



MARYLAND STATE BAR ASSOCIATION, INC.

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## ANNUAL REPORT 2016 | 2017

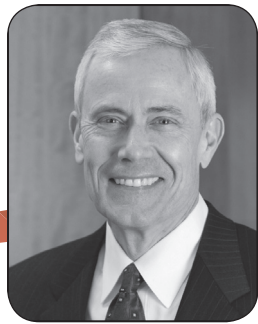
Volume XXVI

MSBA is pleased to present its membership with a brief overview of the year 2016/2017, highlighting its many activities, events, and accomplishments.

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# 2016 | 2017 EXECUTIVE COMMITTEE



Hon. Harry C. Storm  
President



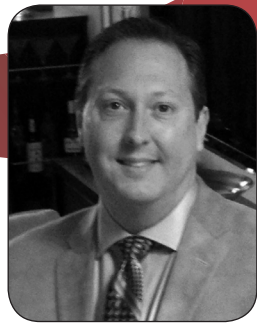
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Section

## PRESIDENT'S MESSAGE

IT IS WITH PLEASURE THAT I PRESENT THIS 2016-2017 ANNUAL REPORT, AND REVIEW of the bar year. At the outset, I want to express my appreciation for the privilege of serving as the Association's 123<sup>rd</sup> president. Thank you for your confidence, trust, and friendship.

As I mentioned in my address last June at the Joint Bench-Bar Conference in Ocean City, this was to be a year of transition. And indeed, it was. Most notably, we said goodbye to Paul Carlin, who was our Executive Director for over 31 years. We saluted Paul at a retirement event in November, held at M&T Bank Stadium.

Paul's successor is Victor L. Velazquez. Our new ED came to us from the District of Columbia Bar Association, where he served as Chief Operating Officer. Before that, Vic was a senior vice-president at the American Institute of Certified Public Accountants. He is a certified association executive, and holds a master's degree in business administration. Vic was selected following a nationwide search process, undertaken by a 13-member Search Committee chaired by Past Presidents Harry S. Johnson and James P. Nolan. The Executive Director search and selection process, the transition, and the integration of Vic into our organization were a major undertaking, but all went smoothly. Vic brings technology, organizational management, and other skillsets to the MSBA that will be vital to the future of our bar association.

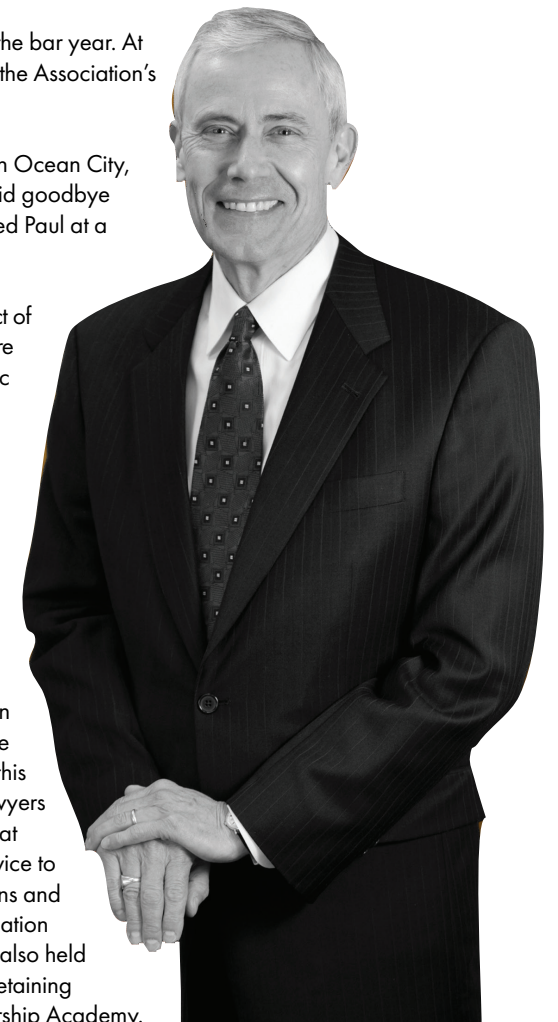
Meanwhile, we worked to further our Association's mission – to effectively represent Maryland's lawyers, provide member services, and the promotion of professionalism, diversity in the profession, access to justice, service to the public, and respect for the rule of law. We touched on several elements of this mission by continuing the Maryland Civics and Law Academy, wherein lawyers and judges (including Chief Judge Mary Ellen Barbera) engaged students at several high schools on the law and the legal profession. We provided service to our members in a variety of ways, including through the work of our Sections and Committees, our membership benefits, and the many continuing legal education programs and publications that were presented on a myriad of topics. We also held several membership events focused on both attracting new members and retaining existing ones. And we celebrated the 20<sup>th</sup> anniversary of the MSBA Leadership Academy.

This year we also strove to increase our collaboration with the local and specialty bars. As one example, we co-sponsored a terrific program on implicit bias at the University of Baltimore School of Law. In addition, several specialty bar leaders were invited to be guest columnists in our monthly newsletter, the *Bar Bulletin*, which provided a forum in which to tell the MSBA membership about their organizations. And we hosted another successful Conference of Bar Presidents last fall with the state's local and specialty bar leaders.

We also continued our tradition of having a strong relationship with the Maryland Judiciary, the Maryland General Assembly, and Maryland's law schools. A very positive development with the Judiciary is that the MSBA now has a liaison to the Rules Committee who can alert the MSBA and its membership to proposed Rule changes. And we continued our collaboration with both of our law schools on the Law Entrepreneurs for Access Program (LEAP), the incubator program to assist recent law school graduates in starting their solo practices.

All of this, and much more, made it a very successful and rewarding year. Thank you to the officers, and to those who served on the Executive Committee and the Board of Governors. Thank you, Paul Carlin, for your 31 years in general, and for your last six months in particular. Thank you to the members of the Search Committee for your efforts, and to Victor Velazquez for joining us and moving us forward. And thank you to the staff for all you do for the MSBA every day.

To my friend and successor, Sara Arthur, in whose capable hands I will leave the leadership of our great Association, I wish the best of luck. I'll be there to help in any way I can. And finally, to the MSBA membership at large, thank you again for providing me with this incredible opportunity. It was a great year.



