

JUDICIAL ADMINISTRATION SECTION COUNCIL

September 7, 2006

IN ATTENDANCE: Hon. Lynne A. Battaglia, Chair; Hon. Ruth Jakubowski, Vice Chair; David C. Chiu, Esquire, Secretary; John A. Borgeois, Immediate Past Chair; Hon. Paul E. Alpert; Master Catherine T. Beck; Honorable Sally C. Chester; Richard L. Flax, Esquire; Master Mary M. Kramer; Hon. Diane O. Leasure; John E. Nunn, III, Esquire; Franklin B. Olmsted, Esquire; David L. Palmer, Esquire; T. Christine Pham, Esquire; Rosalyn E. Pugh, Esquire; Hon. Eileen C. Sweeney; Hon. Julia B. Weatherly; and Robert Maddox, Court of Appeals intern *extraordinaire*.

Following a dinner hosted by Chair Battaglia in the Court of Appeals dining room (but paid for by the MSBA) the Council was escorted from the judges' dining room to the conference room for the commencement of the formal meeting.

The Chair thanked the former officers for their past excellence and the apparent ease with which they wore the shoes the present officers are now working to fill.

The Chair initiated each attendee introducing themselves to the Council.

The minutes from the June 8, 2006, meeting were approved.

The Chair initiated discussion of possible projects for this new term which had been discussed or suggested over the summer: (1) Voir Dire, (2) Judicial Professionalism, (3) Telephonic (and other electronic) Conferencing, and (4) Batson Challenges.

Other suggested topics were also introduced: (5) "Nuts & Bolts" of how to be a jurist/attorney to be included in the new admittees course, (6) Litigation Ethics, and (7) a Review of Important Appellate Decisions for the annual meeting.

As part of the discussion of the above topics, Chair Battaglia's intern, Robert Maddox, provided enlightening Power Point presentations on Voir Dire and Judicial Professionalism as well as an oral summary of his memo on Telephonic Conferencing (that Chair Battaglia had distributed to the Council yesterday).

In his Power Point presentation on Voir Dire, Mr. Maddox demonstrated how easily survey requests could be answered online as well as how the information obtained could be tabulated and presented in different formats. He also demonstrated how easily accessible the information could be made to anyone with a PC who needed some, all or any particular piece of information from the survey!

Mr. Maddox also gave a Power Point presentation summarizing his nationwide review of how other States have responded to issues of judicial professionalism,

including the use of (1) judicial creeds, (2) continuing judicial education, (3) professionalism support initiatives, (4) non-partisan contested judicial elections, and (5) judicial response committees.

Mr. Olmstead lead the meeting's discussion on Batson Challenges with his proposed alternatives to the current practice of addressing the issue during jury selection by way of bench conferences (that not only highlight to everyone in the courtroom which juror is being challenged, but by whom, as well as the reason for the challenge).

The Chair also discussed this year's MSBA annual meeting being consolidated into a bench/bar meeting and what if any presentation the Section should attempt to prepare for this year's convention.

Towards this end, the Chair suggested that the Council consider a convention presentation that would consist of a panel of Maryland's appellate courts discussing important decisions.

The Council also discussed a joint MICPEL/JAS presentation on ethics.

Immediate Past Chair Bourgeois initiated discussion comparing and contrasting Maryland's professionalism requirements for new admittees against D.C.'s more comprehensive professionalism *and* "how we do things" full day seminar on how to practice law in the District. This in turn was compared to how new judges are taught "how we do things" when they first join the bench.

The Chair reviewed the remainder of this year's scheduled meeting dates: October 19, November 9, NONE in December, February 8 and April 12. She advised that the January 11, March 8, and May 3 dates would need to be rescheduled.

The Council handed in their top three choices for this term's projects and/or annual meeting presentation. Chair Battaglia will announce what the majority decided once she has tabulated the results.

Respectfully submitted,

DAVID C. CHIU, Esquire
Secretary