lehigh Children's
2 Association.

3 My father's accomplishments were
4 many, but he also was a very, very humble man.
5 And if he were here now, he would say, "Davey
6 -- " he's the only person in the world who ever
7 called me Davey. "Davey, that was very nice. You
8 can sit down now. Thank you." And yet, I cannot
9 sit down just yet.

10 And the reason I cannot sit down
11 just yet is I haven't told you anything about
12 the man who raised me; about the man who taught
13 my brothers and I the lessons of life; about the
14 man I would eventually call my best friend.
15 Because he was quite simply the kindest, most
16 gentle, humble man that I have ever known. And I
17 think I first realized that as a young child
18 when I saw him with my mother. He loved her so
19 much, Lois June. Judge Cahn remembers -- we
20 played basketball with Judge quite a bit when we
21 were younger. He loved my mother so much they
22 did everything together. He didn't have a
23 Saturday foursome that he went and played golf,
24 he did things with my mother; they went shopping
25 together.

1 And so I learned what it was like to
2 see someone who loved the woman and took care of
3 her -- cared for another person. Unfortunately,
4 when I was 12, my mother was diagnosed with
5 cancer. And it was bad; it was very bad. She had
6 breast cancer and it radiated all through her
7 entire left side of her body. And the medical
8 determination in order to save her life was a
9 radical mastectomy. And I don't know if any of
10 you know what that is, but they basically took
11 out the entire left side of her body. They
12 removed everything.

13 And my mom was scarred and
14 disfigured. She was devastated. But my father
15 stood by her every moment of every day. And not
16 one day went by that my father didn't make sure
17 that my mother knew that he thought she was the
18 most beautiful woman in the world.

19 And so together two of them fought
20 her cancer for 30 years when she succumbed to it
21 in 2002. My dad always said she was jipped. She
22 didn't really get to see the grandkids and they
23 didn't get to do so many things. And her death
24 absolutely devastated him and broke his heart.
25 But you know what, he never shed a tear for

1 himself. He never showed sadness for himself.

2 In fact, this humble selfless man,
3 all he cared about was my brothers and I. And
4 the first thing he said was, "Now, Davey, I
5 don't want you to worry about me. I know you and
6 your brothers' lives are so busy. So please just
7 carry on and let me be. I'll be fine." And I was
8 like, "Pop, you raised us, you did everything
9 for us. We're going to start a new tradition.
10 You're going to come over to my house every
11 single Sunday and we're going to have lunch and
12 we're going to spend the day together." And he
13 said to me in his humble fashion, "Davey, that
14 sounds terrific."

15 And so we started these wonderful
16 Sunday visits which went on for 20 years. My
17 wife would make him a wonderful lunch, the
18 grandkids would jump on him, the dogs would sit
19 on his lap and we'd watch the Eagles -- lose at
20 the time -- the Sixers lose, the Phillies lose.
21 But it was during these wonderful Sunday visits
22 that I began to think about the lessons that he
23 had taught us. The lessons that we learned, the
24 lessons that we raised our kids with.

25 Being in a Backenstoe household was

1 great. There were family dinners, basketball
2 with Judge Cahn at picnics, vacations with the
3 Crevelings. Many of you remember Wilbur
4 Creveling and Dave Welty. However, in the
5 Backenstoe household, education was paramount.
6 And my brother, Tommy, who's here, will tell you
7 the familiar ring, "What does the teacher want
8 to know," he would say. He didn't want us to
9 just sit in class and stare ideally, he wanted
10 us to think about what the teacher was asking.

11 And boy, he put his money where his
12 mouth was. I'll never forget when I was in 9th
13 or 10th grade, I had algebra 2, we were three-
14 quarters a way through the year and he says,
15 "Davey, are you prepared for your algebra exam?"
16 "Jeez, Pop, I don't know." He goes, "Well, let
17 me see your textbook." So I go get it. Big
18 algebra 2 -- thump it down. Looks through a few
19 pages and says to me, "Why don't you go upstairs
20 and work on your English for a while?"

21 Well, in about an hour, I came down
22 and he goes, "All right. Let's prepare for your
23 test." My father had sat there for about an hour
24 and a half and went through that algebra book
25 from page one to the end of it, learning the

1 sequence of equations so that he could teach me
2 so I'd be ready for my test. What a parent.

3 Being a Backenstoe boy in Salisbury
4 Township was great fun. There were three of us
5 and everybody loved when we would show up at the
6 football game or the basketball courts, not
7 because we were particularly good, but there
8 were three of us. So we were the backfield in
9 football, or in the basketball team -- it was
10 wonderful.

