

MARYLAND STATE BAR ASSOCIATION, INC.

ANNUAL REPORT 2008/2009

Volume XVIII

MSBA is pleased to present its membership with a brief overview of the year 2008/2009, highlighting its many activities, events and accomplishments.

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Cover: MSBA Headquarters Conference Room
Mural depicting an artistic rendition of the
Maryland State flag.

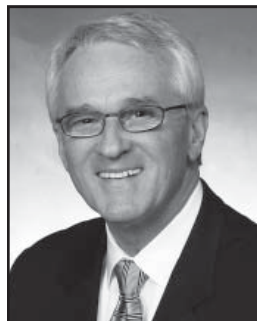
2008/2009 MSBA EXECUTIVE COMMITTEE



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President



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Keith R. Truffer
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*Chair, Young Lawyers
Section*

PRESIDENT'S MESSAGE

THE 2008-2009 BAR YEAR HAS BEEN ONE OF EXTRAORDINARY CHALLENGE AND incredible accomplishments. Economic realities have forced many of us to reevaluate how we and our clients do business. However, as Norman Vincent Peale said, "Enthusiasm releases the drive to carry you over obstacles and adds significance to all you do." It is the enthusiasm of all of our members in the face of these challenges that I will remember as the hallmark of this year.

To each and every member of the Maryland State Bar Association (MSBA), I offer my wholehearted gratitude. So many of you have worked so hard this year, and it is now appropriate, as we look back upon our successes, for me to offer my thanks.

The list of those who have contributed to our successes is too long to mention everyone, but I would be remiss if I failed to mention at least a few. Our Executive Committee and the entire Board of Governors have debated many issues, and with each has provided substantial and level-headed guidance to me and reasoned decision-making for our Association. Their continued good humor in the face of challenge has buoyed me on many occasions this year.

No list of thank you's would be appropriate if it did not include Paul Carlin, MSBA's Executive Director, and his talented team of Directors and staff. In my travels during my term of leadership with the MSBA, I have met with the leaders of numerous State Bar Associations. Without doubt, our MSBA is at the very pinnacle of professional associations, and we have Mr. Carlin and his Directors and staff to thank for this respected position.

Sections and Committees remain the backbone of our Association and I thank all of you for your work, which is summarized in this *Annual Report*. All of your work inures to the benefit of our membership and supports our mission of providing service to our members, promoting professionalism and educating the public regarding the Rule of law. One sure way to promote professionalism is to encourage involvement in the MSBA.

Examples of some of the good work done by the MSBA this year include:

- Under the leadership of Alice Chong, our Public Awareness Committee, in conjunction with CLREP, launched the **MSBA's YouTube "Positive Messaging" Video Competition – "Law in Your Daily Life,"** a unique public education initiative designed to help people better understand the justice system and their role in it. It solicited imaginative three-minute videos depicting how the law affects people's lives and followed up on the contest with a Law Day Program to educate High School students about legal issues that will confront them in their daily activities.
- The MSBA introduced the **"Spotlight on Lawyers Awards"** in order to recognize attorneys for "the good things" they do for their communities, in addition to pro bono service and service to the legal profession. The program highlighted the outstanding efforts of lawyers, both seasoned and young, who tirelessly dedicate their time not only to their profession and their clients but also to their communities through public service.
- The **Foreclosure Prevention Project** successfully brought more than 800 volunteer attorneys together with Maryland homeowners facing foreclosure through the collaborative efforts of the Courts, the Pro Bono Resource Center of Maryland, MICPEL, the Department of Labor, Licensing and Regulation and countless legal services organizations such as Civil Justice Inc. This successful and ongoing project has helped hundreds of Marylanders to deal with the effects of the current financial crisis.

My term as president of the MSBA has been made easy by the good works of my predecessors, the outstanding Past Presidents. All of them have offered great guidance and support (and I am pleased to soon join their ranks). I would be remiss if I did not, however, mark the passing this year of M. Peter Moser, who was not only one of our Past Presidents, an outstanding member of our profession and a leader among lawyers, but also a mentor and friend to me and countless other MSBA members.

I close by once again offering my thanks to all of you. I am proud to be a Maryland lawyer, and just as proud to be a member of the Maryland State Bar Association.



Katherine Kelly Howard

2008/2009 MSBA BOARD OF GOVERNORS

4	Katherine Kelly Howard <i>President</i>	Deborah C. Dopkin <i>Eighth District</i>	Stephen H. Ring <i>Sixth District</i>
	Thomas C. Cardaro <i>President-Elect</i>	Suzy Eckstein <i>Sixth District</i>	Thomas P. Ryan <i>Sixth District</i>
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	Hon. William O. Carr <i>Ninth District</i>	John C. Monahan <i>Sixth District</i>	Carl S. Silverman <i>Parliamentarian</i>
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	Russell C. Dashiell, Jr. <i>Second District</i>	Archie L. Palmore <i>Fifth District</i>	

EXECUTIVE DIRECTOR'S MESSAGE

THE MSBA REMAINS ACTIVE, GROWING IN MEMBERSHIP AND ACTIVITY AND ENGAGED in a multitude of endeavors. As has been reported for more than 20 years, the financial condition of the MSBA is sound. The ancient Chinese wish, "May you live in interesting times!" seems to have been particularly fulfilled in 2008 and might be amplified in 2009. The downturn of the economy has created financial challenges for our nation which seem to be unprecedented in our lifetimes. Some even label it an economic seismic shift which has created great uncertainty and anxiety. Although I cannot predict the impact of these economic troubles on non-profits generally, I believe that the MSBA is situated well to weather this storm.

