



MSBA

BARBULLETIN

Volume XXXVI, Number 3 • March 15, 2019

What's Inside

MSBA Opposes Contested Judicial Elections

Page 2

Incorrect Pattern Jury Instruction Not Harmless Error

Page 9

Sow the Seeds of Sound Advice for Farmer Clients

Page 10

Developments in Antibody Patenting

Page 11

USPTO's Evolving Guidance For Determining Patent Eligibility

Page 12

Mid-Year Meeting Looks to MSBA's Future

From mobile-first technology to expanded member-driven resources and content, the many changes taking place at the Maryland State Bar Association (MSBA) drove discussion at MSBA's 2019 Mid-Year Meeting, held Tuesday, February 19, at the Sheraton Baltimore North Hotel in Towson.

"As it has for nearly 125 years, the MSBA has continued to serve its members, our profession, and the community," said President Judge Keith R. Truffer during his welcoming remarks and state of the MSBA address, wherein he set the stage for a parade of new initiatives led by Executive Director Victor Velazquez and members of the MSBA's executive team.

On his part, Velazquez explored national trends by pointing members to the Association's brand-new State of the Legal Profession report, before bringing it home with the Maryland Lawyers Confidence Index survey, produced in conjunction with *The Daily Record*; such efforts, he contended, enable MSBA to keep its proverbial finger on "the pulse of the legal profession." Other highlights included:

- **Maryland Bar Journal.** MSBA has completely reimaged its flagship publication with an eye toward both the present and future of the legal profession. Debuting in early 2019, the all-new *Maryland Bar Journal*, via enhanced print and digital platforms, delivers substantive and member-focused articles, member profiles, and more in a visually engaging style, supplemented by value-added content including video features, extended interviews, and hyperlinks.
- **Practice Management Resource Portal.** MSBA's new Practice Management Resource Portal is the go-to

resource for solo and small firm practitioners, providing an extensive library of videos, whitepapers, and other exclusive content designed to help members manage every aspect and stage of their practice.

- **MSBA Connect.** Attendees received a sneak peek at this application, set to debut in spring 2019, that will enable members to connect digitally on any kind of smart device.
- **Advocacy.** The MSBA Laws Committee coordinates the legislative advocacy activities of the Board of Governors as well as MSBA's Sections, reviewing more than 3,000 bills that could potentially impact Maryland lawyers and the legal profession per 90-day session of the Maryland General Assembly. In advance of the current legislative session MSBA unveiled a new advocacy microsite that provides members ready access to the 2019 MSBA State Legislative Program, as well as new software in the site's Legislative Action Center that enables up-to-the-minute bill tracking.
- **Continuing Legal Education.** Each year, MSBA's Continuing Legal Education Department produces more than 300 live and online programs. Over the last 12 months, its entire catalog of more than 200 publications

CONTINUED ON PAGE 18



WANT MORE MSBA?



VIDEO EXCLUSIVE



ONLINE CONTENT



PODCAST



PHOTOS

Look for the following icons to find related content across our platforms.

BARBULLETIN

Volume XXXVI, Number 3

March 15, 2019

Published monthly by the

MARYLAND STATE BAR ASSOCIATION

520 West Fayette Street

Baltimore, Maryland 21201

(410) 685-7878 • (800) 492-1964

TDD 539-3186

E-mail msba@msba.org • www.msba.org

EXECUTIVE DIRECTOR Victor L. Velazquez

DIRECTOR, CONTENT & DELIVERY W. Patrick Tandy

Editorial Staff

Anna S. Sholl

Editor

2018-2019 Officers

Hon. Keith R. Truffer

President

Dana O. Williams

President-Elect

Deborah L. Potter

Secretary

Hon. Mark F. Scurti

Treasurer

Advertising

Classifieds • Displays

MCI | USA

(formerly Network Media Partners)

307 International Circle

Suite 190

Hunt Valley, Maryland 21030

(410) 584-1959

Jonathan McGraw

Account Executive

MSBA Opposes Contested Judicial Elections

BY PATRICK TANDY

Appearing in his capacity as MSBA President, the Honorable Keith R. Truffer reaffirmed the Association's long-standing opposition to contested judicial elections during testimony he delivered to the Senate Judiciary Committee of the Maryland General Assembly on February 14, 2019, in Annapolis.

Truffer joined a delegation that included Chief Judge Mary Ellen Barbera, Court of Appeals of Maryland, and Anne Arundel County Circuit Court Judge Laura S. Ripken, who chairs the Maryland Judiciary's Conference of Circuit Court Judges. The delegation appeared in support of Senate Bill 246, which proposes an amendment to the Maryland Constitution that would abolish contested judicial elections in the state.

