

MARYLAND STATE BAR ASSOCIATION, INC.

ANNUAL REPORT 2010/2011

Volume XX

MSBA is pleased to present its membership with a brief overview of the year 2010/2011, 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.

2010/2011 MSBA EXECUTIVE COMMITTEE



Thomas D. Murphy
President



Henry E. Dugan, Jr.
President-Elect



Michael J. Baxter
Secretary



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Eighth District



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Marla Zide
*Chair, Young Lawyers
Section*

Elizabeth S. Morris
Young Lawyers Section

PRESIDENT'S MESSAGE

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I AM PLEASED TO PROVIDE YOU WITH THE MARYLAND STATE BAR ASSOCIATION'S (MSBA) 2010-2011 *Annual Report*. As you can see from the *Report*, the MSBA remains a fiscally sound and strong organization despite the challenging economic times that all of us face, both professionally and personally. Our membership now exceeds 24,000, which reflects our Association's continuing attraction as the premier lawyers' group in Maryland and we continue to be the largest in-state association in Maryland. We continue to have exceptionally strong standing and special Committees which now number 34 with new groups being groomed each year, particularly the Special Committee on Veterans Affairs and Military Law. Our 27 Sections provide vital support for our members' law practices. All of the work that our members contribute through our Committees and Sections form the backbone of the MSBA. That effort supports our mission of providing the service vital to the association and promotes the professionalism that is the core of the MSBA. The *Annual Report* contains summaries of the activities of these Committees and Sections this year which I encourage you to review.



Thomas D. Murphy

In conjunction with these comments, I want to highlight that our new CLE Department is providing a core function to our members. As you might recall from early last year, MICPEL was moribund and it fell to the MSBA to resuscitate the delivery of statewide continuing legal education to Maryland lawyers. In effect, the MSBA was given the opportunity to create a new and better business model to deliver CLE to Maryland lawyers. That challenge has been answered with striking success. We now have four employees and we intend to continue to grow with electronic access to programs at a cost-effective price and with a convenience not previously available along with a growing respect for our efforts both within and outside Maryland.

Another resounding success for the lawyers of Maryland is a change that the MSBA sought and succeeded in achieving and that is the new cell phone policy at our courthouses. With a hodgepodge of previous rules, regulations and unknowns, a uniform policy on bringing electronic devices was warranted. The MSBA was an integral component in the formulation and implementation of the new rule. I think I can retire my current Blackberry, which is probably the last such device in existence that does not have a camera.

As I craft this message to you, the Court of Appeals has announced the 2009 report on the pro bono hours that Maryland lawyers donated that year. It exceeds 1.5 million hours and, in addition, our lawyers donated \$3,200,000 to support legal services for the disadvantaged. This is a tremendous outpouring of efforts and funds from the lawyers of Maryland. Each of you should be justly proud of the extraordinary level of giving and sacrifice.

One of the principal questions that is posed to me in my role as President of the MSBA is the status of the proposed rule mandating that Maryland lawyers engage in continuing legal education. My answer to those who ask and in this *Annual Report* is that it is clear that Maryland lawyers do not support the imposition of the so-called MCLE. The Court of Appeals will make that decision and hopefully based on the survey that was conducted by the MSBA and the Court the answer will be that it is not necessary to impose such a requirement.

Our Planning Committee conducted a retreat at the end of March which continues the MSBA history of anticipating the future course of our association and reacting to that need.

Many thanks to Paul Carlin, our Executive Director, and our wonderful MSBA staff for the efforts they have expended this year. Our Association is extremely well regarded throughout the country. For that national respect, we recognize that it comes from the years of strong example provided by our elected officers and Paul Carlin's excellent leadership at Bar Headquarters. Our Association will remain in excellent hands when my term as President ends and Henry Dugan undertakes this role. Henry will host the Mid-Atlantic Bar Conference this fall in Baltimore and have the opportunity to showcase our state to bar leaders who will attend from the District of Columbia all the way up to New York State. My tenure has been rewarding beyond description to me. I thank you for the opportunity to serve as President of the MSBA.

2010/2011 MSBA BOARD OF GOVERNORS

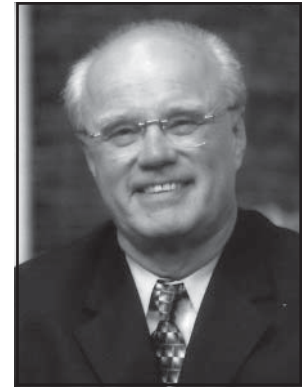
4	Thomas D. Murphy <i>President</i>	Charles O. Fisher, Jr. <i>Eleventh District</i>	Marshall B. Paul <i>First District</i>
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	Alan D. Eisler <i>Sixth District</i>	James L. Parsons, Jr. <i>Sixth District</i>	
	Robert L. Ferguson, Jr. <i>First District</i>	Scott G. Patterson <i>Third District</i>	

EXECUTIVE DIRECTOR'S MESSAGE

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TIME AND VALUE. THOSE ARE TWO FACTORS FOR THE MARYLAND STATE BAR ASSOCIATION (MSBA) to always consider when evaluating the services we offer our members. There is the Einstein Theory of Time and Space: Time being that element which stops all things from happening at once and Space being that element which stops all things from happening to me...or you. (Apologies to Albert.) But for at least the last 10 years or so, Time is 24/7/365. Now, it all happens every hour, every week, all year long. Have you noticed that 2011 is almost half-gone?

