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Client Bulletin



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Manos, Martin & Pergram—Outstanding Business

The law firm was extremely pleased to be honored as Outstanding Business at the Delaware County Foundation's Evening of Generosity on October 14, 2015. The following is from the program distributed to the 300+ attendees at the black tie optional dinner at the Polaris Hilton.

The Law Firm of Manos, Martin, Pergram has contributed to the Delaware County community for generations. The firm and its attorneys and staff provide legal, financial, educational and volunteer support for dozens of nonprofit organizations. Spouses also participate in the firm's community engagement. The organizations that benefit from their generosity touch all demographics of Delaware County.

The Manos, Martin, Pergram team lead by example, sometimes publicly through donations and sponsorships, but most often quietly. They work diligently to guide non-profit organizations that depend on their "pro bono" or discounted legal services. Much is done behind the scenes that enable the non-profit community to transcend legal issues and thus enable these groups to focus on their charitable missions.

A small sampling of organizations that benefit from Manos, Martin, Pergram's guidance and support include: Andrews House, Big Walnut Board of Education, Big Walnut Education Foundation, Delaware Area Chamber of Commerce, Delaware County Foundation, Delaware County Historical Society, Delaware and Morrow Recovery and Prevention Resources, Delaware Rotary, Grady Hospital, HelpLine, Main Street Delaware, Powell Liberty Historical Society, Sara Moore Home, Source Point, Strand Theatre, Sunbury Big Walnut Chamber of Commerce, United Way of Delaware County, and the Village Academy.

Most significant to the Delaware County Foundation is the fact that the firm's founder, Peter Manos, led the charge to create a community foundation for Delaware County. Twenty years ago, through his leadership and dynamism, combined with a group of community volunteers, the idea of a community foundation became a reality. Mr. Manos also made the first gift to the Foundation as well as encouraged others to do the same. Today, that leadership carries on through Steve Martin, Board Member Emeritus of the Delaware County Foundation.

Continued ...

Cursing on a Traffic Ticket is Constitutionally Protected Speech

In 2012, William Barboza was given a speeding ticket in Liberty, New York. On the payment form, he crossed out the town name "Liberty" and wrote in "Tyranny," and then wrote a vulgar sentence. A local justice informed Mr. Barboza that his payment had been rejected and ordered him to appear in court. In court, the local justice lectured Mr. Barboza over his use of obscene language and had him arrested on a charge of aggravated harassment, handcuffed, and held for a short period of time before \$200 bail was posted.

A year later, the charge was dismissed. Thereafter, represented by the New York Civil Liberties Union, Mr. Barboza sued the town of Liberty, a prosecutor and two police officers in U.S. District Court for violation of his constitutional rights. In a ruling in September, U.S. District Judge Cathy Seibel wrote, "though crude and offensive to some, the writing did not convey an imminent threat and was made in the context of complaining about government activity," which is not a violation of the law and is protected speech under the First Amendment. The judge also noted 62 other aggravated harassment arrests between 2003 and 2009, which occurred "because of the use of vulgar words in what may be perceived as a threatening context" and ordered the village to stand trial or explore a settlement on allegations that it failed to properly train police officers regarding the First Amendment.

Notice

This bulletin provides general information and is not legal advice. Please contact us if you need legal advice.

If you have friends or associates who you think would enjoy receiving a copy of this Client Bulletin, please feel free to forward it on. Thank you.

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