"For over 30 years, the MSBA has opposed the contested election of Maryland's circuit court judges principally on ethical grounds," Truffer said in prepared remarks. "We believe that partisan, electoral politics have no rightful place in our judicial selection process, principally because elections transform judges into politicians and immerse them into the arena of partisan politics."

Moreover, Truffer noted that the high costs associated with running a successful campaign necessitate fundraising on the part of the incumbent judge. "Often, those dollars come from the large corporations, and more often, the very lawyers most likely to appear before them on the bench," he said. "The end result of our current election process is the gradual erosion of the public's confidence in the impartiality of our legal system."

Presently, judicial candidates are subjected to an exacting

interview, evaluation, and selection process administered by the Maryland Judicial Nominating Commission, the MSBA's judicial

election. Unlike sitting judges, many of these contenders have not been subjected to the same extensive screening process and careful scrutiny as those whom they seek to unseat. These challengers also enjoy the privilege of

“

The end result of our current election process is the gradual erosion of the public's confidence in the impartiality of our legal system.

appointments committee and those of the state's local and speciality bar associations, all of which diligently assess each candidate's judicial skills and temperament.

Nevertheless, despite this thorough vetting, Maryland circuit court judges appointed by the governor are required to run in non-partisan contested elections in the next major election cycle. Each candidate must appear on the primary ballots of both major parties; different winners result in a general election run-off. Successful candidates receive a 15-year term.

This sets the stage for any lawyer age 30 or older who is admitted to practice in Maryland; has resided in the state for at least five years; and who has lived within the circuit in question for six months or more to challenge a sitting judge in a contested

speaking freely, issuing campaign promises, making misleading or inflammatory statements and even attacking the judicial records of their opponents, who, conversely, are compelled to remain silent in accordance with the Maryland Code of Judicial Conduct.

Furthermore, a lack of familiarity with members of the bench renders contested judicial elections a source of confusion for many voters. As such, many in our increasingly divided electorate vote for circuit court judges simply on the basis of known party affiliation, or even alphabetical listing on the ballot - a poor formula, to be sure, for a fair and impartial judiciary.

Maryland's appellate judges face retention elections every 10 years. Judges of the Orphans' Court are elected via non-partisan elections every four years. ●

Frank, Frank & Scherr, LLC

Experts in Elder Law, Estate and Special Needs Planning



410.337.8900 | www.frankelderlaw.com

MSBA ETHICS HOTLINE

March

Jeffrey Delgado

Anne Arundel County
202-324-5350

Ariana W. Arnold

Baltimore City
(202) 806-2657

Michael J. Neary

Montgomery County
(301) 657-0740

Catherine M. Manofsky

Baltimore City
(410) 347-7402

April

Benjamin H. Meredith

Baltimore County
(410) 685-1166

Gerard P. Martin

Baltimore City
(410) 547-8764

Dolores Dorsainvil

Washington, D.C.
(202) 638-1501

Cynthia L. Leppert

Baltimore City
(410) 332-8529

Members should address their written ethics inquiries to Patricia Weaver, Ethics Committee, 4800 Hampden Lane, Suite 700, Bethesda, MD 20814, or call (301) 951-9360, or e-mail tweaver@paleyrothman.com. Opinions of the Ethics Committee are available online at www.msba.org/ethics. Please consult the Rules and MSBA Ethics Opinion Website before calling.



PRESIDENT'S MESSAGE



MARCH 2019

MSBA President Judge Keith R. Truffer shares his updates in his March monthly video message.



To watch his most recent message, select the "President's Messages" playlist from our YouTube channel at www.youtube.com/user/MDStateBar/playlists.

**DUGAN
BABIJ
TOLLEY
KOHLER** LLC

Finding Answers.
Demanding Justice.



**Your Partner.
An Advocate for
Your Clients.**

Accepting referrals
in the areas of birth
injury, cerebral palsy,
complex medical
malpractice and
catastrophic personal
injury litigation.



Enrichment
Martindale-Hubbell
Peer Review Rated
For Ethical Standards and Legal Ability

1966 Greenspring Dr., Ste. 500, Timonium, MD 21093
Toll Free: 1.800.408.2080, Phone: 410.308.1600
Fax: 410.308.1742 www.medicalneg.com

The McCammon Group

is pleased to announce our newest Neutral

Hon. Patrick L. Woodward (Ret.)

