

Minutes of Maryland State Bar Association  
Consumer Bankruptcy Section  
MSBA Headquarters (Baltimore)  
January 18, 2011

The meeting was called to order by the president, Jeff Nesson, at 6:30 pm.

Present were: Jeff Nesson, Wilbur Bolton, Doug Gorius, Richard London, Sari Kurland, David Piekarz, Phil Anderson, David Cohen, Richard Stolker

The minutes of the preceding meeting were unanimously approved, on motion of W. Bolton, seconded by D. Gorius.

#### COMMITTEE REPORTS

R. London - Legislative – He attended a legislative affairs meeting recently. At the meeting there was a presentation on how to review the status of bills on the state legislative website.

The MSBA has a full time legislative staff that reviews pending bills from the state legislature and distributes the bills to appropriate sections. There is a committee on laws that reviews higher profile bills and makes recommendations to the Board of Governors. The meeting also covered the mechanism for a section to take a position on a bill, which must be approved by the Board of Governors.

J. Nesson - Consumer Bankruptcy Training Program. A training program in connection with the Debtor Assistance Program is being planned for the spring. It will be an intermediate level program, going beyond nuts and bolts.

Nancy Grigsby, Mark Scurti, and Gary Leibowitz are organizing the training. Dates are March 18 in Greenbelt and April 15 in Baltimore. Volunteers interested in being speakers should contact Nancy Grigsby or Mark Scurti and let Jeff Nesson know as well.

Tentative topics include means testing, exemptions, lien avoidance and lien stripping, standalone representation at reaffirmation and/or at 341s, attorney due diligence, contested and uncontested confirmation hrgs, objections to proofs of claim, lift stay, and motions to extend auto stay. This program will be more litigation oriented than past programs.

Prospective attendees will be those who agree to accept a pro bono case, as well as general membership at a different pricing level.

Last week David Piekarz and others met with Judge Keir, who expressed concern that more lawyers had not volunteered for the Greenbelt DAP program. Judge Keir's

courtroom clerk Lynne Gravois will be the new coordinator for the DAP program.

Jeff Nesson stated that one reason the Baltimore program is working better than the Greenbelt DAP program is that some of the organizations (Civil Justice or MVLS) are helping with staffing in Baltimore but not at Greenbelt.

Sari Kurland inquired whether we as a Section can take some action to encourage those prospective clients who would most benefit from DAP assistance to utilize the service.

Bill Bolton suggested that we might want to ask the court to loosen its prohibition against the attorney conducting each DAP session from soliciting the debtor as a prospective client.

Richard Stolker suggested that a rotating list might be used with referrals to attorney offices for a free no obligation 30 to 45 minute consultation at the attorney's office instead of the courthouse.

Phil Anderson suggested that we get an ethics opinion as to whether it would be appropriate for the attorney who conducts the DAP session to also solicit the client. He and Dave Cohen will draw up a letter requesting an ethics opinion.

Sari Kurland suggested a survey of the membership to get feedback as to improving the DAP program and to encourage greater involvement in the program.

Brown Bag - Stacey Rogan was not present at the meeting. The Chair noted that we presently are not offering brown bag programs in the southern division. Richard Stolker suggested that the next Baltimore brown bag be Skyped so that Rockville lawyers can participate.

Treasurer - Sari Kurland has been talking with Candy Thompson about the holiday party and expects to have more information at the next Council meeting.

Newsletter - Dan Press was not present, but he has agreed to put the next newsletter together.

Marketing - At the last meeting we considered preparing brochures to solicit additional attorneys to become members of the Consumer Bankruptcy Section. Although it was recognized that this project move forward, it was tabled because of the relatively small turnout at the present meeting.

Sari Kurland noted that we have considered making us of a Facebook page for the Section. Some discussion ensued about the pros and cons of utilizing a section Facebook page.

Ocean City - Bud Tayman was not present. Jeff Nesson will follow up with Bud Tayman to ensure that we have an appropriate time slot for the Section's presentation. Jeff Nesson will send an email to Wanda Clayborne about possibly getting a different timeslot.

Membership - Mary Park McLean was not present -- no presentation.

New business - none.

The next Council meeting is on February 16, 2011 at 6:00 pm in Rockville - Shulman Rogers.

A motion to adjourn by David Piekarz and seconded by D. Gorius was unanimously approved. The meeting was adjourned at 8:17 pm.

(Minutes taken by Richard S. Stolker)