The MSBA would like to be in our members' minds all the time, but that was probably never the case and it certainly is not the case now due to so many competing concerns which take priority, like earning a living in your work, efforts to arrange time for family events and activities, being involved in your community and striving to find the elusive work-life balance. Of course, the MSBA staff lives the work of the Association every day, arranging the many programs and activities which we provide. To a great extent, so do our volunteer leaders as MSBA Officers, Board of Governors, Section Councils and Committee members. But the total number of members actively involved with our activities is about 1,500 out of our 24,000 members. As studies have shown, the great majority of Association members are "mailboxers," i.e., they want to be members and receive the benefits, but prefer to be left alone to pursue their practices. Time is the critical factor. The MSBA saves our members time by evaluating good practice benefits at reduced costs so that members don't need to spend time doing so. Although communication lies at the core of any association, the MSBA staff tries to limit the volume of communications to its members to only those messages which are most critical. With Twitter, Facebook and LinkedIn all available, one wag said, "What we have here is a failure to stop communicating," (with apologies to Paul Newman), as in TMI!



Paul V. Carlin

The MSBA always strives to provide value. Remarkably, our *Maryland Lawyers' Manual* still ranks as our number one membership benefit even though we have had our entire membership list online for 10 years. Close on its heels is the free online legal research tool, Fastcase, which we believe fulfills 90 percent of the necessary legal research needs of 90 percent of our members, now in its fifth year of availability. That saves hundreds of thousands of dollars for our members. All of our benefits are listed on the MSBA website www.msba.org as well as inside the back cover of this *Annual Report*. In order to bring value to our members, we must determine what matters to our members and always offer current, relevant, discounted services in an urgent, diligent manner. In the last few months we have added Easysoft Legal Software, a new conference calling program called Infinite Conferencing (as low as 4.5 cents a minute!) and JobTarget, an online job board offering a greatly expanded online job search program.

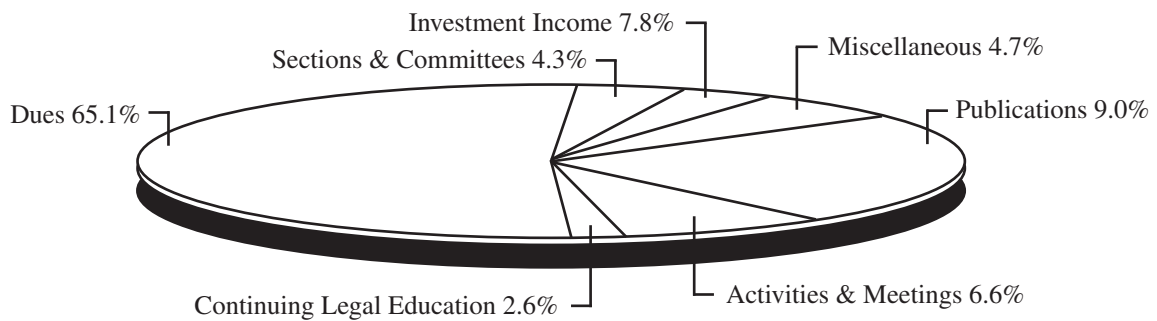
While these membership programs with our affinity programs are valuable, equally so are other practical efforts to help our members. Presidents Tom Murphy and Tom Cardaro have worked closely with the Courts to achieve a uniform statewide policy on the presence and use of cellphones and other electronic devices in all Maryland Courthouses. Also, the MSBA will make efforts with judges and sheriffs to arrange a uniform courthouse ID card for all our courthouses, since the current procedures of acceptance are uneven across the state. Also not to be omitted is the MSBA's noteworthy rescue and rebuilding of a CLE program after MICPEL's closure a year ago. The MSBA believes in education and our efforts to develop a CLE Department could make it our most used and most appreciated membership benefit.

Our Planning Committee, chaired by Karen Federman-Henry, arranged a two-day Planning Retreat in late March to analyze in a contemplative way many of the issues facing the MSBA. We hold these Retreats about every five years, and they are always beneficial. The MSBA needs to know what our strengths and weaknesses are, as well as what current opportunities and threats exist. We need to stay focused on who we are, where we are going and what can we do better. Even complaints are gifts, since they tell us where we can improve. We can then seize opportunities to increase our value to our members.

