

**Maryland State Bar Association  
Administrative Law Section Council  
Meeting Minutes  
September 19, 2007**

**Location:** King's Contrivance, Columbia, Maryland

**In Attendance:** Andrea Leahy-Fuchek, John Gohn, ALJ Kathleen Chapman, ALJ Yvette Diamond, Ken Masters, Hon. John Hardwick, Michelle McDonald, Bruce Martin, Amanda Conn, Elissa Levan, Nathan Greenbaum, Susan Shubin, Bob Drummer, Joel Smith, and Judge Joseph Kaplan

**Meeting**

**Meeting called to order at 6:45 p.m. by Andrea Leahy-Fuchek**

**I. *Approval of Minutes***

Minutes were unanimously approved with some correction. Certain individuals were noted to be in attendance that was not at the meeting.

**II. *Chair's Report***

- a. State Advisory Council on Administrative Hearings. Andrea-Leahy Fuchek reported that there had been no word from the St. Adv. Council regarding the appointment of Susan Dishler Shubin and Nathan Greenbaum. A meeting of the council is scheduled for September 20, 2007.
- b. We need to send Judge Harrell a letter to acknowledge award.
- c. Review listserv rules and function – how to increase participation. There was a fair amount of discussion on how to get more involvement from members of the section. It was generally agreed by all that the listserv currently serves as a “question/referral” resource for members. The ideas we discussed on better utilizing the listserv include:
  - Have Andrea Leahy-Fuchek, as chair, send an introductory informal e-mail entitled “This is what we can do for you!”
  - Use the listserv to solicit articles or topic ideas. One thought is to generate ideas for articles based on titles used in the past. (Elissa Levan agreed to do this)
  - Pen a new article for the listserv. It was suggested that a provocative article may help stir up some interest. (Jack Gohn agreed to do this)

**III. *Announcements:***

- a. Numerous job promotions of council:

- *Andrea Leahy-Fuchek* - Policy Advisor for the Maryland Department of Planning
  - *Bob Drummer* - Legislative Attorney for Montgomery County
  - *Michele J. McDonald* – Assistant Attorney General for Worker’s Compensation Commission
  - *Joel Smith* – Elected as a Fellow of the College of Labor and Employment Lawyers
  - *Ralph S. Tyler* – Maryland Insurance Commissioner
- b. Section Council members should update their contact information (business address, phone number and e-mail) and submit to Andrea Leahy-Fuchek.
- c. Judge Diamond brought with her the Emmy Award she won for *Branded DUI* as well as photographs of the event. She mentioned that a Memorial Certificate was given to the MSBA Bar Headquarters. If anyone from the council would like to order one, the cost is \$30.00. Judge Diamond stated that the event was fun.

### **III. Treasurer’s Report**

Bruce Martin reported that we have \$3,587.00. \$2,535.00 is earmarked for meals.

### **VI. Committee Assignments**

- a. *Listserv* – Please note that only council members may receive attachments; when using the listserv, please do not promote products or services; and when you want to respond to the entire list, then hit “reply.” Call John Anderson, MSBA, with any questions.
- b. *MICPEL* – We need to reserve a date soon for the 2008 Administrative Law MICPEL program. It was suggested that we consider co-sponsoring with another section (depending on the topic). Possible topic ideas could be solicited from the membership by sending out an e-mail on the listserv. The council also discussed the following topic ideas:
- Administrative Agencies not covered by the Administrative Procedures Act (APA).
  - Intersection of state and federal laws. The target audience is for practitioners in federal administrative law. It was discussed that we consider sending an e-mail (on listserv) to gauge interest for this topic.
  - Judge Diamond suggested a program on 1<sup>st</sup> party bad faith insurance claims. It was mentioned that MTLA had a seminar on this topic recently. Jack also does a Nuts & Bolts program in Administrative Law to acquaint new practitioners.
- c. *Annual Meeting Program* – One program suggestion was offered: Board of Public Works.

- d. *Spring Dinner* –
  - Tentative date for dinner is April 2008 (after session) or early May 2008.
  - Contact Ralph Tyler to get a sense of interest from the Governor to see if he would like to attend the Spring Dinner.
  
- e. *Public Education Outreach* – Judge Diamond reported that in August 2007 she sat as a panelist for the National Highway Safety Symposium regarding the Ignition Interlock. She also sits on the Public Relations Commission on Judicial Perception. She reminded everyone that NAALJ was having its Conference in D.C. in October 2007. There will be a panel on Underage Drinking and Driving. Finally Judge Diamond sought volunteers for a presentation at the University of Maryland Law School scheduled for November 19, 2007
  
- f. *Publication Committee* – See Chair’s report regarding listserv.

**COMMITTEE ASSIGNMENTS:** Please note that an e-mail will go out to the council (for those not in attendance at this meeting) regarding the committee assignments.

<b>Legislative:</b>	Hon. John Hardwick, Amanda Conn, Bruce Martin and Nathan
<b>MICPEL:</b>	Joel Smith and Michelle McDonald
<b>Spring Dinner:</b>	Ralph Tyler and Laura McWeeney
<b>Membership:</b>	Nathan Greenbaum
<b>Annual Meeting:</b>	Judge Kaplan, Susan Shubin, Andrea Leahy-FucHECK, Bob Drummer
<b>Public Education:</b>	Judge Diamond and Judge Chapman
<b>Publication:</b>	Elissa Levan and Jack Gohn

#### **IV. Membership Report**

Nathan Greenbaum reported that we have 20 current members (a full compliment) on the council. It was moved, 1<sup>st</sup> and 2<sup>nd</sup> to bring Bob Drummer onto the council to fill the first unexpired term of 05-08. It was also discussed that next year we go back into regular rotation. Noted: that Charles Signour is interested in joining the council.

We have 366 members in the Administrative Law Section.

#### **V. OAH Liaison report**

Judge Diamond reported in Chief Judge Dewberry’s absence (he sent his regrets). Judge Dewberry met with all new department heads in the Governor’s administration. There have been some personnel changes at OAH, including the laying off of two individuals (the receptionist and ALJ Sabett). Judge Diamond

sadly reported the loss of former ALJ Guy Avery. He passed away recently. Lastly there are few DVDs left from the second shipment. She will look into whether the DVDs may be distributed to those council members who would like a copy.

**VI. Old Business**

None.

*Meeting ended at approximately 8:45 p.m.*