

# The Express

## Law Day speaker: Think outside the branches of government



WENDY STIVER/THE EXPRESS The annual Clinton County Law Day program, hosted by the Kiwanis Club of Lock Haven at the Elks lodge downtown, supported by local Rotarians and Lions Club members, and sponsored by the Clinton County Bar Association, featured noted attorney Clifford Rieders of Williamsport. In his speech entitled Separation of Powers, Rieders said so many Americans died to give fellow countrymen and women the right to vote, yet only one-third of citizens typically vote in elections in the United States. Shown at Thursday's luncheon program are, from left, District Magistrate Keith Kibler, Kiwanis President Art Gray, Judge Michael Salisbury, Bar Association Officer Rocco Rosamilia, Rieders,

Bar Association President Stuart Hall, District Attorney Dave Strouse, President Judge Craig Miller, Law Day Program Chair Justin Houser, and attorney Justin Krajewski, clerk to the county judges.

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By WENDY STIVER



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LOCK HAVEN — The Kiwanis Club of Lock Haven observed the 60th anniversary of Law Day with its annual Clinton County Law Day luncheon program, held Thursday at the Elks club.

Guest speaker Clifford Rieders, a Williamsport attorney and columnist, noted the anniversary and gave an intriguing talk on the American Bar Association's theme for this year's event, "*Separation of Powers.*"

Stuart Hall, president of the Clinton County Bar Association which sponsored the program, introduced Rieders to the audience of Kiwanians, Rotarians, Lions, bar members and court officials.

Rieders is a cum laude graduate of New York University and earned his juris doctorate from Georgetown University. He has been officially admitted to not just the state Supreme Court but other courts as well, including a number of federal courts. A past president of the Pennsylvania Trial Lawyers Association (now the Pennsylvania Association for Justice) and a life member of the American Law Society, he has published "*THE*

*book*” on medical malpractice in Pennsylvania, Hall said. He also has been instrumental in dozens of pieces of enacted legislation.

Rieders touched on what Separation of Powers has meant to, and for, Americans over the nation’s history, and challenged his listeners more than once to *“think about it.”*

America’s government of three branches — executive, legislative and judicial — is at the forefront of some debate today, he said, particularly after President Donald Trump’s recent decision for a strike in Syria.

Congress believes the President should ask Congress to declare war before deciding on military strikes, Rieders said. The U.S. Constitution outlines who has the right to do what and under what circumstances those rights apply, he said.

He began his talk by referencing Moses, an ancient leader who heeded some good advice and delegated responsibilities instead of trying to do everything himself.

He then moved on to James Madison, author of The Federalist Papers, whom Rieders credits as this country’s founding father with the most to say about separation of powers. Madison did not want *“the gradual concentration of the several powers in the same department,”* and believed the *“ambition”* of man had to be tamed, according to the speaker.

Today, Rieders said, we have the three traditional branches of government — plus *“the administrative branch”* that most people deal with daily.

Even George Washington and Thomas Jefferson wrote about the difficulties of managing the government’s bureaucracy, Rieders said, so administrative issues date to the founding of the nation.

But this so-called fourth branch is, according to Rieders, *“private enterprise authorized by government to roll over us.”*

He said the Seventh Amendment right of trial by jury has been “*pretty much eviscerated*” by contracts — from cell phone deals to car warranties — that require the signer to waive that right. Instead, the signers must put their trust in “*the administrative branch.*”

And some say “*the fifth branch*” is the lobbying sector, he said.

“*We allow, in fact we encourage, people who hold office to be bribed,*” he said, relating that a legislator (whom he did not name) once asked him for a bribe and although he took the initiative to testify about it, the legislator was not prosecuted.

“*We must find better ways to finance our elections. Public financing? It has the potential to improve our current system of accountability,*” he said.

He also said he supports having U.S. Supreme Court judges be elected rather than appointed, which is a different stance than the Pennsylvania Bar Association’s position that the judges of the highest court be selected on merit.

Rieders also encouraged his audience to consider a different form of government for the United States. What if, he asked, there was only a House of Representatives and no Senate to “*be a brake on the will of the public mass,*” and what if the House picked the President the way British Parliament picks the Prime Minister?

What worked for the nation more than 200 years ago may not work as well today, he suggested.

However, he also made this point: “*The United States is too big, too diverse*” to have a system of government without a separate executive branch.

He remarked on high school students' lack of knowledge about American history, particularly the early history of our country.

*"What our kids don't know about government is astounding,"* he said.

*"We've raised a generation of Americans who don't buy into our work ethic,"* he added.

The speaker remarked on the high rate of turnout — 89% of the voters — for elections in Israel, while American numbers are far below that.

*"People died for (others') right to vote, yet barely one-third of Americans vote in elections,"* Rieders said.

He concluded, *"To keep Democracy vital, we have to think about the issues, stay well informed, and make sure our kids and grandkids are well informed."*