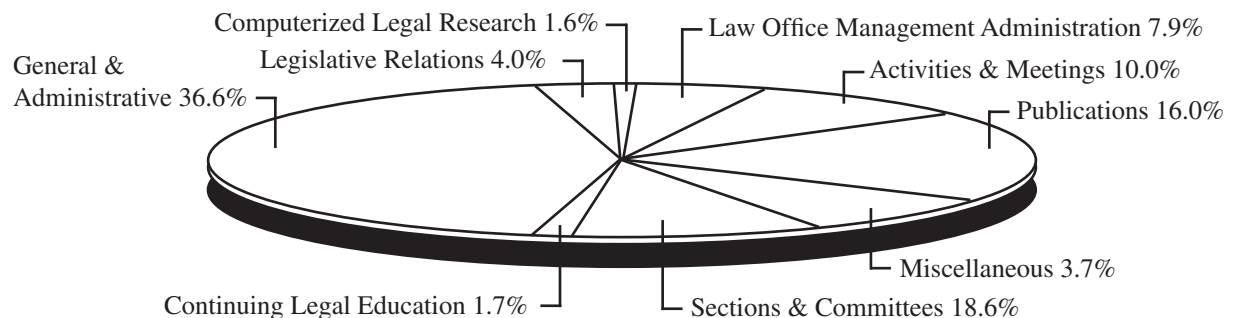
All in all, the MSBA stands in good stead. Our staff is dedicated, long-serving and sharp. Our Officers and Board stay focused on the critical, practical needs of our members. Our members stay loyal and we consistently retain about 67 percent of all Maryland lawyers. Our finances are solid despite having the lowest dues of any state bar in the nation and not raising those dues for 21 years. Thank you for remaining a member. We will continue to strive to make being an MSBA member a valuable part of your professional life.

2009/2010 MSBA FINANCIAL HIGHLIGHTS

6 Revenue	2009	2010	
Dues	2,732,024	2,751,365	65.1 %
Activities & Meetings	409,237	278,489	6.6 %
Sections & Committees	214,693	181,035	4.3 %
Publications	395,349	378,779	9.0 %
Continuing Legal Education	-	111,701	2.6 %
Investment Income	(95,282)	328,371	7.8 %
Miscellaneous	185,843	197,114	4.7 %
Total	3,841,864	4,226,854	100.0 %



Expenses	2009	2010	
Activities & Meetings	523,512	420,813	10.0 %
Sections & Committees	750,950	783,603	18.6 %
Publications	677,430	675,880	16.0 %
Legislative Relations	162,891	167,826	4.0 %
Computerized Legal Research	66,372	65,624	1.6 %
Continuing Legal Education	-	72,856	1.7 %
General & Administrative	1,511,849	1,544,839	36.6 %
Law Office Management Admin.	339,585	335,318	7.9 %
Miscellaneous	107,127	156,661	3.7 %
Total	3,987,068	4,223,420	100.0 %



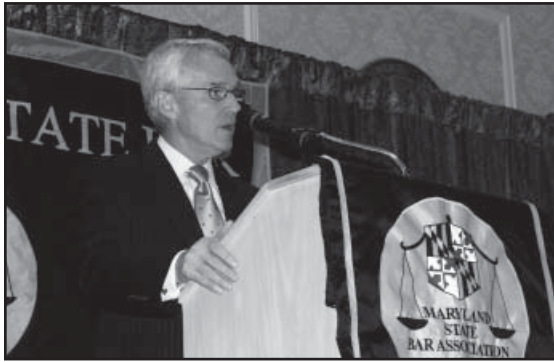
2010/2011 MSBA BOARD ACTIONS AND HIGHLIGHTS

- APPROVED 2011 final state legislative program
- APPROVED three new membership benefits:
 - ◆ Infinite Conferencing - Discounted Conference Calls
 - ◆ Easy Soft Legal Software - Law Practice Software Options
 - ◆ JobTarget - Online Job Board Service (career services)
- OPPOSED the Federal Trade Commission's Red Flag Rule which regarded lawyers as creditors; worked with ABA to exempt lawyers and succeeded
- SUPPORTED Court's proposed Cell Phone Rule permitting attorneys to bring electronic devices into all courtrooms and courthouses in Maryland
- OPPOSED legislation raiding Attorney Grievance Commission funds to boost State General funds
- OPPOSED proposed federal budget cuts to LSC funding
- SELECTED Board representatives to Legal Aid Bureau, the Maryland Volunteer Lawyers Service and the Pro Bono Resource Center of Maryland
- SELECTED recipients of the Sodaro Judicial Civility Award and Presidential Best Section Projects
- PROVIDED support to the Pro Bono Resource Center of Maryland for volunteer lawyer training to help homeowners facing mortgage foreclosures in Maryland

2010 MSBA ANNUAL MEETING

JUNE 9-12, OCEAN CITY, MARYLAND

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MSBA President Thomas D. Murphy delivers his installation speech to MSBA members



Attendees stay abreast of the latest law-related goods, technologies and services in the Exhibitor Hall



Honoring the latest appointees to Maryland's Judiciary with the New Judges Reception



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



Attendees learn of the latest updates in their substantive fields in the many educational programs



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

SECTIONS

ADMINISTRATIVE LAW

Bruce P. Martin, Chair

The Section continued its outreach efforts to local law schools, including the Career Exploration Conference at the George Washington University Law School, a presentation to the Asper Fellows and an Administrative Law Nuts & Bolts program at the University of Maryland School of Law. It will co-sponsor a program in conjunction with the Environmental Law Section entitled “The Windmill Tilts Back: Wind Power in the Agencies, the Legislature, and the Courts” at the MSBA Annual Meeting.