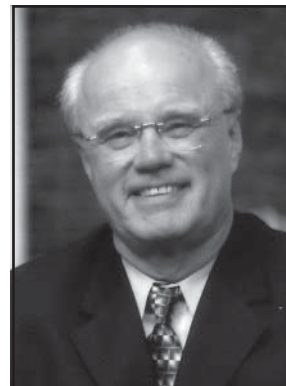
I feel this way because of the following facts. The MSBA surpassed 24,000 members in early 2009 for the first time in its history. This is from a universe of more than 34,000 lawyers admitted to practice in Maryland. Even while other voluntary state bar associations in the country have lost member share in the recent past, the MSBA continues its strong growth, perhaps the fastest of any voluntary state bar association.

While the legal profession and the MSBA will certainly feel the effects of this downturn, a key factor to protect the MSBA is that our annual dues, at \$125, are the lowest of any state bar, voluntary or mandatory, in the country. Couple that with the fact that the last dues increase was in 1990, 19 years ago, and the one prior to that was in 1980. I believe that the members recognize and believe that they are getting tremendous value for the low amount of dues they pay. Some states have even exceeded \$400 dues per year!

Despite these low dues, the MSBA has only suffered two deficit years in the last quarter-century: in 1989, and again in 2008, which was a direct result not of our operations, but rather because of the decline in income from our invested reserves. Our Reserve has steadily grown over the years due to consistent modest annual surpluses. Our last audit shows that we have approximately 89 percent of Annual Expenditures in Reserve. Our longstanding Fiscal Policy states that the MSBA should maintain approximately 45 percent of annual expenditures in Reserve. This is our "rainy day" fund for emergency expenses and situations like we face in today's financial environment. Despite investment losses for most in the stock market of 30-40 percent this past year, our Investment Policy of maintaining 73 percent of our investments in bonds is very conservative and has provided us demonstrable protection from the worst of this downturn, not that there are any safe harbors available.

We have built our financial stability from very conservative, prudent management. While other organizations must now contemplate belt-tightening, the MSBA executive management team and our Budget & Finance Committee have for decades been extremely careful with their expenditures. Our Annual Budget is carefully reviewed by the Committee and approved by our Board. The Board also receives monthly reports from our Treasurer. We have consistently implemented cost-saving measures, other efficiencies, as well as non-dues revenue income. Comparative statistics with other state bars as to the ratios of Staff to Members and Staff to Budget rate the MSBA as extremely lean and efficient. Since 1985, when I arrived at the MSBA, the membership has grown by over 144 percent, while the staff has grown only 28 percent. This despite a list of programs and activities which constantly grows but seldom declines as each new President brings forth new initiatives and new challenges to tackle. That is a real tribute to this MSBA staff, which always accepts new responsibilities without complaint. Staff members clearly recognize that they are here to serve our members to the greatest extent possible.

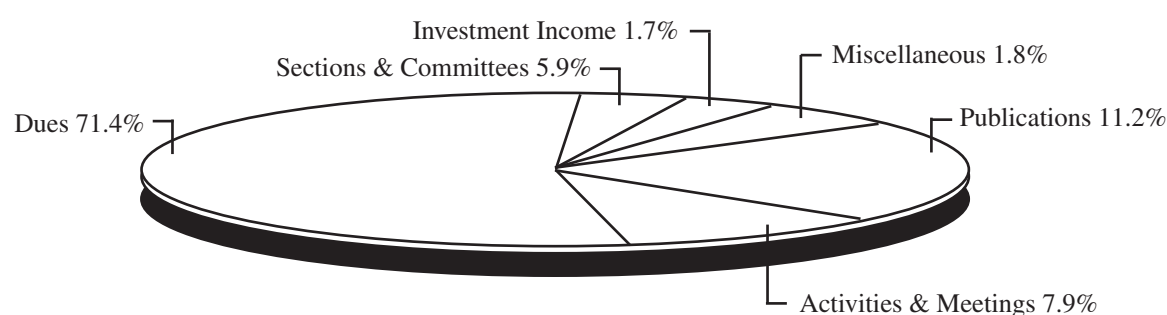
The staff is here to provide to the members what they want. I particularly want to congratulate our President, Katherine Kelly Howard, on an excellent year which was chock full of situations. For their involvement and stewardship set forth above, I'd like to thank Past President and Investment Committee Chair Cleaveland Miller, Budget & Finance Committee Chair Debra Schubert and our Treasurer, John Kudel. I also recognize with sincere gratitude the loyalty and support of our members and all their energy, intelligence and involvement with the work of the MSBA.