Honorable Harry C. Storm  
President  
Maryland State Bar Association



## 2016|2017 BOARD OF GOVERNORS

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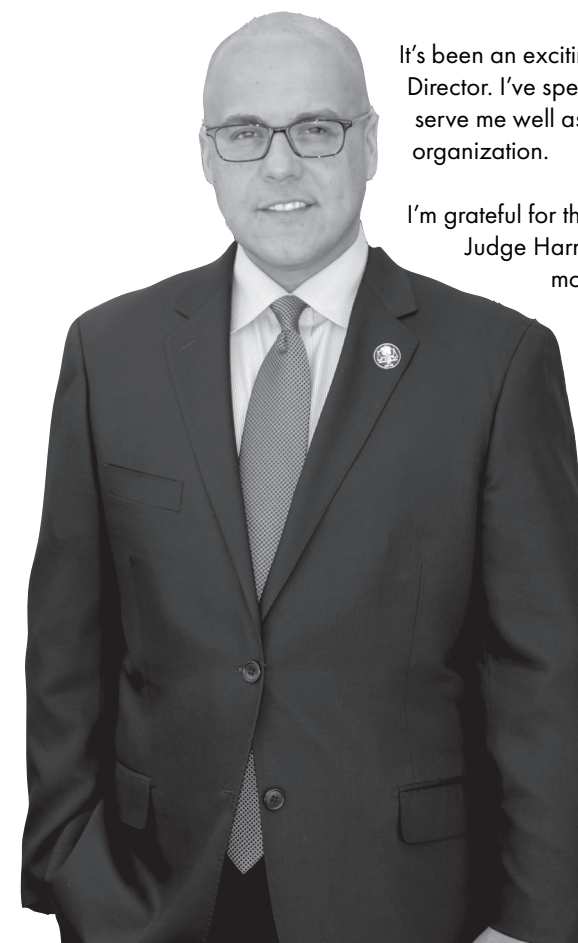
Robert K. Erdman  
Young Lawyer

William Carl Isler  
Young Lawyer

Thomas M. Weschler  
Young Lawyer

Carl S. Silverman  
Parliamentarian

## EXECUTIVE DIRECTOR'S MESSAGE



It's been an exciting 2017 thus far as I joined the MSBA as its new Executive Director. I've spent more than 20 years gaining experiences and skills that will serve me well as I contemplate the opportunities that lie ahead for this great organization.

I'm grateful for the steady guiding hand and leadership qualities of our President, Judge Harry C. Storm. He's been an exceptional partner during my first six months on the scene. I join President Storm in expressing my sincere thanks to the search committee and especially its co-chairs, James Nolan and Harry Johnson. Lastly, my appreciation for Paul Carlin's 30+ year run that serves as the foundation for all that is to come.

As I've begun this journey, I've focused on listening and have met with hundreds of members throughout this great state. Those voices have expressed many sentiments. It's clear to me why tens of thousands of attorneys call the MSBA their home. It's also clear to me that the MSBA must evolve in order to maintain its position as the home of the profession. In May of this year, the Board of Governors voted unanimously on a \$1.4 million set of recommendations I proposed that will guide the next 18 months for us – part of a five-year and beyond journey. The recommendations are focused on the MSBA making progress in five key areas.

Vision: the need to identify a guiding set of strategic priorities and objectives that will govern how we allocate resources, the focus of committees, how our governance occurs, and everything else we do.

Awareness: the need to significantly enhance and modernize our communications, media, public relations, digital marketing, and expansion of the ways in which we convey our message to members and the public at large. Revitalizing our brand and reconnecting with audiences.

Value: the need to enhance our value proposition for members and to redefine what engagement looks like in a world that is driven by both in-person relationships – a staple of the MSBA – and a world of virtual interactions and connections.

Capabilities: the need to focus on becoming a more relevant and effectively operated organization with investments in technology, people, and tools that aid our members in delivering their value to their clients, firms, employers, and all those they serve.

Strategic Governance: the need to modernize our bylaws and evolve how leadership roles are filled and become better aligned with a multi-year strategic approach.

There's so much to be done in the days ahead. Whether my 10 years at the 400,000-member American Institute of Certified Public Accountants, where I served as its Senior Vice President of People, Strategy and Enterprise Management, or my three years running the 105,000-member D.C. Bar as its Chief Operating Officer, I will be drawing on all of my 20-plus years to ensure that more and more talented attorneys in this great state of Maryland continue to say proudly, "I am the MSBA."

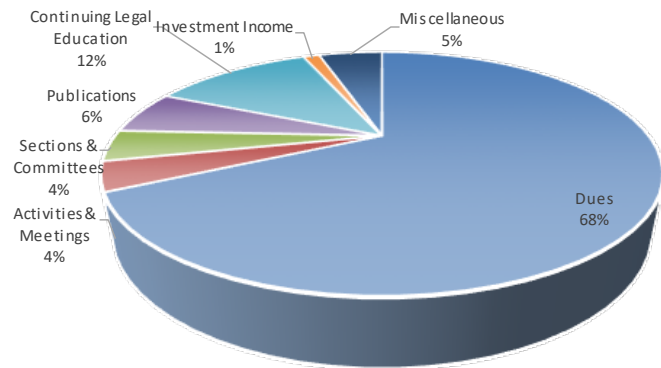
Victor L. Velazquez, CAE  
Executive Director

Maryland State Bar Association & Maryland Bar Foundation  
June, 2017

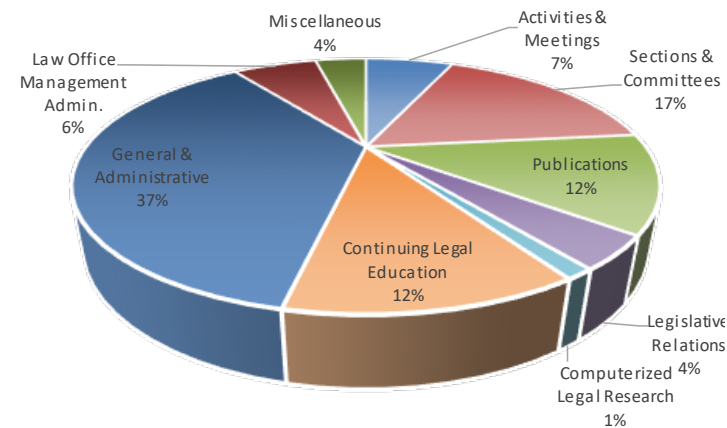


# 2015/2016 FINANCIAL HIGHLIGHTS

Revenue	2015	2016	
Dues	3,401,430	3,405,027	66.5%
Activities & Meetings	192,876	262,568	5.1%
Sections & Committees	210,564	231,301	4.5%
Publications	297,967	293,964	5.7%
Continuing Legal Education	610,517	590,695	11.5%
Investment Income	62,960	67,590	1.3%
Miscellaneous	248,292	271,417	5.3%
<b>Total</b>	<b>5,024,606</b>	<b>5,122,562</b>	<b>100.0%</b>



Expenses	2015	2016	
Activities & Meetings	335,072	431,283	7.8%
Sections & Committees	874,281	977,439	17.7%
Publications	643,107	639,513	11.6%
Legislative Relations	208,296	217,451	3.9%
Computerized Legal Research	66,793	62,324	1.1%
Continuing Legal Education	641,263	632,492	11.5%
General & Administrative	1,904,433	2,009,110	36.4%
Law Office Management Admin.	319,531	318,983	5.8%
Miscellaneous	195,706	227,236	4.1%
<b>Total</b>	<b>5,188,482</b>	<b>5,515,831</b>	<b>100.0%</b>



# 2016 JOINT BENCH BAR CONFERENCE

JUNE 15-18, OCEAN CITY, MARYLAND



Jason Hessler prepares to get social at the Welcoming Reception.



