

**MINUTES OF
MARYLAND STATE BAR ASSOCIATION
CONSUMER BANKRUPTCY SECTION COUNCIL MEETING**

September 21, 2010
MSBA Headquarters
520 West Fayette Street
Baltimore, MD 21201

Call to Order

The meeting was called to order at 6:39 p.m. by Jeffrey P. Nesson, Section Chair.

Members Present

Kevin Judd	David Cohen
Jeffrey Nesson	Tony Aquia
David Portney	Scott Borison
Richard London	Tanya Kripetz
Stacey Rogan	Mary Park McLean
Bud Tayman	Richard Stolker
Doug Gorious	Bill Bolton
Candy Thompson	Marty Caskey
David Piekarz	Diana Theologou

Members Not Attending:

Sari Kurland	Dan Press
Phil Anderson	Stan Levinson
Cristine Hamilton	Marc Kivitz

Other Attending:

None

Minutes

The minutes of the Council meeting of June 11, 2010 approved on motion of Tony Aquia seconded by Bud Tayman.

Budget

The budget was not discussed due to the absence of the treasurer Sari Kurland.

Opening Remarks – brief opening remarks welcoming all were made by Jeffrey Nesson and the members of the council introduced themselves and described their area and location of practice.

Golf Tournament/other charitable event

A discussion was had as to the necessity for a Golf Tournament or other charitable event to raise funds for the section.

The idea was discussed to hold an annual Alex Gordon Memorial Golf Tournament. Tanya Kripetz expressed that she had spoken with Gabrielle, the BBA Greenbelt Chair about the initial concept of holding the Tournament jointly with the BBA. Jeffrey Nesson expressed that we need an individual to volunteer who is interested in organizing the event as advanced planning will be needed for a spring event. Tony Aquia suggested that more than one person be in charge of organization due to the amount of work. Kevin Judd suggested that a good time to hold the golf tournament would be in conjunction with the BBA's spring break educational seminar. Mary Park McLean, Candy Thompson and Tanya Kripetz volunteered to organize an event. Stacey Rogan volunteered to assist in a non golf capacity.

Diana Theologou suggested that we start with a smaller event such as a dinner with the judges. Candy Thompson suggested that we combine such an event with a silent auction.

Candy Thompson suggested that we hold a fundraiser to hear a Supreme Court Justice speak.

David Cohen suggested that we have an annual lecture series to memorialize Alex Gordon.

David Portney indicated that any fundraising event would require seed money. Jeffrey Nesson indicated that the only funds we have are the MSBA budget of \$3,000 to \$4,000. Richard Stolker stated that a CLE fundraiser has been successful in the past. Jeffrey Nesson indicated that keeping the money from any CLE is a problem.

Diana Theologou suggested that we create a bankruptcy handbook to sell and/or hand out at a CLE.

Bud Tayman suggested that we do a Habitat for Humanity/Christmas in April program for Charity where we would build and/or renovate a house for an individual in need.

Bill Bolton inquired as to where the money raised would go. Jeffrey Nesson indicated that the money would go to raise money for a memorial for Alex Gordon; to webcasting/skyping/gotomymeeting.com equipment. Mary Park McLean also pointed out that the section needs funds to contribute to retiring Judge Keir's portrait.

Scott Borison indicated that he had spoken with the Dean at the University of Maryland and an Alex Gordon Memorial Fellowship had already been started.

Bud Tayman indicated that if we do not use the money that year, we lose the money to the State Bar. Jeffrey Nesson suggested that a way to avoid that is to do any fundraiser in conjunction with the BBA.

Outgoing Judge – Judge Keir

Mary Park McLean indicated that the portrait is a big issue. She stated that last time the section, although fairly new at the time had no money to contribute which was a slight embarrassment to the section. Marty Caskey indicated that he did not believe we were allowed to contribute. Bill Bolton indicated that a portrait can cost anywhere from \$5,000 to \$20,000. Mary Park McLena indicated that she did not believe there was a restriction on contribution as it is commissioned by an individual and not court sponsored. Richard Stoker suggested that we not take the lead on this project. Doug Gorious volunteered to investigate the issue.

CLE'S

Brown Bags. Stacey Rogan is the Chair for the Baltimore Brown Bag Committee. She currently only has programs scheduled through October. There is no program set for Greenbelt at this time. Those present believe that Dan Press is still the Chair for the Greenbelt Brown Bag Committee. Mary Park McLean asked if it was possible to get the information on the website. David Cohen indicated that we had done a few Baltimore Brown Bag's using skype audio for individuals who could not be present. He indicated that using audio/video program may cost \$50.00 a month to keep account current. Richard Stolker volunteered to coordinate with David Cohen to explore all options regarding electronic access to brown bag luncheons. Tanya Kripetz asked if it was possible to record the brown bag luncheons and post on the website. Stacey Rogan and Diana Theologou indicated that the problem with such access is the potential to stifle the free casual forum that the brown bag luncheon is intended to be. Jeffrey Nesson indicated that we should be looking at a joint CLE in the spring with the BBA and a pro bono program with the Court through Jessica Vollmer in addition to the CLE at the MSBA annual meeting.