Retired Chief Judge, Court of Special Appeals of Maryland

The Honorable Patrick Woodward recently retired as Chief Judge of the Court of Special Appeals of Maryland after thirteen years of distinguished service as an Associate Judge and Chief Judge on that court. He previously served as an Associate Judge on the Circuit Court for Montgomery County and as an Associate Judge on the District Court of Maryland for Montgomery County. Before his judicial service, Judge Woodward enjoyed a successful law practice in Maryland and DC. He is a two-time Recipient of the Outstanding Jurist Award from the Montgomery County Bar Association and the 2018 Recipient of the Beverly Groner Family Law Award from the Family and Juvenile Law Section of the Maryland State Bar Association. Judge Woodward now brings this exemplary record of dedication and leadership to The McCammon Group to serve the mediation and arbitration needs of lawyers and litigants in Maryland, DC, and beyond.



THE
MCCAMMON
GROUP

Leaders in Dispute Resolution

For a complete list of our services and Neutrals throughout MD, DC, and VA,
call 888.343.0922 or visit www.McCammonGroup.com

Dateline

MARCH

20 The **MSBA Real Property Section** presents the *2019 Land Use Institute*. The program will be held from 8:15am to 4:25pm at Sheraton Columbia Town Center Hotel. Attendees will hear from Maryland appellate judges and national and state practitioners about: Maryland appellate decisions, wireless transmitters, solar panels, RLUIPA, comprehensive rezoning legislation, micro breweries, Supreme Court decisions, and Maryland General Assembly legislation and more! For more information and/or to register visit: www.msba.org/LandUseInstitute.

21 The **MSBA Diversity & Inclusion Committee** invites you to attend its *Diversity & Inclusion Conference* to be held at the University of Baltimore School of Law from 8:30am to 4:30pm. For more information and/or to register please visit: www.msba.org/FutureofourBar.

21 **MSBA Young Lawyers Section's Diversity & Inclusion and Business Development Committees** are hosting a special *Scavenger Hunt Happy Hour* at Waverly Brewing Company from 4:30pm to 6:30pm on Thursday evening, March 21, 2019, following the Diversity & Inclusion Committee Conference being held at University of Baltimore. Food and drinks will be provided, along with prizes for the first 3 guests to arrive. For more information and/or to register visit: www.msba.org/YLS-Happy-Hunt.

26 The **MSBA Litigation Section's** Appellate Practice Committee presents "*Recent Impact Decisions of the Maryland Appellate Courts*." The program begins at 5:00pm and will be held at Robert C. Murphy Courts of Appeal Building in Annapolis, MD. For more information and/or to register visit: www.msba.org/Recent-Impact-Decisions.

27 The **MSBA Elder Law and Disability Rights section** presents "*New VA Wartime Pension Benefit Laws: It Finally Happened*." This new program will cover changes in the Veterans Affairs rules regarding war time pension benefits, and will be held at the Ecker Business Training Center in Columbia, Maryland. The program begins at 8:30 am. For more information and/or to register visit: www.msba.org/WartimePensionBenefits.

27 Please join the **MSBA Business Law Section's International Law Committee** for a panel discussion on *Legal Trends, Business Challenges, and the Changing Political Landscape* on Thursday, March 27, 2019 beginning at 5:00pm at the Johns Hopkins Carey Business School. Panelists include: Alexander Koff, Esq., Partner, Venable LLP, Simon Evenett, Visiting Professor from University of St. Gallen at Johns Hopkins Carey Business School, and Jason Groves (Medifast), Executive Vice President and General Counsel, Medifast. Panel will be moderated by Monty Crawford, Esq., Partner at DLA Piper. For more information or to register please visit: www.msba.org/Business-Law-Trends.

28 The **MSBA and Wicomico County Bar Association** are co-hosting a *member meet & greet* at Brew River Seafood House and Dock Bar in Salisbury, Maryland from 5:00pm - 9:00pm. More details to come. To register, please visit: www.msba.org/LowerShore.

28 The **MSBA Young Lawyers' Section's** Tech Committee presents *Artificial Intelligence in the Legal Field* on Thursday, March 28, 2019 at Next PHaze Cafe in Baltimore, Maryland beginning at 6:30pm. For more information or to register, please visit: www.msba.org/AI-Event.

CONTINUED ON PAGE 18

From the Boardroom



BY ANNA S. SHOLL, ESQ.

The Board of Governors met on February 19, 2019 following the MSBA Mid-year meeting, at the Sheraton Baltimore North Hotel in Towson, Maryland.

The meeting opened with a recap of the Mid-year Meeting from President, Hon. Keith Truffer. In addition, Judge Truffer also provided a recap of the ABA Mid-Year Meeting. He noted that the issue of attorney wellness was highlighted at this meeting, and he reiterated the importance of MSBA's efforts to expand the Lawyer Assistance Program to reach more attorneys across the state. Judge Truffer also asked for a motion to appoint

on emerging areas of law, legal technology and much more. In addition to these new sections, the Maryland Bar Journal will continue to include substantive legal articles on a particular area of focus, with this issue's theme being #metoo. Lastly, the Maryland Bar Journal also includes additional web based content, including video interviews and much more. The digital version of the Maryland Bar Journal is available now on the MSBA website at <https://www.msba.org/for-members/publications/bar-journal/>.

