

**MARYLAND STATE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING
MINUTES
TUESDAY, DECEMBER 16, 2008
CLARENCE MITCHELL COURTHOUSE
100 N. CALVERT STREET
BROWN ROOM #504
BALTIMORE, MARYLAND 21202**

President Katherine Kelly Howard called the meeting to order at 5:07 p.m. There were 38 members, the Executive Director, various bar staff, and guests present.

I. MINUTES

The Minutes for the Board of Governors Meeting of November 18, 2008 were approved as submitted.

II. REPORT OF THE OFFICERS

A. REPORT OF THE PRESIDENT

President Howard invited welcoming remarks from the President of the Baltimore City Bar Library, George W. Liebmann, and the President of the Bar Association of Baltimore City, Thomas J S Waxter, III.

1. President Howard advised that the FDIC has now included IOLTA bank accounts as part of the unlimited deposit insurance program under the Temporary Liquidity Guarantee Program. The effect of this action is to fully insure clients' fund accounts regardless of the amounts placed on deposit.

2. President Howard called the Board's attention to various correspondence and clippings sent with the Agenda package. These included information about the Leadership in Law Awards; the announcement that Board member Timothy H. Sheridan is Baltimore County's new Court Administrator; the Examiner Editorial; a tongue in check reference to the President's Page by an imposter MSBA President (Maine not Maryland); the Washington Post article on foreclosures; the advertisement regarding the retired chief judge of the United States Fourth Circuit Court of Appeals joining a law firm; the Daily Record Video on Eminent Domain; and the Wall Street Journal article on lawyer outsourcing.

3. At the request of President Howard, the Board of Governors approved a resolution honoring M. Peter Moser, recently deceased Past President of the MSBA.

4. President Howard announced the resolution of the funding crisis for panel attorneys by the Office of the Public Defender. Additional funding is now being provided by the State of Maryland and the panel attorneys will be paid.

5. A report on cell phone usage in courthouses throughout the State will be provided at the January, 2009 Board meeting. A statewide policy is being sought by the judiciary.

6. President Howard announced the rollout of MSBA Public Awareness Committee's

YouTube Contest and urged the Board to see the announcement on our website.

7. President Howard provided information about the Bank of America refusing a deposit by an attorney into his trust account of a large settlement check and the ensuing controversy.

8. President Howard provided additional information about the Business Law Section's effort to improve response time with corporate filings at the Maryland SDAT.

9. Information about the numerous vacancies at the United States Fourth Circuit Court of Appeals was provided by President Howard, including the long standing Maryland vacancy that dates back to the death of Judge Francis D. Murnaghan in 2000.

B. REPORT OF THE EXECUTIVE DIRECTOR

1. The Executive Director reported the following changes in membership since the Board of Governors meeting on November 18, 2008:

Resignations – 64; Dropped members – 1; Deceased members - 2

New members – 6; Reinstatements - 13

Total membership count - 23,366

2. The following honorary members were approved as presented by the Executive Director: Jon Harlan Livezey and Harry S. Shapiro.

3. The Executive Director presented a request for a waiver of dues from a recent admittee who resides in New Mexico. The Board approved a one year waiver.

4. The Board approved the Executive Director's request to extend the deadline for the payment of dues by overdue members to February 28, 2009.

5. The Executive Director advised the Board that his staff had discontinued access to the electronic benefits of members for unpaid members. He also reported on the success of the Solo and Small Firm Conference held on November 8, 2008 which was overseen by Pat Yevics. He also advised that applications for the Leadership Academy are now being accepted.

C. REPORT OF THE SECRETARY

1. The Secretary advised that the Executive Committee met through a teleconference conducted on December 3, 2008.

D. REPORT OF THE TREASURER

1. Treasurer Kudel advised that total dues income was \$2,636,770.15, total income was \$3,079,022.64, and total expenses were \$1,266,597.28, leaving unexpended funds of \$1,571,070.05, all as of November 20, 2008.

2. Treasurer Kudel discussed the management letters that had been received from the Association's auditors, Ellin & Tucker. He indicated that responses had been provided to Ellin & Tucker who were very satisfied.

E. REPORT OF THE PRESIDENT - ELECT - None.

III. REPORTS ON STANDING COMMITTEES

Michael J. Baxter, Chair of the Committee on Laws, and Richard A. Montgomery,

Director of Government Relations, presented the Legislative Program which the Board of Governors approved. They made suggestions for by-law changes which must be presented and considered at the June, 2009 annual membership meeting.

IV. REPORTS ON SPECIAL COMMITTEES

Judges Marcella A. Holland and Robert Kershaw, co-chairs of the Courthouse Construction Committee for Baltimore City, shared with the Board of Governors their efforts to study the vexing problem of how to deal with the 112 year old Clarence M. Mitchell, Jr. Courthouse.

V. REPORTS OF SECTIONS - None.

VI. UNFINISHED BUSINESS AND GENERAL ORDERS

Sharon E. Goldsmith, Executive Director of the Pro Bono Resource Center, advised of the progress of the Foreclosure Prevention Pro Bono Project. 708 attorneys have been trained so far and 150 cases have been referred out. MVLS, Prince George's County Pro Bono Committee, Bar Association of Montgomery County Pro Bono Referral Committee and the Allegheny County Law Program have all contributed efforts to assist in this project.

VII. NEW BUSINESS

The Honorable Ben Clyburn, Chief Judge of the District Court of Maryland, made a presentation to the Board of Governors concerning the current status and future planning to implement the Integrated Statewide Court Management System ("ISCMS") in Maryland. The goal of the ISCMS is to automate court operations/management and integrate the computer applications serving the entire court system on all levels across the state. In short, the ISCMS will help the courts get the right data to the right person on time. At the present time there are 5 separate case management systems across the state that do not talk to each other electronically. The components of ISCMS will include case management, document management, IJIS interface, financial management, jury management, public access, electronic filing, calendar/docket management.

VIII. ANNOUNCEMENTS - None.

IX. EXECUTIVE SESSION

The Board of Governors met in executive session to act as a nominating committee for the candidates for MSBA office during the 2009-2010 bar year. Thomas D. Murphy was selected for the office of President-Elect and John P. Kudel was selected for the office of Treasurer. Kathleen Chapman and Henry E. Dugan, Jr., were nominated for the office of Secretary. Following a vote by the Board of Governors, Henry E. Dugan, Jr., was selected as the Secretary-nominee.

X. ADJOURNMENT - The Board of Governors meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Thomas D. Murphy, Secretary