Chief Judge Mary Ellen Barbera, Court of Appeals of Maryland, apprises members of the state of the Judiciary at the annual business meeting.



CLE Associate Director of Publications Joanne Daniels and CLE Program Assistant Nathan Levin on hand to help members update and grow their personal CLE libraries.



Incoming MSBA President Judge Harry C. Storm and Secretary Judge Keith R. Truffer were among the newest members of the bench honored at the New Judges Reception.



MSBA President Judge Pamela J. Brown and her husband, Christopher Robinson, are flanked by presidential couples past and future. From right: MSBA President-Elect Judge Harry C. Storm and his wife, Kendall; Robinson; Brown; and MSBA Immediate Past President Debra G. Schubert with her husband, Byron Olsen.



Power-packed CLE programs are a mainstay at the MSBA Annual Meeting.



# 2016 JOINT BENCH BAR CONFERENCE

JUNE 15-18, OCEAN CITY, MARYLAND



Outgoing MSBA President Judge Pamela J. Brown (right) honors outgoing ABA President Paulette Brown during the annual business meeting.



It wouldn't be the Maryland Bar without the annual crab feast, a longtime tradition.



The Young Lawyers Section's Ice Cream Social is but one of the Annual Meeting's many family-friendly activities.



The Maryland Bar Foundation (MBF) inducts its newest Fellows in addition to presenting its esteemed Eney and Shea Awards during the MBF Annual Meeting.



The Daily Record and the MSBA Young Lawyers Section help to set a festive tone with their co-sponsored happy hour.



MSBA members pay tribute to longtime Law Office Management Assistance Director Pat Yevics, who retired from her post in September 2016.

# SECTIONS AND COMMITTEES

## SECTIONS

### ADMINISTRATIVE LAW

**Jennifer L. Kent, Chair**

This Section presented a panel discussion program about careers in administrative law for students at the University of Maryland Francis King Carey School of Law and hosted a meet-and-greet networking event for Section members. It updated its bylaws and, following vigorous recruitment efforts to identify new and diverse membership on its Section Council, successfully obtained several new Council members who bring a wide range of experience from various types of administrative law practice. The Section will sponsor a program entitled "Gender Identity Discrimination: More than just a Bathroom Issue" at the MSBA Annual Meeting, where it will also honor Jack L.B. Gohn as this year's recipient of the Section's John Hardwicke Award for his outstanding contributions to the field of administrative law.

### AGRICULTURE LAW

**Kelcie L. Longaker, Chair**

This Section serves as a resource and supportive assembly of legal professionals to those involved in agricultural affairs; improves the knowledge and professional abilities of legal professionals through continuing legal education programs, publications, networking, and other means; engages in the practice of law as it relates to agricultural matters; reviews and researches applicable laws and proposed legislation which may impact the industry as a whole; monitors developments in the various legal fields that are applicable to the broad spectrum of agriculture, agribusiness; and aquaculture in Maryland; disseminates information about current developments in this area of the law; and, in general, assists in the improvement of the practice of law in this area.

### ALTERNATIVE DISPUTE RESOLUTION

**Mala Malhotra-Ortiz, Chair**

This Section continued to execute its two-year (2016-2018) Strategic Plan, the highlights of which include enhancing member benefits and connecting with the Judiciary, Legislature, and public regarding ADR matters. It has partnered with the Prince George's County Orphans' Court to develop a pilot ADR program that will offer mediation, settlement conferencing, and collaborative services for Maryland families with pending disputes in that Court. The Section also presented a Pizza and Professionalism Program at the University of Maryland Francis King Carey School of Law to discuss best practices in court-annexed ADR programs. The Section presented its annual Chief Judge Robert M. Bell Award to Dr. Lorig Charkoudian, founder and executive director of Community Mediation Maryland, during its Spring Dinner. It will present a panel discussion aimed at providing Maryland lawyers with information about expanding their practice to assist in the growing area of elder law and legal issues around our aging population at the MSBA Annual Meeting.

### ANIMAL LAW

**E. Anne Benaroya, Chair**

This Section continued to provide a forum for the open exchange of ideas about legal issues concerning the treatment of all animals, the protections afforded to animals, and the rights and responsibilities of persons who have an interest in animals. It also facilitated the development of good legal practice in animal-related issues by providing educational programs and resources, as well as by participating in the legislative process.

### BENCH-BAR

**Erin D. Gable, Chair**

This Section examines and attempts to improve the administration of justice throughout the judicial system of Maryland, including all the courts comprising that system, including both State and Federal, appellate, and trial courts of general and limited jurisdiction.





## SECTIONS AND COMMITTEES

### BUSINESS LAW

*David P. Shapiro, Chair*

This Section provided legal updates and educational opportunities for its members through more than a dozen topical, substantive law committees; offered an active email discussion list as a way to connect with more than 1,400 Section members with business law-related legal updates, questions and announcements; interacted with representatives from the Governor's Office, the Maryland General Assembly, and the Maryland State Department of Assessments and Taxation to address issues of general interest to business law practitioners in Maryland; reviewed and made recommendations to the MSBA on pending and proposed legislation potentially of general interest to business law practitioners in Maryland; continued to manage and develop content for the Maryland Business Law Developments blog, which covers judicial developments in Maryland business law; continued to participate in an ad hoc task force formed by the Court of Appeals of Maryland to evaluate Maryland's Business & Technology Courts Case Management program and to assist with the drafting of recommendations for the future development of said program; explored and evaluated issues relating to the practice of law in Maryland by non-U.S. lawyers to develop a substantive report on said topic for the MSBA as part of an initiative directed by the Court of Appeals; prepared and participated in legislation to address a variety of corporate law issues in the Maryland General Corporation Law, to establish a process for the formation of holding companies in the State of Maryland, and to repeal certain provisions of Maryland corporate and tax law concerning the filing charter documents upon a corporation's transfer of all or substantially all of its assets; continued to provide written support, support with amendment, or opposition, as appropriate, and live testimony concerning pending legislation pertaining to Maryland corporate and unincorporated business entities; participated in the evaluation and development of recommendations concerning proposed legislation to enact a commercial receivership act in the State of Maryland; began to review and evaluate issues, the impact of, and possible guidelines concerning the ability of Maryland lawyers to now hold themselves out as specialists in certain areas of the law; and sponsored and planned the Section's annual Advanced Business Law Institute, in addition to providing short- and long-format continuing legal education programs to MSBA members.

### CONSTRUCTION LAW

*Matthew G. Hjortsberg, Chair*

This Section produced three educational programs, including: a joint program on Real Estate and Construction Insurance with the Real Property Section in the fall in Columbia; the Construction Law Institute, held in conjunction with the release of the updated construction law desk book in March in Columbia; and a program on Procurement Reform at the judicial conference center in Annapolis. It will present a fourth program, on Economic Loss Doctrine in light of the Court of Appeals of Maryland's *Balfour Beatty Infrastructure v. Rummel Klepper & Kahl*, at the MSBA Annual Meeting.