11 The problem was, my father was a
12 voracious reader. Oh, how he loved to read. And
13 anybody who knows him knows he was such a
14 history buff. And what did he love to read? The
15 Time Life Series. There was nothing like the
16 Time Life Series to my father. Every month, he
17 would get it proudly and he would open them up.
18 We had all the volumes. We had 37 volumes of
19 World War II. We had 27 volumes of the Civil
20 War. We had 20 volumes of what made America
21 great.

22 And so often times, while my friends
23 were down at the courts playing basketball,
24 Tommy, Jerry and I were studying about the
25 Battle of Guadalcanal in the South Pacific.

1 Which, you know, wasn't all that bad, but we
2 wanted to be playing football at the time.

3 Now, I will tell you this:
4 punishments in the Backenstoe households were a
5 whole different story. And we were three boys
6 and we were bad; I'm not going to sugarcoat it.
7 We were pounding the chandeliers, my mom would
8 be screaming, "Stop it." The chandeliers were
9 breaking. There was mud balls at the neighbor's
10 house. And to this day, I can't explain why or
11 how that happened.

12 But what would happen generally, my
13 mother would find out and send us to our room.
14 "You get up to your room, think about what you
15 did, and wait until your father gets home." And
16 so Thomas -- Tommy's laughing because he knows
17 what's about to happen. Tommy, Jerry, and I
18 would sit up in our bedrooms waiting our fate,
19 hoping against hope to have the punishments that
20 all the other kids had. A good crack on the
21 butt, maybe a firm tongue lashing and it was all
22 over in a matter of moments.

23 Unfortunately, in the Backenstoe
24 household, that's not generally what happened.
25 "Tommy, Davey, Jerry, get down to the kitchen

1 right now.” We would all come down. And there
2 were three legal pads on the kitchen table with
3 a pen. And he would make us write essays and he
4 would have us explain what we did, why it was
5 wrong, and most importantly, how it affected
6 others; ergo the legal pad, I guess.

7 There were the arts. My father loved
8 the arts. Oh, how he loved the arts and he
9 wanted us to love the arts. And again, the
10 wonderful Time Life Series, the most incredible
11 books you’ve ever seen; 30 volumes of absolutely
12 magnificent, beautiful paintings of Vincent Van
13 Gogh and Rembrandt, Rodin. And it was
14 extraordinary. And music; you haven’t lived
15 until you were in the Backenstoe household
16 growing up with music. My father loved it. And
17 he loved The Heavyweights, Wagner, Brahms,
18 Beethoven. And of course -- and my brother’s
19 going to laugh -- his all-time favorite, Aaron
20 Copland’s *Fanfare To The Common Man*.

21 If any of you have not heard Aaron
22 Copland’s *Fanfare To The Common Man*, please,
23 when you get in your car when you leave, put it
24 in your Bluetooth, turn it up as loud as you can
25 in your car. And I guarantee you will be

1 inspired for your next meeting or your next
2 appointment.

3 Other life lessons he taught us that
4 were so, so important to him about society;
5 racism. Oh, he detested racism in all its forms.
6 Oh, he would tell us over and over about the
7 horrors and the pain it caused. He truly
8 believed it was one of the great ills of our
9 country. He would tell us not to judge others.
10 Don't be so quick to judge others. My father
11 would say, "Davey, don't judge another man until
12 you've walked a mile in his moccasins." Think
13 about that. How quick are we all to judge
14 others? He wouldn't let us do that. He made us
15 think about what we were doing and what we were
16 saying.

17 And so armed with these life
18 lessons, we raised our own children. Oh, my dad
19 loved his grandchildren so much. My brother,
20 Tommy out in State College; my brother, Jerry in
21 Bethesda. And he would often call me up and he
22 was so proud. He'd say, "Davey, I'm not going to
23 be able to come for our Sunday visit. I'm going
24 to visit the Bethesda Backenstoos," or, "I'm
25 going to visit the State College Backenstoos."

1 And I'd say, "Okay, Pop. That sounds great." And
2 he just loved that.

3 And so my father loved his country,
4 he loved his community, he loved his family, he
5 worked tirelessly to serve all of them. And in
6 so doing, he touched the lives of so many -- so
7 many people. He enlisted in the Air Force, he
8 received a commission as a Judge Advocate
9 General, twice elected to the House, served as
10 special counsel to the governor, represented
11 young clients zealously as a young attorney,
12 served as a referee, served the Moravian Church
13 as president of church council for 20 or 30
14 years, wrote the *Moravian History Compendium*,
15 which was read for years at every single church
16 service at the Moravian Church.