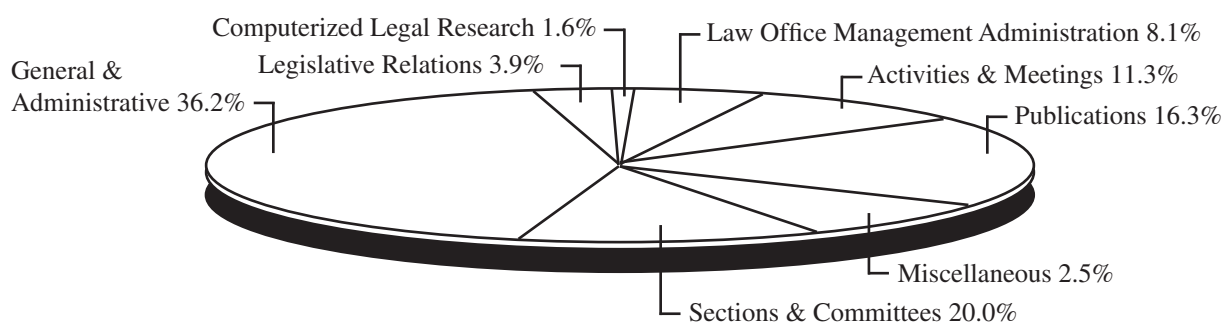
Paul V. Carlin

2007/2008 MSBA FINANCIAL HIGHLIGHTS

6 Revenue	2007	2008	
Dues	2,607,035	2,677,221	71.4 %
Activities & Meetings	360,999	297,812	7.9 %
Sections & Committees	253,780	222,685	5.9 %
Publications	396,597	418,019	11.2 %
Investment Income	332,054	63,025	1.7 %
Miscellaneous	189,351	68,629	1.8 %
Total	4,139,816	3,747,391	100 %



Expenses	2007	2008	
Activities & Meetings	503,539	452,342	11.3 %
Sections & Committees	815,530	796,271	20.0 %
Publications	640,182	651,654	16.3 %
Legislative Relations	160,339	154,213	3.9 %
Computerized Legal Research	69,079	63,920	1.6 %
General & Administrative	1,413,996	1,442,553	36.2 %
Law Office Management Admin.	309,847	324,573	8.1 %
Miscellaneous	96,798	101,542	2.5 %
Total	4,009,310	3,987,068	100 %



2008/2009 MSBA BOARD ACTIONS AND HIGHLIGHTS

- ❑ PROPOSED a uniform **attorney** cell phone and other electronic device use policy for all Maryland **circuit courts** to allow attorneys to bring cell phones into courthouses and to give individual judges the discretion to allow cell phones in their courtrooms so the judge maintains control of his or her courtroom 7
- ❑ DECLINED to file an Amicus Curiae Brief in the *Richmond v. District Court of Maryland* case involving representation at bail-setting hearings
- ❑ APPROVED a motion to have MSBA's President work with the Governor's Office to reinstate additional state funding for panel attorneys from the Public Defender's Office during its financial crisis last October
- ❑ SELECTED Board representatives to Legal Aid Bureau, the Maryland Volunteer Lawyers Service and the Pro Bono Resource Center
- ❑ SELECTED recipients of the Sodaro Judicial Civility Award and Presidential Best Section Projects
- ❑ PROVIDED support to the Pro Bono Resource Center for lawyer training to prevent mortgage foreclosures in Maryland and updated the Public Awareness *Foreclosure Proceedings in Maryland* brochure to distribute to homeowners
- ❑ CONSIDERED a Special Committee report to invite designated Section representatives to Board of Governors meetings
- ❑ SUPPORTED a Public Education YouTube "Law in Your Daily Life" Video Competition
- ❑ INTRODUCED "Shine the Spotlight Awards" to recognize outstanding attorneys engaged in public service in their communities

2008 MSBA ANNUAL MEETING
JUNE 11-14, OCEAN CITY, MARYLAND

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MSBA President Katherine Kelly Howard delivers her installation speech to MSBA members



Attendees get the scoop on the latest law-related goods and services in the exhibit hall



The new Maryland Judges were honored with a special reception



All the seafood you can eat at the annual Crab Feast at Hooper's



Attendees learn about the latest developments in their substantive law fields, practice tips and new laws in the various educational seminars



The Citizenship Law-Related Education Program (CLREP) educates children on the importance of the law in their lives with its entertaining Children's Hour

2008/2009 MSBA SECTIONS AND COMMITTEES

SECTIONS

ADMINISTRATIVE LAW

Elissa Doe Levan, Chair

This Section monitors legislation affecting administrative law and continues public outreach with meetings between Section members and law students at both state law schools. It presented a Spring program designed to reach out to law students and members previously not active in Section activities. The Section will present a program on the origins of the Office of Administrative Hearings, recognizing its 20th anniversary, at MSBA's Annual Meeting and will present its first Administrative Section award recognizing an individual who has made significant contributions in the field of administrative law.

ALTERNATIVE DISPUTE RESOLUTION

Richard H. Melnick, Chair

This Section addressed substantive legal issues with ADR implications this year. Its activities included: a "Pizza and Professionalism" event related to the foreclosure crisis; an "ADR Practitioners Dinner Dance Gala," where Chief Judge Robert Bell presented the Section's Award for outstanding service to an ADR professional in Maryland; conducted outreach to businesses to help expand Business ADR in Maryland; published a newsletter on its website; created a Collaborative Practice Committee to focus on this growing area of practice; and co-sponsored the Maryland Mediators Convention and MACRO's "Evening with..." series that features nationally-known ADR-oriented speakers. The Section will present an ADR methods and hot topics program at MSBA's Annual Meeting.

ANIMAL LAW

Joan Epstein, Chair

This Section formed four subcommittees: Legislative, Equine, Agriculture and Animal Cruelty, which all presented programs at meetings throughout the year. It held its first annual dinner meeting in October, where speaker John Goodwin, an animal fighting expert from the Humane Society of the United States, spoke about the underground world of dog and cock fighting. The Section sent its first newsletter to all Section members in January and will present a program at MSBA's Annual Meeting.