ALTERNATIVE DISPUTE RESOLUTION

Andrea C. Terry, Chair

This Section held a Program Planning Retreat in August, as well as a seminar on proposed changes to Rule 17 governing mediation in the Circuit Courts of Maryland in November. Its Annual Dinner in April featured Stuart Eisenstadt, U.S. negotiator for Holocaust reparations, who discussed the use of ADR in repatriating art looted during the Holocaust, and presented the Chief Judge Bell Award for Outstanding Performance in the field of ADR to the Hon. Melanie Vaughn. The Section also hosted a seminar on confidentiality in mediation and how it may be changing in Maryland as well as a webinar on “Self-Determination in Mediation” in May, recording and posting the programs on the Section’s website as a resource to members unable to attend. It also reinstated its newsletter this year as an additional resource to members, and will co-host a presentation on the “Use of ADR in Complex Construction Disputes” as well as a presentation exploring the challenges and opportunities surrounding the issue of mediators drafting documents for parties to the mediation at the MSBA Annual Meeting.

ANIMAL LAW

Jan Ingham Berlage, Chair

This Section held its annual kickoff dinner, featuring a panel discussion that included Circuit Court Judge Lenore R. Gelfman, University of Maryland School of Law Professor Susan Hankin and animal law attorney Mindy Felinton on the evolving property status of animals, at the Elkridge Furnace Inn in October. It hosted the Mid-Atlantic Animal Law Symposium, an all-day event featuring panel discussions between top state and regional animal law scholars, in April in Baltimore. The Section also continued to actively mold animal legislation in the state.

BUSINESS LAW

J. W. Thompson Webb, Chair

This Section transformed *The Maryland Entrepreneur’s Handbook* into a Wiki-Books format to be launched this spring, in conjunction with the business committee of the Bar Association of Baltimore City. It also advanced legislation in the General Assembly that will clarify and update the Maryland General Corporation Law and the Maryland Limited Liability Company Act. The Section hosted the Seventh Annual Business Law Institute, featuring eight continuing legal education panels as well as economist Morris Segall discussing business in the mid-Atlantic, in April. It will co-sponsor a program with the Tax Section entitled “Business of Law Firms – Genesis to Armageddon” at the MSBA Annual Meeting.

CONSUMER BANKRUPTCY

Jeffrey P. Nesson, Chair

This Section provided free education programs for its members through monthly brown bag luncheons held in Baltimore and Greenbelt. Its electronic discussion group continues to be one of the most active of any MSBA Section. It sponsors CLE courses on general bankruptcy matters and works closely with the staff of the United States Bankruptcy Court by coordinating focus group discussions to assist the Court with unrepresented debtors in bankruptcy and supporting the Bankruptcy Court’s new pro bono assistance program, the Debtor Assistance Project. The Section offers online video stream seminars to its library of sample pleadings and other materials available on its homepage, and an electronic newsletter, *The Hanging Paragraph*. It will present a unique program at the MSBA Annual Meeting.

CORRECTIONAL REFORM

Scott S. Oakley, Chair

This Section stimulates the interest of members of the Maryland Bar in the administration of the correctional system, to seek improvements and reforms where needed and to coordinate correctional reform activities with other interested organizations. It presented its annual Paul J. Davis Award, which celebrates the unselfish dedication and lifetime accomplishment of Paul J. Davis (1941-2003), a longtime Section member who demonstrated uncompromising integrity, honesty, fairness and hard work to mentor an entire generation of Maryland criminal justice professionals, at the Section’s Annual Meeting in August. The Section also engaged in the concentrated study of two areas of contemporary importance in corrections: (1) the reentry into the community of incarcerated offenders, and (2) the unique challenges and needs of aging incarcerated offenders, with the intention of making appropriate recommendations upon the conclusion of both studies. It also developed and wrote articles for the November 2011 “Correction Reform” issue of the *Maryland Bar Journal*.

2010/2011 MSBA SECTIONS AND COMMITTEES

10 CRIMINAL LAW & PRACTICE

William C. Brennan, Jr., Chair

This Section addresses legislation impacting criminal law practitioners. It sponsors the annual Joseph F. Murphy, Jr., Legal Writing Competition, presenting the winner with a cash award and the opportunity for publication in the *University of Baltimore Law Forum*.