17 And of course, he ultimately had the
18 pleasure of serving on this bench, which he
19 loved and which he took to heart. I assure you.
20 I saw it as a young man. I would often come home
21 and my father would be sitting there with a
22 solemn look on his face. And I would say, "Pop,
23 what's the matter?" And he'd say, "Davey, I have
24 to sentence a man tomorrow." And I'd say, "Pop,
25 was the person convicted of a crime?" And he'd

1 say, "Yes." And I'd say, "Well, does he deserve
2 to go to prison?" And he'd say, "Yes." And I'd
3 say, "What's the matter, Pop?" And he'd say,
4 "You can never, ever take lightly the
5 responsibility of depriving somebody of their
6 liberty regardless of the circumstances."

7 And so those decisions which he made
8 day in and day out, decisions which this
9 wonderful, magnificent bench makes, weighed so
10 heavy on him and he took them so seriously.

11 Socrates said four things belong to
12 a judge: To hear courteously, to answer wisely,
13 to consider soberly, and to decide impartially.
14 Pop, by all accounts as I've heard from so many
15 of the wonderful members of this Bar
16 Association, you followed those tenets both on
17 the bench and in life.

18 And so on that last wonderful Sunday
19 I had with him, and I didn't know it was our
20 last Sunday, we had a great time. My wife,
21 Kelly, had made these wonderful hotdogs. And she
22 goes, "Don't tell that story. I always made
23 lasagna and meatloaf." But no, you have to
24 understand my father loved hotdogs. And she made
25 us these wonderful hotdogs with mustard and

1 onions. And I went over to Kirkland, where he
2 was, and we watched the Phillies lose that day.
3 And we had such a wonderful time.

4 And as I left, I hugged him and I
5 said, "I love you, Dad." And he said, "I love
6 you, Davey." And I said, "Dad, I'll see you next
7 weekend." And he said, "Davey, that sounds
8 terrific." And I hugged him and I said,
9 "Goodbye." And then, he passed, selflessly as he
10 lived his life; in his sleep, no trouble --
11 didn't want to be trouble for anybody. He was
12 kind, humble, and gentle. And I loved him so
13 much.

14 And I want to thank all of you for
15 allowing me to share some of those special
16 moments and tell you a little about him. Thank
17 you. Thank you.

18 MS. CONRAD: Thank you. Our sympathy.

19 Please welcome back, Ronald Corkery.

20 MR. CORKERY: May it please the
21 Court, members of the bench, retired members of
22 the bench, and friends and family. It's hard
23 enough doing one of these, but we'll do a
24 doubleheader today.

25 Most of you never met -- never had

1 the opportunity to meet Attorney Charles "Chuck"
2 Volkert. He was an amazing young man. I met
3 Chuck when he was in the second grade and my
4 son, Kyle, transferred to the East Penn School
5 District. They became the best of friends and
6 remained so until Chuck's untimely death in July
7 of 2022 at the age of 39.

8 Chuck was born in Allentown,
9 graduated from Emmaus High School in 2001,
10 enjoyed playing football when he was in Emmaus,
11 and then enlisted in the Marine Corp. I remember
12 my wife and I and my two sons took Chuck to
13 dinner the night before he left for basic
14 training. His first day at Parris Island was
15 September 11, 2001. Chuck told me that the time
16 stood still that morning at Parris Island. He
17 ended up having to do two tours of duty in Iraq
18 and was part of the initial invasion when
19 everyone thought Hussein had chemical weapons.

20 Chuck was eventually assigned that
21 second tour of duty and was honorably discharged
22 as a corporal in 2005. Upon returning home, he
23 enrolled at LCCC for two years. He won a
24 scholarship to attend Bucknell University for
25 his last two years of college. He graduated in

1 2009 with a 4.0 cum. from Bucknell. He then
2 enrolled at the Dickenson School of Law Penn
3 State and graduated with honors in 2012.

4 Upon graduation, he was hired as an
5 Assistant District Attorney in Cumberland County
6 and remained in that position until 2018. From
7 2014 to 2018, he also served as a judge advocate
8 in the Pennsylvania Army National Guard and
9 achieved the rank of Captain.