### CONSUMER BANKRUPTCY

*John C. Schropp, Chair*

This Section provided a forum for the discussion of bankruptcy and related issues facing practitioners, the organization and presentation of formal and informal educational programs for those practitioners, the participation in the review and comment on changes in federal and state law and local rules, and community outreach efforts. It hosted the Clerk of the Bankruptcy Court and the Assistant United States Trustee, who delivered reports to Section members. The Section also engaged in several presentations and programs on a variety of subjects within the practice area; presented in conjunction with the International Women's Insolvency and Restructuring Confederation a program entitled "Ponzi's the Name, Clawback's the Game: The Anatomy of a Ponzi Scheme", which examined the topic of Ponzi schemes in state insolvency actions and bankruptcy proceedings; and collaborated with members of the bankruptcy bench and the Chapter 13 Trustees for the District of Maryland in a committee formed to review and comment on a new form Chapter 13 plan for the District of Maryland which will take effect on December 1, 2017. It engaged in a collaborative effort with the Honorable Robert A. Gordon, the Office of the Clerk of the United States Bankruptcy Court for the District of Maryland, the Office of the United States Trustee, Chapter 13 Trustees for the District of Maryland, and area bankruptcy associations and practitioners to develop a September 2017 program on Consumer Bankruptcy & Pro Bono/DAP Training Seminar for Attorneys and Paralegals, which will feature panels on select areas of consumer bankruptcy law and provide training for practitioners interested in participating in the Debtor Assistance Project, a clinic which provides debtors with

## SECTIONS AND COMMITTEES

an opportunity to meet with a bankruptcy attorney for a cost-free half-hour consultation. It will present an educational program entitled "HO HO HO HOA and Condominium Issues in Bankruptcy Cases (Not Exactly Christmas Vacation)" at the MSBA Annual Meeting.

### CORRECTIONAL REFORM

*Booth M. Ripke, Chair*

This Section stimulated interest in the administration of the correctional system among members of the Maryland Bar; sought necessary improvements and reforms in correctional facilities and services; and coordinated activities in the field of correctional reform with other organizations and associations working in the field.

### CRIMINAL LAW & PRACTICE

*Hon. Julie Stevenson Solt, Chair*

This Section, in keeping with its mission to stay at the forefront of significant issues to the criminal law practitioner, heard from local leaders and legislators on matters involving criminal practice, including the Justice Reinvestment Act and the Bail Reform issues. It also delivered meaningful programs to its members, often in cooperation with other Sections, and monitored and provided input on legislation. The Section recognized another outstanding legal practitioner with its annual Robert C. Heeney Award, and will sponsor an educational program at the MSBA Annual Meeting

### DELIVERY OF LEGAL SERVICES

*Dave Pantzer, Chair*

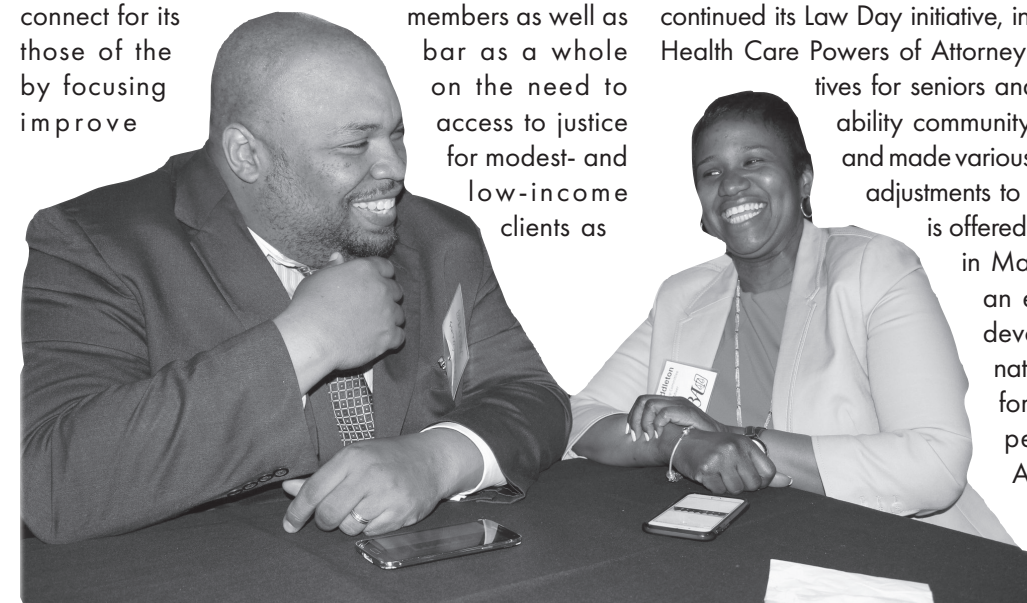
This Section provided trainings and opportunities to connect for its members as well as those of the bar as a whole by focusing on the need to improve access to justice for modest- and low-income clients as

well as the need of lawyers to make a living. It partnered with the reformed Access to Justice Commission to facilitate a statewide conference on "Building an Effective Limited Scope Practice in Maryland" and also presented an online, on-demand training for Section members entitled "Using Fee-Shifting in Maryland to Increase Access to Justice, Both for Legal Service Organizations and Private Lawyers". The Section worked to connect its members by providing a reinvigorated email discussion list and newsletter; contributed to the Pro Bono Resource Center's Maryland Partners for Justice Conference; supported key legislation; and implemented a dues structure which will support meaningful training and connection opportunities for those who wish to creatively improve the quality and quantity of legal services available, through all channels, to people of limited or modest means. It will hold a training on consumer law practices affecting low-income Marylanders in conjunction with the Consumer Law Section at the MSBA Annual Meeting, and will also provide a summer training for law students seeking the public interest.

### ELDER LAW & DISABILITY RIGHTS

*Richard Neuworth, Chair*

This Section sponsored several educational initiatives throughout the year, including meetings focused on the ABLE act and proposed changes to the Affordable Care Act, as well as several continuing legal education programs on Veterans Benefits, Medicaid Changes, and Hot Topics in Elder Law. It also actively promoted legislative proposals with the Estates and Trusts Section as well as the National Academy of Elder Law Attorneys (NAELA). The Section continued its Law Day initiative, in which members draft Health Care Powers of Attorney and Advance Directives for seniors and members of the disability community throughout the state, and made various proposals concerning adjustments to the 60+ program that is offered in various jurisdictions in Maryland. It will present an educational program devoted to the changing nature of federal benefits for elders and disabled persons at the MSBA Annual Meeting.



## SECTIONS AND COMMITTEES

### ENTERTAINMENT & SPORTS LAW

**Nakia V. Gray, Chair**

This Section provides a forum for communication among MSBA members with a shared interest in entertainment and sports law issues through educational information, networking, and professional opportunities; offers continuing legal education on a range of topics focusing on sports and entertainment matters; facilitates career development by promoting expertise in these and related practice areas; conducts meetings and other collaborative events; and engages in a variety of outreach activities for its target audiences, including the general public.