DELIVERY OF LEGAL SERVICES

Suzanne Sangree, Chair

This Section received the Presidential Award for Best Section Project to Benefit the Public for its advocacy in the Maryland General Assembly to secure an increase in court filing fee surcharges to alleviate the funding crisis for legal services for low-income Marylanders. It will, with the substantive help of the University of Maryland Health Law Program and printing funds from the Maryland Bar Foundation, publish a revised *Handbook on Guardianship and Its Alternatives* this June, and subsequently distribute the *Handbook* to the public as well as legal services providers and partners. The Section co-sponsored the 12th Annual Maryland Partners for Justice Conference and supported the National Lawyer Referral Conference. Its Section Council is represented on the Maryland Access to Justice Commission, the People's Law Library Content Advisory Committee and the MSBA Planning Committee's Access to Justice Subcommittee.

ELDER LAW

Nomiki B. Weitzel, Chair

This Section held its annual legislative meeting in Annapolis and has actively monitored a variety of bills of interest to Section members, who participate in the legislative process by providing testimony before the legislature and attending workgroups and commissions as well as monitoring and responding to regulations issued by the state agencies that may affect seniors, nursing homes, continuing care retirement communities and assisted living facilities. It offered a range of elder law courses, including "MD Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (MD UAGPPJA)," "Medical Assistance Planning," "Hot Topics in Elder Law" and a course designed 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). The Section also organized its annual 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. It continues to consider the feasibility of expanding its reach to include certain disability law issues, helping to launch and support the new Special Needs Law Study Group; assists with the printing costs of brochures developed by Legal Aid to provide consumers with information about nursing home discharge proceedings and related topics; and plans to assist with the printing costs of an updated handbook about guardianship.

ENTERTAINMENT & SPORTS LAW

Julian A. Haffner, Chair

This Section continues to devise and pursue membership outreach initiatives to increase its membership base. It will continue to provide education and other programming of interest to its existing members.

ENVIRONMENTAL LAW

Timothy M. Sullivan, Chair

This Section sponsored environmental law-related programs, including panel discussions and keynote addresses given by leaders in the field of environmental law. It provided opportunities for its members to interact and network with colleagues during events such as its Annual Dinner and a service-oriented program. The Section also sponsored an educational outing on the Chesapeake Bay for Section members in conjunction with the Chesapeake Bay Foundation. It will, for the second consecutive year, co-sponsor a panel discussion with the Real Property, Planning & Zoning Section at the MSBA Annual Meeting.

ESTATE & TRUST LAW

Matthew A. Mace, Chair

This Section commented on, or assisted with, numerous legislative items in the estate and trust law area, primarily the proposed Maryland Trust Code (co-sponsored with the Maryland Bankers Association), and has been reviewing the possibility of emergency legislation to address the unexpected Federal estate tax law changes. It has also been working with the Maryland Association of Judges of the Orphans' Court and the Registers of Wills to study and pursue legislation and created administrative procedures relating to the jurisdiction of the Orphans' Court for guardianship proceedings. The Section supported a series of CLE courses, and it will present a program at the MSBA Annual Meeting.

2010/2011 MSBA SECTIONS AND COMMITTEES

FAMILY & JUVENILE LAW

Dorothy J. Lennig, Chair

This Section offered two CLE seminars, including the hugely popular “Family Practice Update,” held in August in Howard County. It also offered a new course, “Representing Children in Juvenile Court,” addressing the representation of children in CINA and delinquency cases. The Section’s legislative efforts included advocating for the passage of a multi-family adjustment to the Child Support Guidelines; advocating for a grandparent visitation statute; advocating for legislation to improve the lives of victims of domestic violence; continuing to oppose a presumption of joint custody, both legal and physical; and supporting legislation making it easier for parties living under the same roof to file for, and obtain, a divorce under certain circumstances. It continued to publish its *Family Law Newsletter*, featuring articles and case notes, four times a year, and established a subcommittee to review the Maryland Rules impacting family law cases and to make suggestions for modifications and improvements.

HEALTH LAW

Lisa M. Ohrin, Chair

This Section held educational programs for its membership and law students on topics including “The Meaningful Use Regulations: How to Access the Available Incentive Payments,” presented by Elizabeth Holland of the Centers for Medicare & Medicaid Services; “Health Care Reform: Key Provisions Affecting Health Care Providers and What to Expect in 2011 (and Beyond),” presented by Donald Romano, Esq., Celia Landgren, Esq., Katheryn Calvert, Esq., and Christi Braun, Esq.; and “What’s Old is New Again: Changes in Maryland Administrative and Case Law that May Affect Your Practice,” presented by Sigrid Haines and Marc Cohen. It presented a legislative roundup summarizing health care legislation passed in this year’s General Assembly session in the spring.

IMMIGRATION

Thanh Van Thi Doan, Chair

This Section provides a forum for attorneys in all aspects of immigration law to exchange ideas, discuss practice issues and otherwise provide mutual assistance; interacts with other Sections to provide a perspective on immigration issues that impact other areas of law, including criminal sentencing, family law matters and corporate law; and provides pro bono service to the community. It hosted monthly webinars and question-and-answer sessions to provide easily accessible, up-to-date education and information, and held multiple, widely-attended joint meetings and/or webinars with the Taxation and Criminal Law Sections. The Section demonstrated its commitment to community service by volunteering at a daylong workshop to assist

human-trafficking victims and their families in applying for benefits available to them under federal immigration law. It continues to communicate with and advise the Motor Vehicle Administration on proper implementation and interpretation of the laws regarding issuance of licenses for noncitizens, and it will present an educational program focusing on the implications of immigration law in criminal and family law matters at the MSBA Annual Meeting.