BUSINESS LAW

Henry Ward Classen, Chair

This Section, in conjunction with the Real Property, Planning and Zoning Section, published the 2007 *Report On Lawyers' Opinions In Business Transactions*, a useful tool for state business and real estate law practitioners

which is available on MSBA's website under the Section's link. It also established satellite video-conference meeting locations for each of its Council meetings in Montgomery County, enabling it to reach out and engage colleagues in the DC suburbs. It continues to offer CLE programs. 9

CONSUMER BANKRUPTCY

Christopher Michael Fascetta, Chair

This Section continued to provide free educational training for its members through monthly brown bag luncheons and has a very active listserve where members discuss substantive areas of new law. It held two MICPEL courses on general bankruptcy matters and the new Maryland foreclosure law as well as two seminars on the nuts and bolts of Chapter 13 in October. The Section maintains a library of sample pleadings and other materials available to members on its MSBA website link and will present a program on how the branches of government are responding to the foreclosure crisis at MSBA's Annual Meeting.

CORRECTIONAL REFORM

Tiffany Alston, Chair

This Section is concerned about the pretrial detention of defendants charged with nonviolent offenses who cannot afford bail money, particularly when less-onerous, nonfinancial alternatives exist for pretrial release. It investigated both public and private-sector resources to determine the kinds of assistance available before and after release from prison. The Section continued its review of the social, economic and legal problems faced by former prisoners upon their release from incarceration.

CRIMINAL LAW & PRACTICE

Richard A. Finci, Chair

This Section addressed the Public Defender funding crisis and considered recommending Bar participation in an Amicus on a varied range of matters before the Court of Appeals, including whether the right to counsel extends to the initial appearance and whether problem-solving courts such as Drug Court violate the Maryland Constitution and/or the Constitutional rights of Defendants. It debated the death penalty, after hearing from Kirk Bloodsworth – the first convicted Death Row inmate to be exonerated by DNA evidence – and considered whether MSBA should support the Governor's bill to repeal the death penalty in Maryland, which it ultimately did. The Section continues to discuss legislative proposals before the Legislature and hold informative meetings to discuss topics of general interest in the criminal law area.

2008/2009 MSBA SECTIONS AND COMMITTEES

10 DELIVERY OF LEGAL SERVICES

Ann Lembo, Chair

This Section began an effort to increase participation of legal services attorneys on other relevant Section Councils and Standing Committees and helped launch a Judicare Family Law Pilot project, which will soon undergo a formal evaluation. The Section has a representative on the new Maryland Access to Justice Commission and on the Content Advisory Committee of People's Law Library, now overseen by the Maryland State Law Library, and is coordinating with the MSBA Planning Committee's Access to Justice Subcommittee. It also formed a legislative committee to monitor legislation, continued work to overcome barriers to accessing justice due to limited English proficiency and co-sponsored the 10th Maryland Partners for Justice Conference.

ELDER LAW

Karren Pope-Onwukwe, Chair

This Section partnered with MICPEL and the Veteran's Administration to give attorneys the opportunity to become accredited for the preparation, presentation and prosecution of claims for veterans' benefits before the Department of Veterans Affairs (VA). It organized a free, statewide legal clinic for seniors on Law Day, partnering with local aging agencies and senior centers, where volunteer attorneys answered questions and provided assistance to seniors in preparing Health Care Power of Attorneys and Living Will/Advance Directive forms, and plans to conduct an online survey to determine the impact of disability law issues on MSBA members. The Section held its annual legislative Annapolis lunch meeting and, before the House and Senate judicial committees, advocated in support of uniform power of attorney legislation and uniform guardianship and protective jurisdiction legislation.

ENTERTAINMENT & SPORTS LAW

Julian A. Haffner, Chair

This Section became a Section last June at MSBA's Annual Meeting and plans to seat its Section Council and complete its bylaws by the end of the year. The Section will continue to provide education and other programming of interest to its members.

ENVIRONMENTAL LAW

Charles Edward Wagner, Jr., Chair

This Section sponsored educational programs for its members and held its Annual Dinner in the spring. It also held its autumn kayak trip at Quiet Waters State Park and its April tree-planting. The Section implemented an outreach program to area law schools and Section members addressed the University of Baltimore School of Law's students on careers in environmental law. It also assisted in the production of the recent "Protecting the Environment" issue of the *Maryland Bar Journal*.

ESTATE & TRUST LAW

John P. Edgar, Chair

This Section had a nine-item legislative agenda this year for estate and trust law issues. It worked with the Maryland Association of Judges of the Orphans' Court, the Registers of Wills, the Maryland Comptroller's Office's estate tax unit, the Attorney General's Office, and the Rules Committee to exchange information and discuss problems in the law, court rules or practices, and worked with the Maryland Bankers Association and other MSBA Sections, reviewing the Uniform Trust Code to draft a bill for the 2010 legislative session. It sponsored a series of MICPEL courses, evaluated them and used the data to develop new courses and materials on the laws relating to estate and trust planning and administration. The Section will conduct a program at MSBA's Annual Meeting.

FAMILY & JUVENILE LAW

Cynthia Callahan, Chair

This Section was proactive in family law legislation, supporting, testifying and drafting bills to improve Maryland's Family Law. It supported a comprehensive custody statute, the bill revising the Maryland Child Support Guidelines for the first time since their enactment and the Governor's bills regarding removal of firearms in Domestic Violence matters. It focused on Juvenile Law legislation to secure consistent statewide services for juveniles and worked with the Judicial Conference Task Force on the Self-Represented Litigant to revamp the Rules with regard to personal identifiers in and access to court records, especially in family law matters. It held the MICPEL programs "Marital Property Workshop" and "Hot Tips/Topics for the Family Law Practitioner", assisted with the production of the May/June *Maryland Bar Journal* "Family Law" issue and will present an entertaining program at MSBA's Annual Meeting, where it will also present its annual Beverly Ann Groner Family Law Award.

