

MSBA



## Judicial Administration Section

### COUNCIL MEETING MINUTES

October 16, 2008

**IN ATTENDANCE:** *Hon. Ruth Jakubowski, Chair; Richard L. Flax, Esquire, Vice Chair; David C. Chiu, Esquire, Secretary; Hon. Lynne A. Battaglia, Immediate Past Chair; Hon. Sally C. Chester; Hon. Robert W. Heffron; Master Andrea F. Kelly; Robert C. Nally; Franklin B. Olmsted, Esquire; T. Christine Pham, Esquire; and the Hon. Eileen C. Sweeney.*

The meeting was called to order.

The minutes from the **September 17, 2008**, meeting were approved.

New member, Master Andrea Kelly, was introduced to those Council members who were unable to make it to the September meeting.

Master Kramer was unable to attend this month but sent a report for the Chair to relay to the Council on the Master's Project. The Masters' Advisory Committee will meet at the end of this month to finalize plans, narrowing topics and identifying speakers for the inaugural masters' education program in March and April of 2009. These *optional* half day programs will be offered in three regional locations— Chesapeake College on the Eastern Shore, JECC in Annapolis and Hood College in Frederick.

Judge Weatherly also was unable to attend but also provided a report for the Chair to relay to the Council on the Self Representation Project. Judge Weatherly will be meeting with the project's co-sponsors, the Family Law Section, on November 6<sup>th</sup>. Judge Raker's *Access to Justice Project* is still in the organization stages but believes our Council's project to propose guidelines for lawyers in SRL (self represented litigant) situations is a good idea.

There was a discussion on how to assist SRLs. Various ideas were mentioned including discreet representation, attorneys helping SRLs navigate through the system, statewide forums and seminars educating SRLs how to act in court (like they have in Baltimore and PG counties), and online help like the ALJ's website FAQ (Frequently Asked Questions) section.

Next on the meeting's agenda was the proposed project to examine guidelines for court clerks and courthouse staff to advise SRLs. Because this project was already being done by another group elsewhere it was decided to cancel the JAC's study of this same topic.

Frank Olmstead, Chair of our Legislation Committee, reported that there was nothing to report as the legislature was not in session.

Richard Flax for the JAS Rules Committee noted that rules changes are immediately reported in the *Judiciary News* section of the courts' website, as well as posted in the *Maryland Register*. He discovered, however, that proposals (like our Telephonic Testimony draft) that are "still in the pipeline" and which have not yet been enacted are difficult to track.

Regarding other possible projects Judge Mason was unable to attend this month's meeting and his report on attorneys fees will wait until the November meeting.

The Chair confirmed that *Are You Smarter Than A Law Student* was so popular that it is being duplicated in at least three other forums! Immediate Past Chair Battaglia reminded everyone that our Summer Conference project would need to be submitted in January. Ideas were discussed on how to combine *Are You Smarter Than A Law Student* with our SRL Attorney Guidelines project.

An inquiry by the Chair as to topical matters that might be possible projects for future consideration lead to a spirited discussion of the public defenders' decision to no longer pay panel attorneys due to budgetary constraints. It was agreed that this would not be an appropriate topic for a Council project at this time.

It was agreed that although the Council meetings themselves would continue to be closed, the publication of minutes would keep the Section and others apprised of the Council's actions. Council meeting dates will also continue to be published as we still encourage and invite topics, ideas and suggestions from Section members and the MSBA for Council consideration.

The meeting was adjourned.

Respectfully submitted,

**DAVID C. CHIU, Esquire**  
*Secretary, JAS Council*