INTELLECTUAL PROPERTY

Vasilios Peros, Chair

This Section produced several webinars, including “The Digital Millennium Copyright Act: An Update,” “Willful Infringement in Intellectual Property Cases,” and “Understanding the Trademark Examiner’s Perspective – Tips for the Private Practitioner.” It continued to publish its online newsletter, distributed its *Annual IP Law Update* on DVD and coordinated the submission of articles to the March 2011 issue of the *Bar Bulletin*. The Section maintained its own stand-alone website, featuring its members-only section that includes both publications and presentation materials and recordings from its educational programs, available for download to its members. It also introduced its “Chair’s Happy Hour” informal meetings held around the state, and it will present an educational program on “Recent Developments in Intellectual Property” at the MSBA Annual Meeting.

JUDICIAL ADMINISTRATION

Richard L. Flax, Chair

This Section continues its joint effort with the Family & Juvenile Law Section focusing on the issue of self-represented litigants (SRL). It evaluates numerous legislative bills that may specifically relate to judicial administration, submitting recommendations supporting, opposing or abstaining from a position to the MSBA, and also reviews proposed and implemented Rules from the Court of Appeals Standing Committee on Rules of Practice and Procedure. The Section supports the Maryland Judiciary Professionalism Commission’s Pilot Mentoring Program for New Admittees through the active participation of several members as Mentors. It will once again co-sponsor a program with the Continuing Legal Education Committee at the MSBA Annual Meeting.

LABOR & EMPLOYMENT LAW

Thomas J. Gagliardo, Chair

The Section continues to publish its quarterly newsletter, now in its 16th year, providing in-depth articles on recent developments in the field and commentary on exist law. It sponsors Fall and Spring Dinner Meetings, and will present an educational program at the MSBA Annual Meeting.

2010/2011 MSBA SECTIONS AND COMMITTEES

12 LEGAL EDUCATION & ADMISSION TO THE BAR

Eric B. Easton, Chair

This Section continued to review and rule on Rule 16 applications for student practitioners. It has deferred consideration of support for a Uniform Bar Examination pending further regional developments.

LITIGATION

Mary V. Murphy, Chair

This Section provided several programs focusing on District Court trial practice, including "District Court Practice," which provided participants with a hands-on practical exercise in preparing and conducting direct examinations, cross examinations and handling opening and closing statements. It hosted a program on the Frye/Reed test and how to request and conduct such a challenge to scientific evidence in March and sponsored a "Dinner with the District Court Judges" in April. The Section continued to produce and distribute several editions of its newsletter, *The Maryland Litigator*, keeping its members apprised of hot topics in the area of Litigation as well as news from Bar Counsel. It continues its efforts to improve its website and coordinate with the MSBA on legislative matters and will sponsor a program on the basics of E-Discovery at the MSBA Annual Meeting.

NEGLIGENCE, INSURANCE & WORKERS' COMPENSATION

Mary B. Buonanno, Chair

This Section hosted several outreach receptions/CLE programs, including: "COMAR: Everything You Wanted to Know and Didn't Know to Ask," chaired by Wendy Karpel, in December; "Using Nurse Consultants to Enhance Personal Injury and Workers' Compensation Claims," chaired by Michael Steinhardt, in March; and an all-day workers' compensation "Hot Tips" program, to be chaired by Theodore Cornblatt, in May. It also passed new by-laws requiring the appointment of a nomination committee and shortening the terms of directors to two years, to open up Section Council participation to more Section members. The Section will present "The Hazards of Maryland Wrongful Death Law: What is Wrong with this Picture (and How to Fix It)?", chaired by Judson Lipowitz, at Solo Day at the MSBA Annual Meeting.

REAL PROPERTY, PLANNING & ZONING

Ronald S. Deutsch, Chair

This Section organized and formed a committee to update Alex Gordon's foreclosure treatise. It has also been very active in following significant proposed legislation and educating legislatures on the impact of their proposals. The Section will, for the second consecutive year, co-sponsor a panel discussion with the Environmental Law Section at the MSBA Annual Meeting.

SENIOR LAWYERS

Rob Ross Hendrickson, Chair

This Section held bimonthly noontime meetings, 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" at a special dinner held in May and will present a program at the MSBA Annual Meeting.

SOLO & SMALL FIRM PRACTICE

Michael Scott Rosofsky, Chair

This Section celebrated its 25th Anniversary this year and increased its membership for the 13th consecutive year, maintaining its status as the fifth-largest MSBA Section. It sponsored two "Hanging Out a Shingle" programs and held its 12th Annual Solo and Small Firm Conference in November at the BWI Hilton. The Section produced five legal-specific sessions in conjunction with the new MSBA CLE Department, videotaping the programs and making them available online. It will co-sponsor, in conjunction with the Negligence, Insurance & Workers' Compensation Section, the 11th Annual Solo Day at the MSBA Annual Meeting.