Annual Meeting – Bud Tayman will chair the educational CLE for the MSBA annual meeting. Stan Levinson, Candy Thompson and David Portney have expressed an interest in volunteering for the CLE Committee. Mary Park McLean suggested that we work in conjunction with the real property section on foreclosure joint program. Jeffrey Nesson suggested that our topic be an advanced topic.

Jessica Vollmer Program – Jessica Vollmer, the Pro Bono Coordinator for the Bankruptcy Court has contacted us expressing an interest in a second Consumer Bankruptcy Training this coming winter/spring. Civil Justice has agreed to partner and

provide CLE credits for the training. She is attempting to have the MSBA and BBS partner with Civil Justice to hold the CLE and will be planning a meeting this fall. Other – Jeffrey Nesson indicated that we need leaders for the CLE programs. Bud Tayman suggested that we do a workshop section breaking the program into smaller groups. David Portney suggested approaching National Bankruptcy Institute to assist in sponsoring a program to allow us to keep more of the funds. There was some concern as to whether or not they would share the profits and the cost of the program. Bud Tayman indicated that he had worked with Norton in the past and that it was not satisfying as the materials were not good and they would not share in the profits of the program.

COMMITTEES – Jeffrey Nesson indicated that the goal is to have all council members on at least one committee.

Newsletter – Stan Levinson has expressed an interest in heading the Newsletter and Jeffrey Nesson will contact him to further discuss the matter. Dan Press has also said that he would assist with the newsletter.

Marketing/writing – Mary Park McLean indicated that this committee never got off the ground and stated that she would be willing to work with someone else regarding this matter.

Mentor/Mentee - Richard Stoker volunteered to work with Michael Wolff regarding where we are with this program and will take over any additional work needed with reference to the Mentee/Mentor Program. Mary Park McLean suggested that we list the mentors on the website and indicated that this program needs to be better promoted. David Piekarcz asked for something to give new lawyers at 341's. David Portney suggested that a hotline/phone list be established with rotating volunteers. Candy Thompson suggested that an individual "shadow" an experienced attorney but indicated that there was a potential malpractice issue with the mentor/mentee concept.

Tony Aquia indicated that he believed our focus should be more on education to the general public and not to bankruptcy practitioners. He indicated that an outreach committee should be established and that the section should get away from educating new attorneys practicing bankruptcy as we are increasing our competition and creating problems with attorney's thinking they know more about bankruptcy than they do which in turn puts those clients being represented in jeopardy. He indicated that we should have a program for the general public. David Portney suggested fairs to save homes. Tony Aquia suggested advertising the same through radio and/or television advertisement.

New Trustee/ New Judge

Jeffrey Nesson indicated that we have gifts for Gerard Vetter, Nancy Grigsby and Judge Keir which were used with the remainder of last years funds to avoid the loss of those funds for their service in their positions on the council and the bench respectively. Gerard Vetter will be attending the next meeting and Mary Park McLean will extend an

invitation to Nancy Grigsby for the next meeting to present their gifts. There was a question as to whether Gerard Vetter could accept a gift. Jeffrey Nesson will speak to Mark Neal prior to the next meeting to ensure the appropriateness of the same. Bill Bolton volunteered to contact Judge Keir's Chambers regarding the appropriateness and timing of presenting Judge Keir with his gift.

New Business

Marty Caskey asked about establishing a committee to investigate the application of the new Homestead Exemption. David Cohen indicated that the exemption takes effect October 1, 2010 that it is one exemption of \$20,600, has to be primary residential real estate, applies only in bankruptcy, and there is a limitation on the number of times it can be used. Tony Aquia indicated that it was in addition to the wild card exemption.

David Portney suggested that a uniform way to deal with the trustees be established. He suggested an ombudsman or committee to meet with the trustees and field questions. Candy Thompson suggested that information regarding the trustees, their contact information, documents required, and other information be posted on the website. David Portney and Candy Thompson volunteered to work on this together.

Bud Tayman inquired as to whether an official position could be taken on the Wells Fargo/Wachovia frozen bank account issue. It was determined that an official position could not be taken.

Adjournment

The meeting was adjourned at 8:13 p.m. by the motion of Tanya Kripetz and seconded by both David Cohen and Marty Caskey.