2008/2009 MSBA SECTIONS AND COMMITTEES

HEALTH LAW

Jeffrey M. Pecore, Chair

This Section held at least three educational programs for the Section membership and law students from the University of Maryland School of Law and the University of Baltimore School of Law on topics such as “Making Effective Comments on Federal and Maryland State Health Care Regulations” (presented by lawyers from CMS and DHMH), “Legal Issues in Concierge Medicine Practices” and a legislative round-up summarizing health care legislation passed in this year’s General Assembly Session. It also established a Health Law Mentor Program to provide students from both state law schools interested in careers in health law with access to practicing health law attorneys in Maryland to discuss career options in health law and to obtain advice regarding career decisions and the practice of health law.

IMMIGRATION LAW

Lynn Marie O. Tarran, Chair

This Section focused on such legislative issues as tying one’s driver’s license to his or her authorized stay, local police checking immigration status upon making an arrest and judges inquiring into a party’s immigration status. It adopted Section bylaws and held a seminar in Anne Arundel County. The Section will present a program at MSBA’s Annual Meeting.

INTELLECTUAL PROPERTY

Donna M.D. Thomas, Chair

This Section, now 588 members strong, co-sponsored a series of MICPEL programs, including “E-Commerce Law Essentials”, “Did You Give Up Your Intellectual Property Rights When Executing Your Government Contract?” and “Quanta’s Impact – Collision of Licensing Provisions and Patent Law”. It held two webinar programs, distributed its Annual IP Law Update publication, coordinated articles for the March IP issue of the *Bar Bulletin* and launched an electronic newsletter for members. The Section’s Communication Committee continues to update the Section’s stand-alone website, with a new logo design and layout, enhanced search and navigation functionality, and content and podcasts available for download by members from the Section’s educational programs and publications and will present a program at MSBA’s Annual Meeting.

JUDICIAL ADMINISTRATION

Hon. Ruth A. Jakubowski, Chair

This Section engaged in many administration of justice projects, including a joint effort with the Family & Juvenile Law Section on the issue of self-represented litigants (SRLs) which consists of a survey of family law attorneys,

to be followed by a series of town hall meetings with local bar associations, in a quest to develop best practices guidelines for attorneys in contested cases where the opposing party is self-represented. It continues to pursue the implementation of education for Masters and evaluated numerous legislative bills, submitting recommendations supporting, opposing or abstaining from an MSBA position. The Section also monitors Rules relating to judicial administration that are submitted to the Court of Appeals by the Rules Committee and will join forces with the Family Law Section to present a joint program on handling cases against self-represented litigants at MSBA’s Annual Meeting.

LABOR & EMPLOYMENT LAW

Peter D. Guattery, Chair

This Section continues to publish its quarterly newsletter, now in its 14th year. It sponsored a Fall Dinner Meeting in November which featured a discussion and update on the ADA Amendments Act of 2008, and also cosponsored a Brown-Bag Luncheon with the EEOC in January. The Section also hosted its Section Spring Dinner Meeting, focusing on recent changes in EEO law, and will present an interactive program providing insight into the practicalities of trying an employment case from both Plaintiff and Defense perspectives at MSBA’s Annual Meeting.

LEGAL EDUCATION & ADMISSIONS TO THE BAR

Barbara Lauren, Chair

This Section reviewed applications from out-of-state law students under Maryland Rule 16, which permits students enrolled in approved programs to appear in Maryland courts under supervision of a Maryland attorney. It also held its Annual Spring Dinner Meeting and Panel, featuring a discussion on “Educating Law Students and Young Lawyers in Professionalism: How to Be Both Civil and Effective”, in May.

LITIGATION

Christopher J. Heffernan, Chair

This Section, acting on its member survey, reached out to members to increase participation in its Committees and thereby offer new leadership opportunities, resulting in several new members and Chairs among its Appellate, Technology, Newsletter, CLE, Federal Court, Legislative and Discovery Guidelines Committees. It also arranged and produced programs on “Electronic Discovery and ESI”, “Issues in Appellate Advocacy”, “Criminal Discovery Rules” and “Conflicts of Interest in Litigation” throughout the year, including at the MSBA’s Mid-Year and Annual Meetings.

2008/2009 MSBA SECTIONS AND COMMITTEES

12 NEGLIGENCE, INSURANCE & WORKERS' COMPENSATION

Frank L. Lipshultz, Chair

This Section presented an outreach program in April dealing with aspects of subrogation in Workers Compensation Cases. It also presented, in conjunction with MICPEL, the "Hot Tips in Workers Compensation" program in May. The Section, along with the Solo & Small Firm Practice Section, will co-sponsor the program "Vocational Rehabilitation Counselor as an Expert in a Workers Compensation and Liability Case" at MSBA's Annual Meeting.

REAL PROPERTY, PLANNING & ZONING

Hilary J. O'Connor, Chair

This Section played an active role in the foreclosure crisis through the efforts of its foreclosure committee, which attended meetings in Annapolis and commented on proposed revisions to the Rules. It further addressed the economic downturn through a joint networking event with the Taxation Law Section. The Section continued its educational efforts, including the October Advanced Real Property Institute, monthly real estate discussion lunches and webcasts to ensure wider distribution to members in outreaching counties. It also provided forums for discussion and current information to assist real property practitioners, including the Section's growing listserv, while continuing its mentoring program to assist law students who desire a career in real estate law.