In addition, Mr. Velazquez highlighted the work of the MSBA CLE & Publications department, which will produce 12 titles this year, the most in any fiscal year. He also noted that the MSBA has been hard at work on developing a replacement to the current email discussion list software, and that MSBA Connect will launch to three test sections in March 2019. Finally, Mr. Velazquez took the time to highlight some of the keynote speakers at this year's Annual Meeting, including CNN Chief Legal Analyst, Jeffrey Toobin.

The Laws Committee and the MSBA's Director of Legislative Relations, Richard Montgomery, III, also reported to the Board of Governors. After reviewing several pending bills and the proposed positions on those bills, the Board of Governors approved the program unanimously, with Judges abstaining. For details about the MSBA Legislative Program and current information on bills the Laws Committee is following, please visit the newly revamped advocacy page at msba.org/advocacy.

The meeting closed with a presentation from the Pro Bono Resource Center of Maryland. Executive Director, Sharon Goldsmith, circulated documents and showed a video detailing the Center's efforts during the current fiscal year and highlighting its partnership with MSBA.

For more information on Board of Governors' meetings, please visit the Board of Governors Page, which can be found on the Leadership page located under the "About" tab of the MSBA website or msba.org/BOG. Agendas for future Board of Governors' meetings are posted about 5 days prior to the scheduled meeting, and minutes are posted 1-2 days following the Board of Governors' meeting at which they are approved. ●



Del. Erek Barron and Natalie McSherry as assistant Secretary and assistant Treasurer, respectfully, as is tradition. The motion was made, seconded and approved unanimously by the Board of Governors. Judge Truffer concluded his report by announcing that there were a few remaining spots for the Professional Excursion to Mexico.

During his report, Executive Director, Victor Velazquez highlighted a number of initiatives that were in progress or near completion at the MSBA. First and foremost, Mr. Velazquez highlighted the launch of the newly revamped Maryland Bar Journal, which was scheduled to hit mailboxes in early March, 2019. He noted that the new Maryland Bar Journal includes numerous new sections such as member profiles, articles from Access to Justice and Pro Bono Resource Center, Updates from the Judiciary, Inside Annapolis and substantive articles

LinkedIn News Stories

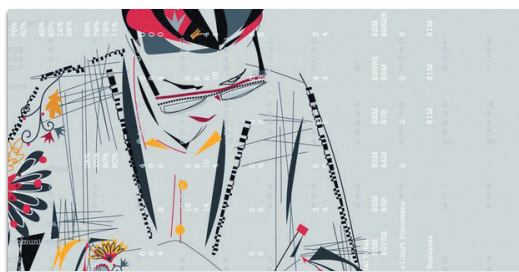
Hundreds of attorneys follow us on LinkedIn.

 Join them and receive these useful articles and more in real time at msba.org/linkedin.



170 top in-house lawyers warn they will direct their dollars to law firms promoting diversity

General counsels and chief legal officers at more than 170 companies have signed an open letter telling law firms they expect their lawyers to “reflect the diversity of the legal community and the companies and the customers we serve.”



Are Lawyers Ready to Be Managed by Metrics?

There's momentum in Big Law firms, corporate legal departments and technology companies alike for a data-tracking system that could have radical consequences for the entire legal industry.



Raising retirement for judges from 70 to 73 gets another try

Saying “73 is the new 50,” Del. Jon Cardin is pushing a bill to bump up the mandatory retirement age for judges in Maryland from 70 to 73. If passed, HB182 would require a constitutional amendment and have to be approved by voters in the 2020 general election. (Ed. Note: MSBA is not taking a position on HB182, but is monitoring it closely.)



The ‘flow state’: Where creative work thrives

Many of us know what it's like to be in a state of creative flow. Do you have to wait for inspiration to strike, or can you hack ‘the zone’?



- Work Visas
- Green Cards
- I-9 Compliance
- Gov't Audits
- Mergers/Acquisitions
- Complex Issues

*We know
immigration
matters!®*

MURTHY LAW FIRM

US IMMIGRATION LAW

With over 90 attorneys, paralegals, & support staff, we are poised to serve your clients by providing creative legal strategies so that their businesses can bring the best and brightest to work in the United States.

murthy.com
law@murthy.com
410.356.5440



MSBA Staffing Update: Best Wishes, Wanda

BY VICTOR VELAZQUEZ

Over the past two years or so, many changes have taken place at the MSBA. Behind the scenes, it is now a much more modern Association from an infrastructure perspective. In fact it operates very differently than it did just 18 months ago.