### ENVIRONMENTAL LAW

**Sarah Albert, Chair**

This Section voted to change its name from Environmental Law to Environment & Energy Law to reflect the integration of energy issues into its focus. It hosted a breakfast featuring speakers from the Public Service Commission and other energy-affiliated agencies to discuss emerging energy issues in Maryland; co-hosted a webinar with the Agriculture Law Section entitled “Update on the Bay: TMDL, Phase III WIP and BMP Verification”; and hosted an annual dinner with the Secretary of the Maryland Department of the Environment, Ben Grumbles, as the featured speaker. It will host a program entitled “Preserving a Legacy: Is a Conservation Easement Right for Your Client?” featuring speakers from Maryland Agricultural Land Preservation Foundation, the Maryland Attorney General’s Office, and the Eastern Shore Land Conservancy at the MSBA Annual Meeting.

### ESTATE & TRUST LAW

**David C. Dembert, Chair**

This Section proposed, reviewed, and testified on legislation affecting the practice of estates and trusts law in Maryland. It focused on legislation designed to further enhance trust administration, eliminating certain disparities between revocable trusts and estates and reforming the elective share, in addition to monitoring and, when necessary, providing testimony in the General Assembly, with respect to other proposed bills involving inheritance tax, estate tax, and certain trust and estate issues. It participated in three comprehensive meetings with various Registers of Wills and Orphans’ Court Judges, together with representatives from the Offices of the Comptroller and the Attorney General of Maryland, regarding matters impacting

estate administration, probate rules, inheritance and estate tax, guardianship, and other such matters. The Section provided extensive educational opportunities for attorneys with: CLE programs (including new programs focused on international estate planning, preparation of estate and gift tax returns, and drafting Pre-Nuptial Agreements, developed with the Family Law Section); monthly study group programs; a bi-annual newsletter; and the Advanced Estate Planning Institute, as well as the estate planning portion of the Advanced Tax Institute. It also undertook efforts to continue its growth by creating initiatives designed to attract young lawyers.

### FAMILY & JUVENILE LAW

**Kristine K. Howanski, Chair**

This Section expanded its accessibility with a number of open meetings across the state to increase membership participation in Section Council activities. It also presented several CLE programs, including a Tax workshop and Family Law University, and partnered with the Estate and Trust Section to present CLE programs on drafting and negotiating prenuptial agreements, as well as partnering with the Litigation Section on effective appellate argument in family law cases. The Section monitored and offered testimony on legislation that may affect the practice of family law and juvenile law. It also participated in updating the Domestic Violence manual.

### HEALTH LAW

**Shelly Marie Martin, Chair**

This Section held open meetings on the implications of the United States Supreme Court’s decision in *North Carolina Board of Dental Examiners v. Federal Trade Commission*, the future of the Affordable Care Act, individual liability for fraud pursuant to the Department of Justice’s “Yates memo”, and a legislative wrap-up.

### IMMIGRATION LAW

**Himedes V. Chicas, Chair**

This Section focused its efforts on building partnerships with other MSBA Sections as well as non-profit organizations in order to provide legal education to its members and pro bono legal assistance to community members. It continued to host its monthly brown bag lunch program, as well as monthly educational webinars (provided at no cost to Section members) discussing an array of pertinent immigration law topics, particularly in light of new sweeping immigration policies put forth

## SECTIONS AND COMMITTEES

by the Trump administration. The Section hosted its annual CLE Spring Conference in Baltimore, and will host a panel presentation addressing many of the newly enacted, and forthcoming, immigration enforcement policies that have changed the landscape of immigration practice for attorneys across the country, at the MSBA Annual Meeting, where it will also once again partner with local non-profits in the Eastern Shore to provide pro bono legal consultations with immigration law attorneys to the Eastern Shore community during the Annual Meeting.

### INTELLECTUAL PROPERTY

**Barry J. Herman, Chair**

This Section promotes MSBA’s objectives within the field of intellectual property law (e.g., patents, trademarks, copyrights, trade secrets, and licensing thereof) by bringing together MSBA members with a shared special interest in this field to further the study, development, and improvement of the law applicable thereto.

### LABOR & EMPLOYMENT LAW

**Keith J. Zimmerman, Chair**

This Section informed its members of legal developments in state and federal labor and employment law through its very extensive quarterly newsletter and polled its membership via a questionnaire for the first time in 15 years. It sponsored a Spring Dinner program on current issues in wage and hour litigation in April, followed by a brown bag luncheon co-sponsored with the Baltimore Field Office of the Equal Employment Opportunity Commission on federal employment discrimination laws, which included a meet-and-greet with the administrative law judges in the Baltimore Field Office, in May. The Section embarked on an outreach program with Maryland’s law schools; worked on updating its pages on the MSBA website; and formulated plans to launch a blog. It will present a program at the MSBA Annual Meeting entitled “The Gig Economy: The Uber Effect on Work Law”, which will explore the legal entanglements that Uber has faced, including claims of misclassification of workers, wage and hour violations, background check and safety concerns, and enforceability of its arbitration agreements, and is planning its first-ever networking happy hour in Baltimore City, as well as a continuing education program on the timely subject of the intersection of immigration and labor and employment law, for fall 2017.

### LEGAL EDUCATION & ADMISSION TO THE BAR

**Irrande Altema, Chair**

This Section continued to review and rule on Rule 19-217 (formerly Rule 16) as well as applications for supervised law student practice in Maryland courts, and closely examined proposed legislation that may impact law students and lawyers in the state. It co-hosted a discussion on “How to Become a Law Professor” for members interested in learning the process to obtain a career in academia in law schools in conjunction with the Young Lawyers Section. The Section also delivered oral and written testimony before the Maryland Court of Appeals’ Uniform Bar Exam (UBE) Advisory Committee in April, pursuant to publication of a UBE article in the Young Lawyers Section’s newsletter the previous year, and hosted a forum with executive members of the State Board of Law Examiners on the pros and cons of Maryland adopting the UBE.

### LITIGATION

**Hon. Kathryn Grill Graeff, Chair**

This Section took the lead on and/or cosponsored multiple education programs this year, including: Civil Practice in the District Court; Criminal Practice in the District Court, Effective Appellate Advocacy for Family Law Cases; and Implicit Bias in the Courtroom and ABA Resolution on Diversity in Law Firms and Corporations. It also held its annual dinner with the judges, this year featuring judges from the Maryland District Court and federal magistrate judges, where the judges offered practice tips and the Section presented The Honorable Glenn T. Harrell, Jr. Award of Judicial Excellence to Judge Patrice E. Lewis. The Section also published three editions of its newsletter, The Maryland Litigator, and discussed various legislative proposals, weighing in when appropriate. It will present two educational programs, “Spoiling for a Fight – Preventing, Spotting and Addressing ESI Destruction” and “United States Supreme Court Year in Review”, as well as present its Litigator of the Year Award, at the MSBA Annual Meeting.