SENIOR LAWYERS

John Carroll Weiss, Jr., Chair

This Section held bimonthly noontime meetings, usually on the third Wednesday of the month, at the Maryland Bar Center, providing members with lunch, followed by a short business meeting and an interesting speaker. It continued to publish its twice-yearly newsletter, *Pearls of Wisdom*. The Section bestowed its "Senior Lawyer of the Year" award upon the Honorable Shirley Jones at a special dinner held in May. It will present a program at MSBA's Annual Meeting.

SOLO & SMALL FIRM PRACTICE

Hon. Lenore R. Gelfman, Chair

This Section continued to grow and held its 11th Annual Solo and Small Firm Conference in November, subsequently offering a podcast of the highly-praised, sold-out program on its website. The Section's listserv continued to prove a highly interactive tool, assisting members statewide with questions, discussions and referrals.

STATE & LOCAL GOVERNMENT LAW

William R. Varga, Chair

This Section sponsored a well-attended dinner program in October where the Section awarded its first State and Local Government Law Public Service Award – presented on behalf of the Section by Maryland's First Lady, the Honorable Catherine Curran O'Malley – to former Attorney General J. Joseph Curran, Jr. It presented a continuing legal education mini-program, focusing on significant legal issues facing governmental entities during difficult fiscal times, in Spring 2009.

TAXATION

Caroline D. Ciraolo, Chair

This Section reviewed and revised its bylaws, created new committees to address annual projects and distributed, with the assistance of the University of Baltimore School of Law, its updated *Tax Practitioner's Directory* as a member benefit. It formed Maryland's first U.S. Tax Court Pro Bono Program, where attorneys volunteer as facilitators to *pro se* litigants appearing at the U.S. Tax Court trial calendars, held about four times a year at the U.S. District Court in Baltimore. It sponsored its second Symposium, "Expanding the Tax Base: Policy, Legality and Practicality", in December at the University of Baltimore, and offered its first joint social and educational program, with MSBA's Real Property Section, in March. The Section hosted its annual Irving Shulbank Memorial Dinner and program in May and will present "Losses, Bad Debts, Loan Forgiveness, Workouts, Bankruptcy – In Bad Economic Times, How to Make the Internal Revenue Code Work for You" at MSBA's Annual Meeting.

YOUNG LAWYERS

Michelle Stawinski, Chair

This Section organized charity events this year, raising \$6,000+ for the Special Olympics with its participation in the Maryland State Police's 13th Annual Polar Bear Plunge and also raising funds for the Maryland Network Against Domestic Violence. The Section, in conjunction with local and specialty bars, organized several Wills for Heroes clinics where its volunteer attorneys provided basic estate planning services to dedicated police and firefighters, and its volunteers spent a day at Our Daily Bread in Baltimore, where young lawyers offered legal advice to the city's homeless. It also hosted monthly happy hours throughout the state, at times in conjunction with other professional organizations, to introduce young lawyers to the Section as well as the benefits of MSBA membership.

2008/2009 MSBA SECTIONS AND COMMITTEES

COMMITTEES

BUDGET & FINANCE

Debra G. Schubert, Chair

This Committee oversees MSBA's finances and budget, and reviews budget requests from Sections, Committees and other entities to prepare an annual 700+ line-item budget for the Board of Governors' approval. It makes recommendations to the Board regarding budget amendments, suggests financial policies and develops long-range fiscal plans.

CONTINUING LEGAL EDUCATION

Charles Leon Fuller, Chair

This Committee presents programs in conjunction with the University of Maryland School of Law and the University of Baltimore School of Law and meets with MICPEL to review programs, plans and MICPEL publications and sponsors a program at MSBA's Annual Meeting.

ETHICS

Courtland "Skip" K. Townsend, Chair

This Committee issues written opinions on the proper interpretation of the Rules of Professional Conduct, which are indexed and available on MSBA's website. It also publishes an opinion in each issue of the *Maryland Bar Journal*. The Committee provides oral advice on the interpretation and application of the Rules through the operation of a telephone "hotline" service. It announces the volunteer names each month in the *Bar Bulletin* and on the website.

GENDER EQUALITY

Linda H. Lamone, Chair

This Committee surveyed judges, attorneys and court employees in 2000 to study changes in attitudes, perceptions and experiences that have occurred as a result of the educational and other efforts it has undertaken over the past 10 years. In addition, the survey included questions directed to perceptions of ethnic and racial bias within the court system. The Committee analyzed the statistical data in the survey responses, compiled the results and issued "The Retrospective Study" last fall. It is now examining the existing resources for education of the bench and the bar in the areas identified in the report, working with the General Assembly on recommended legislative changes and developing strategies to implement other recommendations.

JUDICIAL APPOINTMENTS

Jerald B. Lurie and Rachel T. McGuckian, Co-Chairs

This Committee is made up of local and at-large members. The Committee receives and reviews a copy of each application for state judicial appointment, contacts references, assigns the application to a committee member for the preparation of a summary and presentation to the Committee, then conducts an in-person interview of each applicant and votes on the applicant's qualifications. The Committee Co-Chairs then submit the Committee's confidential findings to the Judicial Nominating Commission (JNC) and the Governor for consideration. Some JNCs request and receive an oral presentation from the Committee Chairs prior to their interviews of the applicants. The purpose of this Committee is to provide each member of the JNC with peer evaluation of all applicants' qualifications. The evaluations stand as the MSBA's formal position for a period of two years without exception.