STATE & LOCAL GOVERNMENT LAW

Amanda Stakem Conn, Chair

This Section focused on providing quality continuing legal education to its membership in a cost-effective manner. It further demonstrated its continued commitment to providing quality programs by sponsoring mini-CLE sessions on topics such as the ethical challenges facing the government lawyer, in the process also offering a venue for state and local government lawyers to meet each other and share common experiences in the practice area.

TAXATION

Katrina Kamantauskas-Holder, Chair

This Section focused on effectively using technology to educate and serve its members by upgrading its homepage; establishing a Facebook presence; and sponsoring two webinars, “IRS Voluntary Disclosure Basics” and “Employment Tax Examination Basics and Hot Topics,” both of which are available for replay on the Section’s homepage. It continued its tradition of holding joint meetings with other MSBA Sections, presenting an evening of networking and discussion with the Immigration Law Section on the topics of “Twelve Things That Every Tax Lawyer Should Know About Immigration Law” and “Tax-Wise Immigration Planning.” The Section also: continued to staff its U.S. Tax Court Pro Bono Program; provided valuable input into tax legislation pending before the Maryland General Assembly; worked closely with MSBA on tax-related CLE materials following the demise of MICPEL; and provided an opportunity for members to mingle with tax and accounting colleagues as well as state and federal tax officials at the Section’s annual Tax Networking Night. It will present this year’s recipients of the Section’s Tax Excellence and J. Ronald Shiff Memorial Pro Bono Awards at its annual Irving Shulbank Memorial Dinner and program in May, and present a joint program with the Business Law Section entitled “Business Issues of Law Firms – Genesis to Armageddon” at the MSBA Annual Meeting.

YOUNG LAWYERS

Marla Zide, Chair

This Section continued to demonstrate support for the Maryland community by: raising over \$4,500 for the Women’s Law Center of Maryland through the Section’s 20th Annual Charity Event; plunging into the icy Chesapeake Bay in January to raise nearly \$6,000 for the Special Olympics of Maryland; and donating time through monthly public service events all over the state to benefit Harford County Habitat for Humanity, Our Daily Bread, Maryland Department of Social Services and several other community organizations throughout Maryland. It worked in Howard and Baltimore Counties to provide more than 100 wills for first responders through its Wills for Heroes Program and supported the Leadership Academy’s Storybook Project, which assists children of prisoners in maintaining relationships with their incarcerated parents. The Section also worked tirelessly to increase its membership by hosting monthly membership drives throughout the state.

STANDING COMMITTEES

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BUDGET & FINANCE

Sara H. Arthur, 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

Marshall B. Paul, Chair

This Committee assesses Maryland’s continuing legal education environment and supports MSBA’s new CLE Department in providing high-quality legal education at competitive prices for members.

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, announcing the volunteer names each month in the *Bar Bulletin* and on the website.

JUDICIAL APPOINTMENTS

Jerald B. Lurie, Rachel T. McGuckian and Edwin “Ted” H. Staples, II, Co-Chairs

This Committee, made up of local and at-large members, 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. It then submits 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 Committee provides each member of the JNC with peer evaluation of all applicants’ qualifications, which stand as the MSBA’s formal position for a period of two years without exception.

2010/2011 MSBA SECTIONS AND COMMITTEES

14 LAWS

Paul H. Ethridge, 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.

LOCAL & SPECIALTY BAR LIAISON

Mark Franklin Scurti, Chair

This Committee held the 51st Annual Bar Presidents' Conference at the Rocky Gap Lodge and Golf Resort in Cumberland, Maryland, in October, which brought together MSBA's Board of Governors, bar presidents, presidents-elect and executive directors from all of the local and specialty bar associations across our state.

MEMBERSHIP

Tracy Steedman and Richard Henderson Gibson, Jr., Co-Chairs

This Committee undertook several projects, including: 1) sending out approximately 7,500 invitations in a targeted effort to reach out to non-members to join or rejoin the MSBA; 2) finalizing a chart for Association members regarding the various Maryland Courts' acceptance of the MSBA bar card, which will include the necessary steps to obtain a bar card and, if a bar card is not accepted, what identification is required by each courthouse; 3) creating a program to reach out to local bar associations; 4) hosting a reception at the Annual Meeting for first-time attendees and promoting a first-time attendee program; and 5) exploring the creation of law school chapters of the MSBA.

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

Karen L. Federman-Henry, Chair

This Committee held a long-range planning retreat in March that addressed an array of issues, including methods of revitalizing the MSBA, ways to assist future generations of lawyers in succeeding in the face of law school debt and limited career options, new approaches to legal services and future law office management ideas, via informative and energetic discussions that yielded some great ideas for the coming years.