In terms of what's visible to our members, many, many things have changed and are changing... with the very latest change being the upcoming revamped Bar Journal slated to hit mailboxes in the next couple of weeks. It represents a major change and whether you look at the print or digital version (with video), I hope you'll send me your thoughts or email feedback@msba.org. These changes are all in addition to new resources for solos, new events, and delivering

more value overall. Our upcoming annual report will detail a lot of accomplishments or efforts underway.

As part of the change journey, our team has undergone changes as well. Some players are no longer with us and we have had new talented staff additions including Anna Sholl (solos, bulletin, & much more), Bill Hall (our videographer) and Shawn O'Meara (Finance) as examples.

My feelings are torn in announcing an upcoming staff change. Wanda Claiborne, a member of our MSBA family since 1986, has landed an opportunity to serve as the Executive Director for another organization that she's been involved with for over 25 years. This opportunity couldn't be a better fit for her given her long

involvement with them and we are so very happy for her.

As you know, Wanda has been a fixture of the MSBA and has endeared herself to many of our members and volunteer leaders. Most importantly, she is who we expect to see when we come to work. Wanda is and has been...us. The MSBA. We owe her a debt of gratitude for all of her past contributions and for being her.

Please join me in expressing excitement for her as she embarks on this newest chapter of her professional journey. We are very excited for her. ●

Best,
Vic

PBRC PARTNER PROFILE:



A conversation with
Nicole M. Folks, Esq.,
PBRC Volunteer & Past chair,
MSBA Section on Real Property

With which PBRC project do you volunteer?

I volunteer with the Tenant Volunteer Lawyer of the Day project in Baltimore City Rent Court. I consult with tenants who need representation that day before a judge. We figure out the issues and what the defense is going to be. Then I go into the courtroom, and make the arguments before the judge.

What led you to get involved in this project?

I'm a transactional real estate attorney. I had never been before a judge, though I've been practicing almost 20 years now. I thought this might be a good segue to use some of my real estate skills in a volunteer setting.

It was a fairly simple transition, once you get past the nerves! The judges are just humans, and you have to go before them and present your case.

How does the project make it easy?

The project provides thorough training and support. The best part about volunteering is that there is always somebody there from PBRC, who knows a lot more about the issues than I do. I'm able to turn to them, and they give me the support that I need.

What do you like most about volunteering with this program?

I can help clients to fare better in rent court. There are many matters that I've been involved in where the tenant would not have fared as well without a lawyer there to make the legal arguments.

Do you have a favorite client story?

One of my clients lived with his elderly mother. The landlord had actually turned the heat off for a period of time in December, and it was really, really cold. The landlord had also filed for the next month's rent before it was due, so we were able to get that dismissed, and we got the rent abated for the time the heat was off.

As we were about to finish the hearing, the client told me it was his birthday. As we were leaving, I said, "Thank you, Your Honor; and by the way, this is my client's birthday." The judge wished him a happy birthday. Later in the hallway my client hugged me. It was so sincere -- it just happened to be his birthday, and I was able to help him get what he deserved. You shouldn't be paying rent on days you don't have heat in your home. I remember going home and telling my family, "I did something good today."

What message would you give to attorneys thinking about volunteering?

Lawyers have a set of skills that can benefit people, and with PBRC's District Court program, so many clients fare better because they have legal representation. You can walk out of the courtroom after spending a morning in rent court and know that you made a positive impact on somebody's life, and that you promoted the effective and fair administration of law.

PBRC's featured service opportunity

Volunteering with the Tenant Volunteer Lawyer of the Day Program,
to help a tenant in rent court
probonomd.org/tenant

For more informatoin about volunteering in Maryland, contact:
Annie Speedie, PBRC Director of Programming: aspeedie@probonomd.org, 443-703-3051.



The Pro Bono Resource Center of Maryland will match your skills with a wide range of pro bono opportunities.

The Center welcomes new volunteers dedicated to addressing issues impacting low income families and their communities.

520 W. Fayette St., Baltimore, MD 21201 | (800) 396-1274



FIRST MARYLAND
Disability Trust

We recognize the importance of assisting individuals with disabilities regardless of age or disability.

For the Individual with disabilities we offer a Pooled Special Needs Trust to protect assets and preserve eligibility for benefits.

For the Individual's family, we offer a Third Party Special Needs Trust to help you plan for the future.

- We facilitate case management and care coordination as needed.
- We distribute funds to increase the Individual's quality of life and enhance independence.
- We provide a corporate alternative to the Individual Trustee, for both Pooled Trusts and Individual Trusts.

