

**MARYLAND STATE BAR ASSOCIATION  
BOARD OF GOVERNORS  
TUESDAY, NOVEMBER 23, 2004  
MARYLAND BAR CENTER  
520 WEST FAYETTE STREET  
BALTIMORE, MD 21201  
BAR HEADQUARTERS CONFERENCE ROOM  
5:30 P.M.**

The meeting was called to order at 6:00 p.m. Twenty four Board members were present.

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**I. MINUTES**

- A.** Approval of Board of Governors Minutes for October 15, 2004.  
Upon motion made and seconded, the minutes were approved by the Board.

**II. REPORT OF THE OFFICERS**

**A. REPORT OF THE PRESIDENT**

Report on Southern Conference of Bar Presidents.

The President outlined the events at the meeting, and indicated the high esteem in which the Maryland State Bar is held.

1. Report on various correspondence and articles.
  - a. ABA Thurgood Marshall Award - The President indicated that he forwarded information about the award to the local bars.
  - b. Death of James McSherry  
President Helfrich lamented the passing of attorney James McSherry and remarked that a moment of silence was held at the October meeting.
  - c. Death of Judge Robert Hammerman  
President also expressed his regrets regarding the death of Judge Hammerman.
  - d. The Board was referred to the following articles of interest:
    1. Daily Record Editorial on Lawyer Incivility
    2. Revelations re Edgar Allen Poe's grave by Senior Lawyer Section Chair Philip Sherman
    3. Wall Street Journal on U.S. Supreme Court Appointments
2. Report on Attorney Grievance Commission for 2003.  
The Annual AGC Report indicated that the number of complaints was steady, but that disbarments rose from 12 to 22.
3. Report on Sitting Judges Elections .

It was noted that 2 sitting Anne Arundel Circuit Court Judges lost in the general election. In Montgomery County, all the incumbent judges survived their contested election.

4. Report on Medical Malpractice Insurance Developments.  
The Board was provided 59 pages of relevant news clippings and studies on this issue. No special session of the legislature has yet been called.
6. Report on Proposed Rules of Professional Conduct Hearing.  
It was announced there will be a public hearing on January 10 at 2:00 p.m. at the Court of Appeals. The Board had considered these Rules in June, 2003.
7. Novemberfest. President Helfrich commented on the success of the Young Lawyer's Novemberfest.
8. NCBP Scholarship.  
A motion was made and approved to make available \$1500 to be provided Minority bar association leaders wishing to attend the National Conference of Bar Presidents.

B. REPORT OF THE EXECUTIVE DIRECTOR

Paul Carlin announced 938 successful bar examinees. This is a 64% pay rate. The Executive Director also announced that the documentation previously approved for the MICPEL loan was almost complete. It was also announced that the MSBA on-line survey is underway. Greg Derwart is working on a Disaster Preparedness and Response Policy at the request of the Executive Director.

1. Membership
  - a. 41 resignations, 14 deceased, 55 total deletions.
  - b. 15 new members, 21 reinstatements, 36 total additions
  - c. Membership Count : 20,842 Total
  - d. Report on Honorary Memberships.  
Ernest A. Sciascia and Edward E. Obstler were approved.
2. Report on 2005 Board of Governors Nominations.  
The deadline for nominations is February 14, 2005.
3. Report on miscellaneous items.  
Paul Carlin reported on the following items:
  - a. University Suites at Fayette Square
  - b. Request and receipt of \$35,000 from Client Protection Fund
  - c. Transfer of Legal Assistance to Military Personnel to MVLS
  - d. Distribution of Video Oral History to 56 Institutions of Higher Learning.
  - e. MBNA allowed to offer AMEX credit cards

- f. December meeting will be at State House in Senate Chamber at 5:00 p.m. ABA House of Delegates positions will be filled at that meeting. There are 8 nominees.

**C. REPORT OF THE SECRETARY**

The Secretary thanked the President for the “found time” due to the cancellation of of the Executive Committee meeting.

**D. REPORT OF THE TREASURER**

- 1. Review of Financial Statement as of October 31, 2004.

Treasurer Gilliss delivered a moving reported as follows:

- \$4.496 million in investments
- \$2.1 million dues through October = 95.5% of budgeted dues for years.

- 2. Request approval of Budget Amendment.

The following proposed budget amendments were approved by Board

Criminal Law \$1,152.00

Elder Law \$856.00

Planning Retreat \$14,750 were approved by the Board

**E. REPORT OF THE PRESIDENT-ELECT - No report.**

**III. REPORTS OF STANDING COMMITTEES -No report.**

**IV. REPORTS OF SPECIAL COMMITTEES - No report.**

**V. REPORTS OF SECTIONS**

- A. A report on YLS Novemberfest and other activities was presented. “TOYS FOR TOTS” are being solicited by YLS.
- B. Mary Ellen Flynn reported on the Solo & Small Firm Conference.

**VI. UNFINISHED BUSINESS AND GENERAL ORDERS**

- A. Report on Legal Malpractice Insurance Disclosure by Board Committee. Robert Ferguson, Hughie Hunt, Stephen Ring, Brian Zemil.

Bob Ferguson reported that his committee does not recommend the adoption of the model rules on lawyer insurance disclosure recommended by the ABA. A motion was made, seconded and approved to advise Judge Bell of MSBA’s position on this matter.

**VII. ANNOUNCEMENTS**

Kathy Howard announced the Baltimore City Bar Foundation subscription program to Center Stage.

**X. ADJOURNMENT**

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Alison L. Asti, Secretary