10 In 2013, he married Lindsay Quay,
11 and they subsequently had two children. In 2018,
12 Chuck obtained one of the goals in his life; he
13 became an Assistant U.S. Attorney assigned to
14 the Buffalo region. When he and I were talking,
15 he was telling me he was going to Buffalo. I
16 told him he better be prepared for the adverse
17 winters in Buffalo. But without a doubt, he just
18 looked at me and said, "I did two tours in Iraq.
19 I can handle Buffalo."

20 He served as an Assistant U.S.
21 Attorney in Buffalo from '18 to '20. He was
22 reassigned to Philadelphia-Allentown region.
23 Unfortunately in March of 2020, at the inception
24 of the COVID pandemic, Chuck was diagnosed with
25 Stage IV stomach cancer. New York State was

1 locked down; travel prohibited. So therefore,
2 many members of his family and friends were
3 unable to visit him. And obtaining medical
4 treatment was also difficult.

5 Fortunately, Chuck was reassigned to
6 the Philadelphia-Allentown office in order for
7 him to receive appropriate medical treatment for
8 the illness. Chuck and his family moved home to
9 Emmaus, purchased a home, and he began his
10 battle with cancer.

11 In preparing for this speech, I
12 spoke with his Philadelphia supervisor in the
13 U. S. Attorney's office and with other of
14 Chuck's U.S. Attorney coworkers. And they all
15 told me that Chuck was excellent working with
16 high profile cases involving major-level drug
17 trafficking, violent crime, and cartel issues.
18 They also said that because of his legal
19 abilities, his work ethic, and his prior
20 military experience, many FBI and DEA agents in
21 the Organized Crime Drug Enforcement Task Force
22 Unit would request that Chuck be assigned to
23 their cases.

24 In high school, Chuck had a nickname
25 that his friends gave him; the "Chuck-wagon."

1 Some agents -- I was told in speaking with a few
2 of the FBI and DEA agents, in an effort to have
3 him assigned to one of their matters, had it
4 named, "Operation Chuck-Wagon." The U.S.
5 Attorney was impressed, and they assigned Chuck
6 to that case. His supervisor in Philly
7 subsequently told me that that was the only time
8 an operation had ever been named for an
9 assistant U.S. Attorney.

10 Chuck died on July 26th, 2022 at age
11 39. Taken away way too soon. At the funeral --
12 at his funeral service, was attended by hundreds
13 of people; at least 25 of his Marine -- Marine
14 buddies that he served with came from all over
15 the country, many of the assistant U.S.
16 attorneys and his supervisors came up from
17 Philly to attend the service to show their
18 respect and admiration for him.

19 Chuck lived a full life in those 39
20 years, but he could have achieved much more if
21 his life hadn't been cut short. A friend of
22 mine, his son died early too. And on the
23 tombstone, there's an engraving that I think
24 applies to Chuck too. It says, "It's not the
25 number of years in a life, it's the life in a

1 number of years.”

2 I'm sorry. It's just a little hard.
3 Thank you.

4 MS. CONRAD: Thank you. Our sympathy.
5 And please welcome our final
6 speaker, the Honorable Robert Steinberg.

7 JUDGE STEINBERG: Colleagues,
8 distinguished guests, friends of Sam, friends of
9 the Bar Association, Marj, Al, Lisa.

10 Sam Kasick was Penn State through
11 and through. He was a dyed-in-the-wool Penn
12 State fan. He was also a graduate of Penn State.
13 The last time I saw Sam at the funeral home, he
14 was in his Penn State jersey. I'm not a Penn
15 State graduate, but to honor Sam today, I
16 decided to wear a Penn State jersey, as you can
17 see. I also thought that he would appreciate a
18 Penn State cheer. So here we go with your help.

19 We are --

20 AUDIENCE: Penn State.

21 JUDGE STEINBERG: We are --

22 AUDIENCE: Penn State.

23 JUDGE STEINBERG: Thank you.

24 Sam's death was unexpected. He died
25 a week after he retired. He was what I would

1 describe as the salt of the earth; a person who
2 represented the best of our profession. The
3 Jewish word for Sam would be that he was a
4 "mensch," a person of integrity, morality,
5 honor, and with a sense of what is right and
6 responsible. He was a friend to all who knew
7 him.

8 I knew Sam since our days at Raub
9 Junior High School. To show you how long ago
10 that was, it was "Raub Junior High School" back
11 then. Sam -- to know Sam was to like him. His
12 choice of baseball teams -- he was a Tiger fan -
13 - was not the best, but he was a loyal fan and a
14 loyal friend.