## SECTIONS AND COMMITTEES

### NEGLIGENCE, INSURANCE & WORKERS' COMPENSATION

**Matthew D. Trollinger, Chair**

This Section continued to grow and draw a diverse group of members throughout Maryland who share an interest in networking with and learning more from practitioners experienced in workers' compensation and negligence and insurance cases in Maryland. It hosted a Fall/Winter Outreach program on Maryland Workers' Compensation Commission Appeals, as well as a Spring Outreach Program on Subsequent Injury Fund and Uninsured Employers' Fund practice and procedure. The Section will also present an educational program at the MSBA Annual Meeting.

### REAL PROPERTY

**Francie C. Spahn, Chair**

This Section brings together, for the furtherance of their mutual interest, MSBA members having a special interest in real property and related law, including, but not limited to, laws concerning eminent domain, foreclosure, land acquisition and development, land records, leasing, real estate financing, common interest ownership communities, title, and zoning, and furthers the study, development, and improvement in such law.

### SENIOR LAWYERS

**Rob Ross Hendrickson, Chair**

This Section continued working to maintain connections among older lawyers, whose extensive career knowledge and legal experience warrant recognition and preservation, by hosting lunch meetings in alternating months, offering a wide variety of meeting programs of interest to members, as well as a newsletter published after each meeting. It also presented its annual Senior Lawyer of the Year Award to attorney James Garland. The Section invites any MSBA member in good standing 60 years of age or older, whose Association dues have been paid or waived, and whose Section dues have been paid, to join; those aspirants meeting its discriminatory age requirement are welcome to lunch with other Section members and enjoy the great company and wisdom they offer, even to youngsters in their 70s.

### SOLO & SMALL FIRM PRACTICE

**Lisa A. Hesse, Chair**

This Section hosted its 16th Solo and Small Firm Conference in November, featuring educational sessions such as "How Much is That Law Firm in the Window: Valuation and Sale of a Law Practice", "Cybersecurity for Lawyers", and "Time to Get Social Media Savvy", followed by a networking lunch. It reached out to its members located outside the Baltimore Metropolitan Area by holding two networking events – "Network with Other Solo Practitioners" in July in Easton, and "Learn, Connect & Socialize with Solo/Small Firm Practitioners" in October in Frederick – and it plans to extend this outreach in the coming years. The Section presented its traditional Hanging Out a Shingle program in July and again in March, offering educational programs on starting a solo practice, keeping clients, avoiding malpractice, handling stress, and learning new technology. It will present its Solo Day educational programming (featuring such topics as "The Cannabis is Coming", "E-Discovery of Social Media: How to Get It, How To Protect It", and "Spotting and Tackling Constitutional Law, Solo/Small-Style") at the MSBA Annual Meeting.

### STATE & LOCAL GOVERNMENT

**Carol S. Rubin, Chair**

The Section increased outreach to its members through the establishment of a quarterly Section Newsletter featuring substantive issues addressed through summaries of recent cases relevant to Section members, as well as regularly updated Section news. It also increased programs and educational opportunities this year, including an informative presentation about the SEC's enforcement efforts in the state and municipal bond market, co-hosted with the Maryland Association of Counties. The Section convened at the Maryland Court of Appeals in March to hear from The Honorable Robert N. McDonald, The Honorable Michele D. Hotten, and The Honorable Joseph M. Getty as they shared their thoughts about the history of the court with a focus on appearance by government lawyers and how to deliver more effective presentations. Its Annual Institute for Law Day focused on the legal issues surrounding "sanctuary cities", and the Section will continue this trend of addressing hot legal topics with its educational program "Trumping Home Rule", which will examine the purpose of Home Rule for counties and municipalities in Maryland with a lively discussion of some recent examples of

## SECTIONS AND COMMITTEES

### VETERANS' AFFAIRS & MILITARY LAW

**Steven F. Wrobel, Chair**

This Section continued to assist jurisdictions in helping launch Veterans' Treatment Courts and Dockets across the State of Maryland, with the launches of the Anne Arundel County District Court and the Frederick County Circuit Court's Veterans' Courts/Dockets satisfying the Section's aspirational goal of seeing two such programs added to the state each year. It also: again worked with the University of Baltimore School of Law to plan and execute its annual Veterans Conference; hosted an attorney recruitment dinner for Section members; worked with the Military Spouse J.D. Network and Army One Source on legal assistance to Veterans; and referred over 100 veterans to Section members for legal services. The Section also produced multiple articles on veterans' issues for the April edition of the Bar Bulletin; assisted the MSBA Leadership Academy in presenting its "Day of Service for Maryland's Vets"; held meetings in Baltimore, Annapolis, Curtis Bay, and Bowie; and enjoyed an evening at the Bowie Baysox on Military Appreciation Night in August. It also presented its Annual Brigadier General Philip Sherman Award to Judge Halee Weinstein in April for her successful stewardship of the Baltimore City Veterans' Treatment Docket.

### YOUNG LAWYERS

**E. Regine Francois, Chair**

This Section's theme for the year was "Refine, Recruit & Re-Energize: Bringing Value to Young Lawyers", which included traveling and implementing programs throughout the state in an effort to deliver value to Maryland's young lawyers. Its members provided: pro-bono hours with the Section's Wills for Heroes program and expungement days; networking, educational, and CLE opportunities such as its 10-Tips Thursdays seminars and membership Wednesday events, featuring topics such as branding, trying the criminal case, and how to retire early. The Section fostered a family-friendly dynamic with a visit to the zoo and spending an afternoon at a farm, while continuing with traditions such as raising money for Special Olympics Maryland through participation in the 21st Annual MSP Polar Bear Plunge in January and the One Love Foundation through the Section's 26th Annual Charity Event Gala in April. It continues to re-energize its members with exciting and relevant activities in its ongoing efforts to provide a home in which the state's new and younger lawyers may flourish both professionally and personally.



the narrowing of Home Rule by the General Assembly and the Courts through express preemption, conflict preemption, and implied preemption, at the MSBA Annual Meeting.

### TAXATION LAW

**Andrew "Jay" Maschas, Chair**

This Section continued its tradition of staffing its U.S. Tax Court Pro Bono Program and executed the first-ever Low Income Taxpayer Representation Project with the Maryland Tax Court, in which the Section connects volunteer attorneys with low-income taxpayers to better prepare individuals to represent themselves before the Maryland Tax Court. It provided three pro bono tax training seminars as well as offered volunteer attorneys to the Maryland Volunteer Lawyers Service, and also co-sponsored the annual Advanced Tax Institute, the premier educational program for tax lawyers in Maryland, as well as a Diversity in Transaction Practice panel discussion and networking event, and an educational program on Section 1031 real estate exchanges. The Section again hosted a successful Tax Networking Night in November, enabling members to network with tax and accounting colleagues, including Maryland and federal tax administrators, and presented its first annual scholarship award to a law student interested in practicing tax law in the state of Maryland. It will present its Tax Excellence and J. Ronald Shiff Memorial Pro Bono Awards at its annual Irving Shulbank Memorial Dinner and Program in May, and will present an educational session on potential federal and state tax law changes by the Trump administration at the MSBA Annual Meeting.