410-296-4408 www.firstmdtrust.org

The First Maryland Disability Trust, Inc., a Non-Profit organization.



JOIN MSBA'S
DIVERSITY COMMITTEE FOR

The Future of our Bar... and Beyond

March 21, 2019

University of Baltimore
Business School

Register at
MSBA.ORG/FUTUREOFBAR



Special Subscription Offer for
MSBA members!

Subscribe today to get The Daily Record print and digital access 25% off our regular subscription price.

You'll receive:

- **In-depth Maryland business news** focused on law, real estate, and government
- **Unlimited online access** to exclusive subscriber-only web content – including current news, legal jobs, article archives and our searchable public notice database
- TDR Insider daily **morning, afternoon and breaking news alerts**
- **Bonus supplements** including Leadership in Law event publication, MSBA Convention Program Guide and legal focus sections
- Newspaper delivery Monday through Friday– plus 24/7 login access to a **digital edition** to read on-the-go



Visit

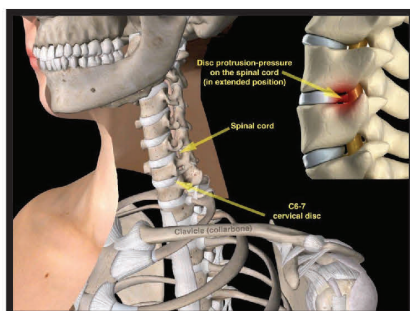
<https://subscribe.thedailyrecord.com/MSBABB>
or call 800-451-9998 to subscribe today.

Promo Code: H4ZMSBA

Light Up Your Case

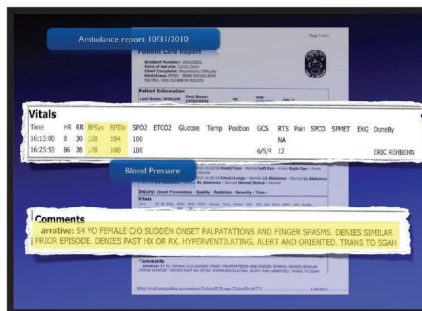


What sets us apart from the rest? At Gentry & Associates, we understand the impact of using high-tech visuals in the courtroom. Jim Gentry, a seasoned trial attorney with 35 years of experience, combines his courtroom savvy with his expertise in creating attention-getting, high-tech visuals that win cases. Jim has successfully developed hundreds of presentations for trial using timelines, charts, medical diagrams, animations, day-in-the-life videos, video depositions clips and more. Contact Gentry & Associates and we will work with you one-on-one to give you a competitive edge in the courtroom.



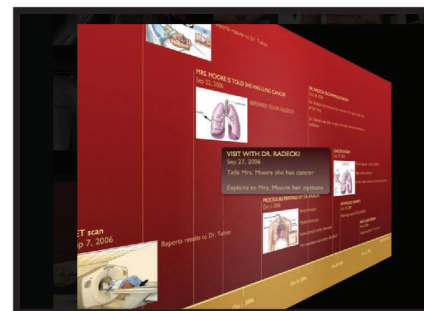
"Innovative and imaginative, Jim's help in creating a more visual trial has been invaluable. We will never go to trial without him."

Julia Arfaa,
Arfaa Law Group



"Jim worked for our firm as a trial attorney for years and now as a consultant. He not only enhances our cases, he has made us better trial lawyers."

Paul Bekman,
Bekman, Marder & Adkins



"Jim's visuals are compelling. It has become a necessary and valuable tool for trial attorneys."

Judge Mickey J. Norman,
Circuit Court for Baltimore County

Gentry & Associates, LLC
Litigation Technology Consultant



Phone: 443-604-6016 • Email: gentryltc@gmail.com • Website: gentryltc.com James Gentry, Esq.

Incorrect Pattern Jury Instruction Not Harmless Error

BY JOHN MACLEAN

The Court of Appeals of Maryland held that a judge using a pattern jury instruction that omitted an element of the charge was not harmless error when reviewing the denial of a motion for a new trial. By reversing the conviction, the court created a new standard of review in motions for new trials for determining if faulty court instructions violated the defendant's right to a fair trial. In *Williams v. State*, decided on January 18, 2019, the defendant was convicted in the Circuit Court for Montgomery County of the sole charge of first-degree child abuse, which includes the element of a severe physical injury. In Md. Code Ann. Criminal Law Statute 3-601(b)(1)(ii), severe injury is defined as a physical injury that creates a substantial risk of death; or causes permanent or protracted serious disfigurement; permanent or protracted loss of function of any bodily member or organ; or permanent or protracted impairment of the function of any bodily member or organ.