LAWS

Michael J. Baxter, Chair

This Committee prepares the MSBA Legislative Program, which sets forth the Association's positions on such legislative issues as the regulation of the legal profession, the administration of justice and the independence of the judiciary, for consideration by the Board of Governors. It reviews all bills filed during the state legislative session, recommends positions on bills of interest to the Association and presents the Association's positions on bills through written and/or oral testimony during the session. The Committee also assists in amending proposed legislation and securing passage of bills supported by the MSBA.

LAWYER ASSISTANCE PROGRAM

Hon. William G. Simmons, Chair

This Committee continues to expand its services, offering comprehensive lawyer assistance to help members who have problems with alcohol, drugs, depression, stress and wellness issues. It receives over 100 referrals to assist judges, attorneys and others in the legal community who have trouble in their professional or personal lives each year. It holds monthly core group meetings and quarterly business meetings to identify, facilitate and support those experiencing problems.

2008/2009 MSBA SECTIONS AND COMMITTEES

14 LOCAL & SPECIALTY BAR LIAISON

Mark Franklin Scurti, Chair

This Committee held the 49th Annual Bar Presidents' Conference in Ocean City Maryland in October, which brought together MSBA's Board of Governors, bar presidents, presidents-elect, and executive directors from all of the local specialty bar associations across our state, and which included the Young Lawyers Summit. Its programming featured mentoring, a look at Maryland's new Foreclosure Law from Chief Judge Robert M. Bell, a legislative update from Timothy Maloney, a discussion regarding funding for Maryland's Office of the Public Defender and a presentation by Judge Lynne A. Battaglia entitled "Finding Justice: A History of Women Lawyers in Maryland". The Committee also presented its Best Project awards for service to the Bar and to the Public.

MEMBERSHIP

Kathleen H. Meredith, Chair

This Committee focuses on recruitment and retention of members, communication within and outside the organization, and provision of tangible benefits to MSBA members. It has three subcommittees to address these areas: Communications/Technology, External Member Recruitment, and Member Participation/Internal Recruitment and Retention. The Committee introduced two new membership benefits this year: CoreVault and ABA Retirement Funds.

PATTERN JURY INSTRUCTIONS

Hon. Irma S. Raker, Chair

This Committee prepared the 2007 Supplement and is working on a Second Edition. It has organized itself into nine subcommittees and is systematically reviewing, and rewriting and editing as necessary, the 188 criminal pattern jury instructions and accompanying notes on use and comments.

PLANNING

Hon. Lynne A. Battaglia, Chair

This Committee is completing a comprehensive two-year study on MSBA and the legal profession and will submit its final report to the Association's Board of Governor's in May.

PROFESSIONALISM

Keith R. Truffer, Chair

This Committee conducted the required Rule 11 course for new admittees in November/December 2008, with more than 60 judges and attorneys volunteering their services as faculty members and observers. The Committee conducted a faculty-training session in April to refine the curriculum and to expand the faculty base and actively recruits attorneys and judges interested in joining the course's faculty.

PROGRAM

Edwin "Ted" H. Staples, II, and Andrew Radding, Co-Chairs

This Committee planned innovative social and educational programs for MSBA's Mid-Year Meeting, held in Jamaica in February, which was a success. It is planning MSBA's Annual Meeting in Ocean City in June, which will be replete with innovative, comprehensive and practical programs for practitioners in every area. The Committee has devoted untold hours in preparation to this program, which will feature scores of speakers on topics relevant to the various MSBA Sections and Committees.

PUBLIC AWARENESS

Alice S. Chong, Chair

This Committee enhances the public's understanding of the law through community education and outreach. It presents MSBA's two most successful, ongoing public service projects: its series of 24 public awareness legal information guides, which are disseminated to the public free of charge, and its Speakers' Bureau, where 250 volunteer attorneys go out into the community and educate the public about the law. The Committee also sponsored its May Law Day program, a lawyer/student/teacher conference highlighting its special YouTube Positive Messaging Video Competition on "The Law in your Daily Life", in conjunction with CLREP.

2008/2009 MSBA SECTIONS AND COMMITTEES

RESOLUTION OF FEE DISPUTES

William C. Mitchell, Jr., Chair

The Committee investigated a number of fee-dispute cases this year, closing and settling many of them through arbitration hearings. It works to resolve active cases through mediation or binding arbitration. The Committee receives inquiries for fee-dispute assistance each week, primarily through phone calls to MSBA Headquarters and hits on the Association's website from disgruntled clients. If there is a reasonable basis to believe the complaint has merit, a file is opened and referred to a Committee member who, appointed as "Client Representative", reviews the complaint, talks to both sides in the dispute and attempts to mediate a solution. Over 100 volunteers across the state actively participate in this program, with administrative assistance from MSBA's staff.

RULES OF PRACTICE

Paul H. Ethridge, Chair

This Committee, the liaison between the MSBA membership and the Court's Standing Committee on the Rules of Practice and Procedure, monitors meetings of the Rules Committee and requests input from Sections and Committees so MSBA members are heard at the Rules Committee meetings on any proposed Rules changes. It monitored the Rules affecting foreclosure, discussed by the Rules Committee, and plans to address the issue of multi-jurisdictional practice with the Rules Committee, which has been adopted in other states. The Committee also participates in the Attorney Subcommittee of the Standing Committee on Rules as it affects fee shifting and believes the Subcommittee might issue its recommendation to the full Rules Committee prior to MSBA's Annual Meeting.

SPECIAL COMMITTEES

ANTI-DISCRIMINATION MATTERS

Hon. Robert B. Kershaw, Chair

This Committee examines the professional and practice application of the Maryland statute prohibiting discrimination on the basis of sexual orientation in the workplace, places of public accommodation and housing.