# SECTIONS AND COMMITTEES

## STANDING COMMITTEES

### BUDGET & FINANCE

*John J. Murphy, III, Chair*

This Committee reviews budget requests from the various Sections, Committees, and other MSBA-related programs and submits a final budget for the Board of Governors' approval. It also makes recommendations to the Board regarding budget amendments, financial policies, and long-range fiscal plans.

### CONTINUING LEGAL EDUCATION

*Rebecca L. N. Strandberg and James Parsons, Co-Chairs*

This Committee worked to enhance the professional development of the legal community and promote the benefits of MSBA membership by providing high-quality CLE programs and publications in a variety of media formats and at a reasonable cost. It oversaw the publication of nine legal treatises over the course of this bar year, including an all-new Maryland Employment Law Desk Book and a brand-new Maryland Civil Pattern Jury Instructions, which hadn't been newly published for almost a decade. The Committee produced 30 CLE seminars, which were also webcast and offered online on-demand. It also established a plan for a workshop that will enable younger attorneys to learn good presentation and authoring skills, in the interest of developing a talent pool to support the MSBA's current faculty and authors.

### ETHICS

*Patricia M. Weaver, Chair*

This Committee issued written opinions on the proper interpretation of the Rules of Professional Conduct, which are indexed and available on MSBA's website. The Committee met monthly to discuss draft opinions, proposed Rule changes, and other matters relating to attorney ethics. It also published an opinion in each issue of the *Maryland Bar Journal*. The Committee provided oral advice on the interpretation and application of the Rules through the operation of a telephone "hotline" service, announcing the volunteer names each month in the *Bar Bulletin* and on the website.

### JUDICIAL APPOINTMENTS

*Sidney A. Butcher, Tiffani S. Collins, and John C. Fredrickson, Co-Chairs*

This Committee interviewed and evaluated applicants for judicial vacancies at trial and appellate levels throughout the State. It is authorized, pursuant to the MSBA's bylaws, to advise the Judicial Nominating Commissions and the Governor that it finds an applicant for judicial appointment is "highly recommended", "recommended", "not recommended", "not recommended at this time", or that the Committee has "insufficient information" to form an opinion as to the applicant's qualifications; its recommendations apply to any future applications for the same judicial position within eighteen (18) months from the interview date. The Committee also reviewed the questionnaires of applicants, interviewed the applicants, and contacted references and other members of the legal community before voting on the qualifications of each applicant.

### LAWS

*Karen Federman Henry, Chair*

This Committee prepared 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 reviewed all bills filed during the state legislative session, recommended positions on bills of interest to MSBA, and presented the Association's positions on bills through written and/or oral testimony during the session. The Committee also assisted in amending proposed legislation and securing passage of MSBA-supported bills.

### LAWYER ASSISTANCE PROGRAM

*Hon. William G. Simmons and Jay D. Miller, Co-Chairs*

This Committee expanded its services, offering comprehensive lawyer assistance to help members who are experiencing a broad range of problems and personal concerns such as: alcohol; drugs; mental health; stress; family; and wellness issues. It received more than 100 referrals to assist judges, attorneys, and others in the legal community who have trouble in their professional or personal lives annually. The Committee also offered orientations and trainings to the law schools and legal community on the Lawyer Assistance Program, wellness, mental health, substance abuse, stress management,

# SECTIONS AND COMMITTEES

and compassion fatigue by offering presentations, support groups, and panel participation. It provided monthly tip sheets to educate the legal community on a variety of topics, and held monthly core group meetings and quarterly business meetings to identify, facilitate, and support those experiencing problems.

### LOCAL AND SPECIALTY BAR LIAISON

*Taren Butcher and Ranju Shrestha, Co-Chairs*

This Committee hosted the 57th Annual Conference of Bar Presidents September 29-October 1, 2016, in Lancaster, Pennsylvania, where the gathering of local and specialty bar leaders from across Maryland met for plenary sessions and networking opportunities, including panel discussions on standardized judicial nominating criteria for bar organizations and how to embrace millennials in your bar association; the Conference also concurrently hosted the monthly Board of Governors meeting and the Young Lawyers Summit. The Committee also explored ways to engage the incoming chairs and presidents of the local and specialty bar associations throughout the bar year to strengthen partnerships amongst the associations.

### MEMBERSHIP

*Michelle K. Wilson, Chair*

This Committee focuses on recruitment and retention of members, communication within and outside the Association, and the provision of tangible benefits to MSBA members.

### PATTERN JURY INSTRUCTIONS

*Sara H. Arthur, Chair*

The Criminal Pattern Jury Committee is about to issue the 2017 Supplement to its Second Edition. The Civil Pattern Jury Instruction Committee published its Fifth Edition in February 2017.

### PLANNING

*E. Regine Francois, Chair*

This Committee drew on recommendations from last year's Planning Retreat as it continued working to improve Maryland's legal profession and bar by serving as the think tank for the MSBA. It made recommendations in the following areas: Technology: Cloud Computing and Development of an APP, Member Relevance, Oversight of past recommendations and YLS concerns: pipeline and strategic planning. It will present its full report and recommendations to the Board of Governors in May.

### PROFESSIONALISM AND CIVILITY

*Hon. Robert B. Kershaw and Barry M. Nudelman, Co-Chairs*

This Committee promotes professionalism and civility among Maryland lawyers, judges, and citizens. It established the Charles Dorsey Award to recognize the professionalism of a member of the bar or bench and will be considering candidates for this award in the future. It will present a program at the MSBA Annual Meeting.

### PROGRAM

*Alice S. Chong and Michael J. Winkelman, Co-Chairs*

This Committee planned educational programs on current topics, including opportunities for social interaction as well as the MSBA Midyear Meeting, held in February in Jamaica, and continues to seek opportunities to make all of its programming timely, relevant, innovative, and instructional to address the needs of the various MSBA Sections and Standing and Special Committees. It is planning the MSBA Annual Meeting, where it will feature substantive law and practice programs.

### PUBLIC AWARENESS

*Gwendolyn S. Tate, Chair*

This Committee works to enhance the public's understanding of the law through community education and outreach. It facilitated several ongoing public service projects on behalf of MSBA, including its series of 24 public awareness legal information guides, which are disseminated to the public free of charge; its Speakers' Bureau, through which volunteer attorneys go out into the community and educate the public about the law; and, in conjunction with the Young Lawyers Section, the One Bar/One Community volunteer opportunities, which this year included such initiatives as the MSP Polar Bear Plunge benefiting Special Olympics Maryland, BARCs, The Friends of Patterson Park, Operation Welcome Home, Honor Flight, and many more. The Committee also sponsored its annual Law Day program, in conjunction with the Citizenship Law-Related Education Program (CLREP), which this year took on a new format as a mock trial targeted to elementary school participants at Baltimore's Port Discovery Children's Museum; the program, "Yertle the Turtle: Due Process Freedoms", illustrated this year's ABA-prescribed focus, "The 14th Amendment: Transforming American Democracy".