PROFESSIONALISM

Keith R. Truffer, Chair

This Committee promotes professionalism in Maryland's legal community and supports the Court's mandatory professionalism course.

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 Mexico in February. 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, through which 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 Positive Messaging Video Competition on "Rules of the Road," in conjunction with CLREP.

2010/2011 MSBA SECTIONS AND COMMITTEES

RESOLUTION OF FEE DISPUTES

William C. Mitchell, Jr., Chair

This Committee is composed of an Executive Council consisting of a Chairman and seven Vice Chairmen, and includes a membership of over 100 members, who volunteer to act as Client Representatives and Arbitrators. Its Executive Council meets about four times per year to vote on the disposition of cases. The Committee currently has 15 active cases. In the past 12 months, nine disputes have been settled: four in favor of the client and five in favor of the attorney.

RULES OF PRACTICE

Phillip Tyson Bennett, 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.

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 maintains an active electronic discussion group.

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 48,000+ students have competed. Its programs include the Law Links High School internship project, the Baltimore City Teen Court, MYLaw Summer Academy 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 Day Conference in May highlighting the Association's Video Competition on "Rules of the Road."

CONSTRUCTION LAW

Michael W. Skojec, Chair

This Committee continued its efforts to reach out to judges and lawyers through networking, programs and educational materials benefitting their understanding and practice of construction law. It held several events, including: a hot topics/happy hour in Annapolis in September; a well-received ADR discussion panel and dinner in January; a breakfast seminar on Bankruptcy, Liens and Receivership in Frederick in March; and another hot topics/networking meet in Baltimore County in May. It continued to sponsor relevant Maryland legislative updates and helped sponsor the writing of a *Construction Law Deskbook*, with many of the members drafting chapters of the book and other members acting as editors. The Committee will present a construction law program and, with the ADR Section, co-sponsor a program on the use of ADR in construction cases at the MSBA Annual Meeting, where it will also become a Section.

COURTHOUSE CONSTRUCTION

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

This Committee is addressing some of the numerous problems facing Baltimore City's Mitchell Courthouse.

DISASTER PREPAREDNESS

John C. Eidleman, Chair

This Committee drafted a disaster plan for lawyers as a guide so attorneys 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* and the *Bar Bulletin*, 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 2010, continues to feature new legal theme issues and the *Bar Bulletin* continues to expand to offer members a broad range of legal and substantive topics.

IMMEDIATE RESPONSE

Cleaveland D. Miller, 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.

2010/2011 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

Hon. Sue-Ellen Hantman and Joseph L. Wright, 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. The 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.

MINORITIES IN THE LEGAL PROFESSION

Hon. Wayne A. Brooks, Chair

This Committee, in conjunction with the Monumental City Bar Association, co-sponsored a program called the "Color at the Bar," featuring a unique documentary film of the same name that examines the growth and importance of the African-American lawyer and judge in the Baltimore area. A subsequent panel discussion addressed the film's present-day relevance as well as the relevance of minority bar associations.

PARALEGAL

Karen L. Cook, Chair

This Committee completed and analyzed its survey of MSBA member attorneys and paralegals regarding the utilization of paralegals and the paralegal profession in Maryland. It continues working to increase its membership and garner more support from MSBA members while encouraging non-members to join the Association through its successful networking events, including its "Marketing Yourself as a Paralegal" program, held in April at Westminster Hall in Baltimore. The Committee's future outreach plans include providing local bar associations with information as well as guest speakers on the effective utilization of paralegals.

PAST PRESIDENTS

Katherine Kelly Howard, Chair

This Committee met in October 2010 to discuss several issues which are of importance to the MSBA, including the status of Continuing Legal Education in Maryland, future plans for Bar Headquarters location, the relationship of the MSBA with the American Bar Association and the announcement of the participation of several of our members in affiliated national organizations, and the establishment of a subcommittee to research issues pertinent to state bar dues structures in other states as well as in Maryland; it plans to follow up on these topics with a meeting later in the spring. Several Committee members also volunteered to participate as mentors in Judge Lynne A. Battaglia's new attorney mentoring program.

PUBLIC PROTECTION

Darren Lee 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 Lynn Mervis, Chair

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

VETERANS' AFFAIRS & MILITARY LAW

Charles Blomquist, Chair

This Committee serves as a resource for attorneys and members of the military community who are facing issues pertaining to all aspects of veterans' affairs and military law, including military justice, the law of armed conflict, homeland security, environmental law and legal assistance which encompasses family, landlord-tenant and contracted matters. It focuses its current efforts on three fundamental areas in particular: establishing a venue for discussing, exploring and informing the Association on substantive veterans' affairs and military law issues; exploring the impact the Base Realignment and Closure Act (BRAC) will have on Maryland and how the legal community can assist; and providing legal assistance to veterans, military members and their families. The Committee sponsored two trainings on providing legal representation to veterans and continues its role as the proponent of the annual BG Philip Sherman Award, given to an MSBA member that exemplifies selfless service and commitment to providing legal services to military members and veterans.