APPOINTMENTS

Thomas M. Meachum, Chair

This Committee publicizes vacancies on the boards of directors for the Maryland Volunteer Lawyers Service, the Pro Bono Resource Center of Maryland and the Legal Aid Bureau, interviews interested candidates and makes recommendations to the MSBA Board of Governors.

ASIAN-AMERICAN BAR

Hon. Brian G. H. Kim, Chair

This Committee reaches out to Maryland's Asian-American lawyers and has an active listserv.

CITIZENSHIP/LAW-RELATED EDUCATION

Hon. Diane O. Leasure, Chair

This Committee promotes law-related education in Maryland schools to educate students about the law and presents the statewide high school Mock Trial competition, in which 37,000+ students have competed. Its programs include the Law Links High School internship project, the Baltimore City Teen Court, Maryland Summer Center for Law and Government and several peer-conflict mediation initiatives. It also produces curriculum, publications, videos and computer software in law-related education, conflict resolution and violence prevention and provides teacher training. The Committee, in conjunction with MSBA's Public Awareness Committee, sponsored MSBA's Law Conference in May highlighting the Association's YouTube Positive Messaging Competition on "The Law in your Daily Life".

COURTHOUSE CONSTRUCTION

Hon. Marcella A. Holland and Hon. Robert B. Kershaw, Co-Chairs

This Committee sought to address some of the numerous problems facing Baltimore City's Mitchell Courthouse.

DISASTER PREPAREDNESS

Stephen H. Ring, Chair

This Committee drafted a disaster plan for lawyers as a guide so lawyers will be prepared in the event a disaster strikes and explored ways to implement it in the state.

EDITORIAL ADVISORY

Elizabeth M. Kameen, Chair

This Committee continues to oversee production of the *Maryland Bar Journal*, updating members on information and timely issues impacting the legal profession. The *Journal*, which was named top state bar magazine in the country for large bar associations in 2002, continues to feature new legal theme issues, including its special "Baby Boomers Retire - Impact on the Law" issue in January.

IMMEDIATE RESPONSE

Thomas D. Murphy, Chair

This Committee has not been called upon to take any action this year, but remains vigilant and prepared to do so in the event that it becomes necessary to respond to any unjustified criticisms.

2008/2009 MSBA SECTIONS AND COMMITTEES

16 INVESTMENTS

Cleaveland D. Miller, Chair

This Committee oversees MSBA's prudent investment of Association assets. The investment objective is to earn a fair return while ensuring that sufficient funds are always available for the smooth operation of MSBA functions.

LEADERSHIP ACADEMY

Joseph L. Wright and Hon. Jeannie J. Hong, Co-Chairs

This Committee welcomed a new class of Fellows into the MSBA Leadership Academy and served as mentors to prepare the attorneys for future leadership roles in their bar association and their profession. This Committee receives support from MSBA, the Maryland Bar Foundation, corporations, individuals and law firms. The Fellows benefit from a host of leadership-training programs so they will be poised to take the next step in helping MSBA remain one of the leaders in our nation's legal arena.

MILITARY LAW

Charles Blomquist and Justin Browne, Co-Chairs

This Committee, created in September, is 60 members strong and has sponsored a MICPEL course, posted web-based legal resources on its website and held several events, including a visit to Walter Reed Army Medical Center. It established a program where volunteer attorneys support military personnel and their families at Fort Meade and Bolling Air Force Base by providing tax assistance, and it is partnering with the Homeless Persons Representation Project, the Pro Bono Resource Center of Maryland and the University of Maryland School of Law to create a state emeritus attorney program to expand CLE-compliant trainings and provide free legal representation to low-income veterans trying to access service-related disability and pension benefits. It will present a program at MSBA's Annual Meeting

MINORITIES IN THE LEGAL PROFESSION

Arielle Harry-Bess, Chair

This Committee formalized the ABA/NCBP conference scholarship application process by establishing a scholarship application and selection guidelines, which are located on its website along with other program information and listings of interest to minorities in the legal profession. The Committee also held, in conjunction with the MSBA YLS Diversity Initiatives Committee and the Miles Minority Network of Miles & Stockbridge, a Maryland Minority Attorney Networking Reception, in March.

PARALEGAL

Karen L. Cook, Chair

This Committee continues its work to educate the MSBA membership about the paralegal profession and address the needs of both attorney and paralegal members. Its activities included: (1) increasing membership, (2) updating the Special Committee on Paralegals website, (3) utilizing the committee listserv, (4) conducting a survey on the MSBA website and to individual section listserves assessing the utilization of paralegals in the legal community and the specific needs of paralegals and attorneys who use paralegals, (5) sponsoring a networking event for paralegals and (6) continuing to study the trends and developments in paralegal regulation nationwide.

PAST PRESIDENTS

Edward J. Gilliss, Chair

The Past Presidents' Committee serves the dual purpose of 1) keeping former MSBA leaders active in the organization, and 2) establishing a structure for current MSBA leaders to access the "institutional knowledge" and talent of former leaders.

PUBLIC PROTECTION

Darren L. Kadish, Chair

This Committee seeks to stop scam artists from taking advantage of the poor, the elderly and the disadvantaged. It coordinates efforts with the Attorney Grievance Commission, the Attorney General's Office and the State's Attorney's Offices throughout Maryland. The Committee focused on educating the public about mortgage foreclosure issues this year.

TRAVEL

Lisa L. Mervis, Chair

This Committee assists the Association in arranging travel plans for MSBA members, including the MSBA Mid-Year Meeting.