## SECTIONS AND COMMITTEES

### RESOLUTION OF FEE DISPUTES

**Charles O. Fisher, Jr., Chair**

This Committee is composed of an Executive Council, consisting of a Chair and seven Vice Chairs, and more than 100 members who volunteer to act as Client Representatives and Arbitrators. Its Executive Council meets approximately four times per year to vote on the disposition of cases.

### RULES OF PRACTICE

**P. Tyson Bennett, Chair**

This Committee's principal function is to follow the proceedings of the Maryland Court of Appeals' Rules Committee and to serve as the liaison between the MSBA and the Court's Rules Committee. The Association's representatives interact with MSBA leadership and staff as appropriate.

### TECHNOLOGY

**Diane P. Kilcoyne, Chair**

This Committee works with MSBA staff to address access to all MSBA technology resources by MSBA members. Following its successful panel presentation featuring presentations by Maryland District Court Chief Judge John Morrissey on the Maryland Electronic Court (MDEC) e-filing and on changes to the Maryland Judiciary Case Search site, and United States District Court Judge Paul Grimm on the recent Amendments to the Fed.R.Civ.P. and the Proposed Amendments to the Fed.R.Evid., at last year's Joint Bench-Bar Conference, the Committee continued its inquiries into areas such as privacy, social media, and cybersecurity guidance for MSBA members, and looks forward to working with the new MSBA Executive Director as it considers numerous potential educational resources for MSBA members. This year, it worked to develop a social media policy; assisted in the development of a user's guide for remote video access to MSBA Committee meetings; participated in a program with the Solo & Small Firm Practice Section on electronic filing; worked to develop a technology email discussion group for use by MSBA members; and continued to develop a database of business and technology *nisi prius* decisions for use by MSBA members

## SPECIAL COMMITTEES

### APPOINTMENTS

**Jason Crist Hessler, Chair**

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

### ASIAN AMERICAN BAR

**Rajni K. Sekhri, Chair**

This Committee works to raise the standard of legal services provided to Maryland's Asian-American Communities. It is seeking new members and encourages participation from lawyers who have an interest in supporting the Committee's mission. (Please note that this call for committee members is not limited to lawyers who are of Asian descent.)

### CIVICS & LAW

**Mary Ellen Flynn and Alicia Lynn Wilson, Co-Chairs**

This Committee – a partnership between MSBA, the Maryland Judiciary, CLREP, and the Maryland Public School System – engages young people of high school age in learning about law and civics. It hosted two Civics & Law Academies, in Montgomery and Washington Counties, featuring a faculty of volunteer lawyers and judges and providing the student participants with four hours

of focused instruction and interactive discussions on topics such as Law and Justice; Rights and Responsibilities; Free Speech, School Speech, and Protected Speech; and Power and Empowerment. The Committee also sponsored the two students who won its essay contest to attend the Annual National Civics & Law Academy in Washington, D.C.

### DIVERSITY & INCLUSION

**Hon. Toni E. Clarke and Robert T. Gonzales, Co-Chairs**

This Committee developed several recommendations for generating programming and support that will further the goals and objectives consistent with the MSBA Diversity and Inclusion Statement, including: enhancing the web presence of the Statement, maintaining an online calendar of all upcoming activities of the state's Diversity and Minority Bars; the creation of a speakers' bureau/catalogue of minority attorneys who are willing and able to speak on certain identified topics; encouraging diversity and inclusion in Section leadership; and developing a Diversity Summit or Symposium to foster statewide dialogue about diversity and inclusion in all sectors of the legal community.

### EDITORIAL ADVISORY

**Courtney A. Blair, Chair**

This Committee oversees production of the *Maryland Bar Journal* and the *Bar Bulletin*, providing to members beneficial information regarding the legal profession. The *Journal*, available

in print and online, features timely legal theme issues, while the *Bulletin* includes a range of substantive legal topics as well as practical information relevant to Maryland lawyers.

### INVESTMENTS

**Cleaveland D. Miller, Chair**

This Committee oversees MSBA's prudent investment of Association assets. Its 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

**Magistrate Monise Alexis Brown and William Carl Isler, II, Co-Chairs**

This Committee celebrated its 20th anniversary this year by recognizing the leadership and career achievements of its esteemed alumni while continuing its ongoing mission of training, nurturing, and developing a diverse group of young lawyers, identified from a competitive pool of applicants as having superior leadership potential, to prepare them for leadership roles in their legal careers, their communities, and the MSBA. This year's Class of Leadership Academy Fellows focused its public service project on serving Maryland's veterans with a daylong attorney training and legal clinic, "A Day of Service to Maryland Veterans", which served to educate area veterans on their individual rights and available public benefits, trained attorneys on how to specifically serve veterans, and provided free legal services to veterans in various legal areas.

### MARKETING

**Stanford G. Gann, Jr., Chair**

This Committee worked with part-time marketing coordinator Patricia Yevics for the duration of her six-month contract to implement several campaigns proposed by the Marketing Plan issued by McKinley Advisors in March 2016, as well as several additional projects that are ongoing in nature. It anticipates this marketing effort will continue under new guidance, and that methods to evaluate and measure the results of implemented marketing efforts will be developed in the 2017-2018 bar year and beyond.





# SECTIONS AND COMMITTEES

## PAST PRESIDENTS

*Debra G. Schubert, Chair*

This Committee meets in the fall and the spring of the bar year. It continues to discuss issues of importance to the MSBA, including the future plans for Bar Headquarters, assistance to our new Executive Director, participation in special committees, and the continued involvement of Past Presidents in the ABA House of Delegates and the National Conference of Bar Presidents.

## VOIR DIRE

*Hon. Sherrie L. Krauser and Paul M. Sandler, Co-Chairs*

The Committee presented its report, "The Model Jury Selection Questions (MJSQ ) for Civil and Criminal Trials", at the Maryland Judicial College in October, and has revised the MJSQ to incorporate comments and suggestions received, reference citations, and Committee notes. It will present the newest version of the MJSQ at the MSBA Annual Meeting.

## WELLNESS

*Kellie Lego and Carol Ann Smith, Co-Chairs*

This Committee, an initiative of Immediate Past President Judge Pamila J. Brown, works to promote all aspects of lawyer wellness by attempting to identify factors that impact the emotional and physical well-being of attorneys and educating members of the bench and bar about wellness issues and available resources. It maintains a website, Be Fit to Practice ([www.befit-topractice.org](http://www.befit-topractice.org)), which provides information about,

among other things: managing finances; delicious and healthy meal ideas; and various athletic events and suggestions on preparing oneself to participate in such events, as well as highlights members and the wellness events and activities in which they were involved. The Committee also sponsored its second annual wellness event for MSBA members, their families, and friends in February at Crazy 88 Mixed Martial Arts, whose knowledgeable staff taught an engaging, fun, multi-disciplinary workout consisting of Muay Thai, Mixed Martial Arts, and Boxing. The Committee will join forces with the Pro Bono Resource Center of Maryland and the People's Law Library of Maryland for their annual Run for Justice 5K Walk/Run in May.

