

MSBA



Judicial Administration Section NEWSLETTER

Ruth Jakubowski, Chair
VOLUME 6, NO. 1

David C. Chiu, Editor, Secretary
SUMMER 2009

The Wise, The Wicked & The Simple

Self Represented Litigant Issues and Solutions In Family Law

By David C. Chiu

On Friday, June 12, 2009, the Judicial Administration Council and the Family Law Section will present its first joint program at this year's MSBA Summer Conference.

The Wise, The Wicked and The Simple will use vignettes to illustrate various self represented litigant (SRL) issues.

Our Judicial Administration Council Chair, Judge Ruth Jakubowski, as well as our sub-committee Chair, Judge Julia B. Weatherly, our Judicial Administration Assistant to the Secretary, Master Mary Kramer, and newest council member Carolyn Thaler, to name just a few, will be featured role players in this year's presentation. [*One of the above will be Brittany Spears and one will be her lawyer. You'll have to come to find out who's who! –Ed.*]

The Family Law Section Council (FLSC) and Judicial Administration Council (JAC) have been working together on the Self Representation Project to develop guidelines for attorneys where the opposing party is unrepresented. The FLSC has already distributed a survey with their newsletter and at local bar associations' family law committees.

Following next week's MSBA Annual meeting, the Project will go to local town meetings— participate in family law committee meetings with local bar associations throughout Maryland—to survey issues as well as to provide guidance in dealing with SRL issues.

The final Project compilation report will show best practices for attorneys in dealing with SRL's.

Make sure to attend the June 12th presentation for an extremely entertaining and informative presentation!

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AOC BRINGS MASTERS EDUCATION PROPOSAL TO FRUITION

By Mary Kramer

Two years ago, the JAC undertook a project to determine how the various circuit courts are using their masters.

As a result of a comprehensive survey, the JAC was startled to learn that there was no uniform approach to initial training or continuing education of masters.

The section council determined that a statewide approach to masters' education would be beneficial, and that idea was taken to the Administrative Offices of the Court. As a result the Master In Chancery Training Series was born.

Former JAC member Master Terri Beck, and

JAC member Master Mary Kramer are members of the advisory panel for that project.

This Spring the first masters half day trainings were held at three locations.

Masters' participation was voluntary, and the response was encouraging. Over half of the masters statewide chose to participate.

The feedback was very positive, with the vast majority of the masters indicating that the training was enjoyable, relevant, and valuable.

Many also indicated that they would have liked to hear more, and that the

program should have been a full day!

Plans are now underway for next year's trainings, which will be a full day program, offered twice to permit courts to send half of their masters to one day, and the other half on another.

The trainings will take place at the Judiciary Training Center in Annapolis.

Next year the trainings will be mandatory.

Once again the JAS can be proud that our efforts have resulted in positive change to the benefit of the Courts, the legal profession, and ultimately the citizens of our state.

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JASC RULES COMMITTEE

By Richard Flax

Last year the battle cry was raised by the JASC to emulate its successful Legislative Committee (under the remarkable guidance of Franklin B. Olmsted, Esq. and Rosalyn E. Pugh, Esq.) by forming a Rules Committee.

This is still a work in progress, and as it continues to evolve, will hopefully serve to not only meet the Council's initial goal, i.e., quick edification on the Rules "to be or not to be", but also serve as another potential voice before The Court of Appeals of Maryland Standing Committee On Rules Of Practice and Procedure.

Thankfully, this task is greatly simplified by the online postings available to all through various Maryland websites – such as, the Maryland Judiciary's (see <http://www.courts.state.md.us/index.html>), the Standing Committee On Rules Of Practice and Procedure's (see <http://www.courts.state.md.us/rules/index.html>), or the Maryland Register Online (see <http://www.dsd.state.md.us/MDRegister>).

However, the human touch trumps technology when both the staff of the Standing Committee On Rules Of Practice and Procedure and Paul H. Ethridge, Esq., Chair of the MSBA Committee On Rules Practice, availed the JASC with assistance in remaining attuned.

Special thanks to Chair Ethridge for making the long trip from Rockville to Baltimore City to speak at the March 2009 Judicial Administration Council meeting, and sharing

with us his valuable insights and experiences on this topic.

Back in 2007, before there even was a JASC Rules Committee, the seed was possibly sown for this Committee's ultimate formation when our Council member, Judge Paul E. Albert, pragmatically suggested an efficient "Telephone Testimony Rule" (see JAC Minutes, March 15, 2007, and April 12, 2007) which, after debate, passed Council muster and went on its way to The Court of Appeals of Maryland Standing Committee On Rules Of Practice and Procedure.

Judge Alpert has tenaciously followed the path this proposed Rule has taken and recently received a letter from the Standing Committee On Rules that a "Special Subcommittee on Remote Access" has been formed, not only to reexamine those matters but also to look into the broader question of how, through the use of appropriate technology, court proceedings can become more efficient and less costly." (See May 26, 2009, letter from Sandra E. Haines, Reporter - The Court of Appeals of Maryland Standing Committee On Rules Of Practice and Procedure, a copy of which is attached to the end of this Newsletter.)

In a sense, watching the course Judge Alpert's initial proposal has taken before the Standing Committee On Rules has provided an anatomy lesson into the necessary deliberate and cerebral approach taken by that body. Stay tuned.