During the trial, the judge instructed the jury of the elements of the charge using Maryland Criminal Pattern Jury Instructions. However, the pattern jury instructions failed to make clear that the terms "permanent or protracted" applied to not only disfigurement, but also loss of function and impairment.

Following the conviction, the defense filed a written motion for new trial based on the faulty jury instruction. The trial judge denied a motion for new trial filed under Md. Rule 4-331(a) and the Court of Special Appeals upheld the ruling.

The Court of Appeals accepted certiorari of the case.

In the opinion by Judge Clayton Greene, Jr., the court did not apply the established standard of review of abuse of discretion in a motion for new trial established in the 1992 Court of Appeals decision in *Buck v. Cam's Broadloom Rugs, Inc.* Instead, citing the holdings of the 2001 *Merritt v. State* decision and 2017 *Porter v. State* decision by the Court of Appeals, the court stated they would analyze the *Williams* case based on whether the error was harmless, whether the losing party was not at fault

for discovering the error, and whether the motion was raised in writing.

Citing the 1976 and 2006 respective Court of Appeals decisions in *Dorsey v. State* and *State v. Brady*, the court determined that the defendant in *Williams* was not at fault for not finding the error during trial because use of the Maryland Criminal Pattern Jury Instructions was encouraged by the court.

Next, the court analyzed whether the error of the improper pattern jury instruction was harmless. Citing *Dorsey*, which

held that a reversal of the lower court decision was required when it can't be declared beyond a reasonable doubt that the error in no way influenced the verdict, the court noted that the defense preserved the issue of the extent of the victim's injuries by raising it during the trial. The court in *Williams* then noted the 2002 Court of Appeals decision in *General v. State* and the 1996 Court of Special Appeals decision in *Robertson v. State*, which held that jury instructions were essential for safeguarding a defendant's right to a fair trial and the instructions must accurately cover the controlling issues of the case.

Analyzing the facts of *Williams*, that the pattern jury instruction omitted an element of the sole charge, the court found that the error was prejudicial and not harmless. The court reversed the conviction in *Williams* and remanded the case back to the

circuit court.

Judge Shirley M. Watts dissented, with Judge Joseph M. Getty joining her, arguing that harmless error was the improper standard and challenged the extent to which the degree of the injuries were raised during the trial.

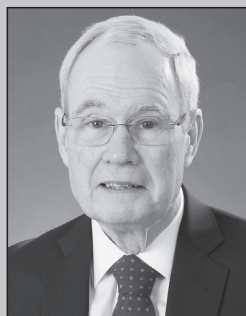
The test established in *Williams* applies not only to circumstances when an incorrect pattern jury instruction is used, but can and should be used in motions for a new trial to challenge scenarios involving any improper instruction by a judge to members of the jury. *Williams* establishes a strong precedent for such issues. ●

John Maclean is an assistant public defender practicing in Frederick County. Mr. Maclean's views do not represent the views of the Maryland Office of the Public Defender.

Neutrals Like No Others



Access to the best mediators and arbitrators practicing today—that's the power of difference™ only JAMS delivers.



Hon. William G. Connelly (Ret.)

U.S. District Court,
District of Maryland



Hon. Sherrie L. Krauser (Ret.)

Circuit Court Judge, Prince
George's County, Maryland



Hon. Benson Everett Legg (Ret.)

Chief Judge, U.S. District Court
for the District of Maryland



Hon. Frederic N. Smalkin (Ret.)

Chief Judge, U.S. District Court
for the District of Maryland



Hon. Dennis M. Sweeney (Ret.)

Chief Judge, Fifth Judicial
Circuit of the State of Maryland

Contact Teresa L. Menendez, Senior Case Manager, at 202.533.2017 or tmenendez@jamsadr.com.
JAMS Washington DC | 1155 F St., NW | Suite 1150 | Washington, DC 20004 | www.jamsadr.com

Sow the Seeds of Sound Advice for Farmer Clients

BY SARAH EVERHART, ESQ.

Giving accurate labor law advice to clients who run farming operations requires consideration of federal and state agricultural exemptions and an understanding of the scope of “agriculture,” as defined by the Fair Labor Standards Act (FLSA). Instead of assuming all farm employees perform work that is eligible for the agricultural exemptions from the FLSA, lawyers will be well served to analyze the types of work performed by employees and the relationship of the work to the underlying farm operation before deciding whether the agricultural exemptions are appropriate.

Pursuant to the FLSA and state law, certain farm workers (those employed on very small farms, hand harvest laborers, etc.) are exempted from receiving the federal minimum wage and overtime (time and one-half) pay. According to the FLSA, all other farm workers are exempted from receiving overtime pay. Maryland, however, is one of the few states that requires employers to pay employees engaged in agriculture overtime pay. In Maryland, agricultural employees who are exempted from the federal law are to be paid overtime pay for all work over 60 hours per week.