15 Our conversations would always start
16 the same way. I would say, "How are you doing,
17 son of Sam?" His father was a Sam, not the
18 serial killer. And Sam in response would say,
19 "How are you doing, Boog," after Boog Powell, a
20 famous Baltimore Oriole.

21 I could talk to you about the fact
22 that Sam graduated from Villanova Law School,
23 was a solo practitioner specializing in family,
24 real estate, and business law, but you can read
25 all about that in his obituary.

1 I could tell you stories about our
2 time together on the Legal Eagles. We were part
3 of the no-hit, no-field unit of the Legal
4 Eagles. I could tell you about our trips to
5 Camden Yards to see our favorite teams.

6 What you really need to know about
7 Sam was that he was a dedicated lawyer, and how
8 your problems became his problems. He was a good
9 lawyer, a good friend, and a dedicated and
10 loving husband to Marj.

11 I know the hour is getting long, and
12 so I'd just like to close with lyrics of a song
13 that I always found was meaningful, written by
14 Aaron Neville, sung by Linda Ronstadt. I'll save
15 you the pain of me singing and limit my comments
16 to the lyrics.

17 Oh we never know where life will
18 take us. I know it's just a ride on the wheel.
19 And we never know when death will shake us.
20 And we wonder how we will feel. So goodbye my
21 friend. I know I'll never see you again, but the
22 time together through all the years will take
23 away these tears. It's okay now. Goodbye, my
24 friend.

25 Thank you.

1 MS. CONRAD: Thank you. And our
2 condolences. As I return this honored tradition
3 to the Court, I want to share a quote by Maya
4 Angelo. One that truly represents all our dear
5 friends and colleagues as we say goodbye today.

6 A great soul serves everyone all the
7 time. A great soul never dies, it brings us
8 together again and again.

9 Thank you.

10 PRESIDENT JUDGE JOHNSON: Thank you,
11 Attorney Conrad. And thank you to each speaker.
12 We know how difficult that is.

13 Each member of the Court has
14 treasured memories of those who were
15 memorialized this morning. And the Court
16 expresses its appreciation to the Bar
17 Association for continuing this tradition, to
18 Attorney Jenna Fliszar, the Chair of the Bar
19 Memorials Committee, for her hard work in making
20 this ceremony a success, and again to the
21 speakers who have so beautifully memorialized
22 our departed colleagues.

23 They have helped to continue a great
24 tradition. They've allowed us to share in the
25 lives of our departed members and to be reminded

1 of, or learn, some of the qualities we wish to
2 emulate. We often comment how so often we don't
3 know things about each other until we're at this
4 ceremony. And I've marveled at some gentlemen
5 that I've passed walking in and out of the
6 courthouse. And he used to be a fighter pilot,
7 or a horse expert, or an artist. And it's
8 amazing. So we should -- makes me think we
9 should try to ask each other a few questions
10 while we're passing each other.

11 We are grateful for the lives of
12 those we have honored today and for their
13 commitment to the principles of justice we
14 share.

15 We thank you all for joining us
16 today in remembrance and thought. And we
17 especially thank the family members, friends,
18 and associates of our departed colleagues for
19 sharing them with us. They have enriched our
20 lives as well as they have enriched yours.

21 The official court reporter is
22 directed to transcribe the notes of testimony of
23 these proceedings and make a digital copy of it
24 available to the Bar Association. And the Bar
25 Association will publish the transcript on its

1 homepage at <http://www.lehighbar.org>, so that
2 one may read, print, or download it from that
3 site.

4 Finally, the Bar Association of
5 Lehigh County invites you all to a coffee
6 reception in the hallway directly outside the
7 courtroom immediately after this ceremony. So at
8 this time, we will adjourn this ceremony out of
9 respect for our departed colleagues, in honor of
10 the profession of law in which they served and
11 its honorable traditions in Lehigh County. Mr.
12 Metzner, you may adjourn court.

13 COURT CRIER: All rise, please. The
14 memorial session is adjourned.

15 (Whereupon, the Bar Memorial
16 Ceremony has concluded.)

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CERTIFICATION

I hereby certify that this transcript of proceedings is true and correct and meets the format specifications established by the Supreme Court of Pennsylvania in Rule 4010.

March 16, 2023

DATE

A handwritten signature in black ink, appearing to read 'B. Seese', with a long horizontal flourish extending to the right.

BRIANNA M. SEESE, OCM