To determine whether farm employees are eligible for the agricultural exemptions, an employer must compare the work performed by the employee to the FLSA’s definition of agriculture, broken down into either primary or secondary agriculture. **Primary agriculture** includes cultivation and tilling of soil; production, cultivation, growing, and harvesting agricultural and horticultural commodities; and raising livestock, bees, fur-bearing animals, or poultry. **Secondary agriculture** includes any practices performed by a farmer or on a farm as an incident to or in conjunction with farming operations, including preparation for market, delivery to storage or to market or to carriers for transportation to



“In Maryland, agricultural employees who are exempted from the federal law are to be paid overtime pay for all work over 60 hours per week.”

market. “Generally, a practice performed in connection with farming operations is within the statutory language only if it constitutes an established part of agriculture, is subordinate to the farming operations involved, and does not amount to an independent business (29 C.F.R. § 780.44).”

For the agriculture exemptions to apply to secondary agricultural practices, “the practices in question must relate to the farmer’s own farming operations and not to the farming operations of others....” *Mitchell v. Huntsville Wholesale Nurseries, Inc.*, 267 F.2d 286, 290 (5th Cir. 1959). In other words, if agricultural employees are performing work with another farmer’s products, such as selling or packing another farmer’s produce, the employees are most likely not performing work

that meets the FLSA definition of agriculture.

Courts interpreting the scope of the FLSA’s agricultural exemptions have applied the exemptions to a wide variety of types of work not traditionally associated with agriculture such as cooking and cleaning. To determine whether work is eligible for the exemptions, courts have focused on the reason why the work is performed in relation to the primary agricultural operation. Work that is found to be supportive of the primary agricultural operation has generally been found to be exempted and by contrast work that is unrelated to the primary agricultural operation or amounting to a separately organized activity has been found to be ineligible.

The exemptions from the FLSA apply on a week by week

basis meaning that when an employee in the same workweek performs work which is exempt and also engages in work that is not exempt but covered by the FLSA, he is not exempt that week, and subject to the full wage and hour protections of the FLSA, i.e. minimum wage and overtime pay. In application, this means that if a farm worker is asked to do non-farm related work, such as painting the farm employer’s house, in the same week he undertakes farm work, he is not eligible for the agriculture exemptions that week. Farm employers who take advantage of the agriculture exemptions need to take and maintain careful records and document, not just the hours worked, but the type of work employees undertake each week.

According to the U.S. Department of Labor, failing to pay overtime to employees whose jobs are related to agriculture but which do not meet the definition of agriculture, is a typical violation of the FLSA. To keep your clients from inadvertently running afoul of the FLSA, carefully consider the type of work farm employees are engaging in and how that work relates to the farm operation, before advising a client to take advantage of the agricultural exemptions.

Sarah Everhart is the Managing Director of the Agriculture Law Education Initiative at the University Of Maryland Francis King Carey School of Law. Everhart is the Chair-Elect and Education Co-Chair of the Agriculture Law Section of the MSBA. ●

Developments in Antibody Patenting

BY STEVEN J. SCOTT

On January 7, 2019, the U.S. Supreme Court declined certiorari in a patent dispute between Amgen Inc. and Sanofi, Aventisub LLC. The case involved legal standards for patenting antibodies, and more particularly a statutory requirement that patent applications include a “written description” of the invention. This case mostly affects the biopharmaceutical industry, including Maryland-based biotech companies.

Antibodies

Antibodies are complex organic molecules produced by the immune system. They target and bind to other molecules in the body, known as antigens, to prevent the antigens from causing harm. Sometimes the body does not produce antibodies ideal for binding to certain antigens. Biotech companies spend significant resources developing non-natural antibodies in the laboratory that will bind to such antigens more successfully. The companies often then patent their new antibodies along with therapeutic applications of them.

Over a decade ago, the U.S. Patent and Trademark Office (“PTO”) issued guidance suggesting that a patent for a new *antibody* could fulfill the requirement to provide a “written description” of the invention by disclosing

the first sufficient structural description of the *antigen* it binds to. This guidance applied where it was routine or conventional to make an antibody once its target antigen structure became known. Some federal courts later adopted this so-called “newly characterized antigen” test in patent litigations.

Amgen v. Sanofi

Amgen and Sanofi independently developed competing antibodies having different structures but both binding to a common antigen to reduce bad cholesterol. Amgen obtained a patent to a broad scope of antibodies defined by their functional ability to bind to portions of that antigen. Amgen sued Sanofi for patent infringement, but Sanofi challenged the patent’s validity for allegedly not disclosing a sufficient



number of particular antibodies to justify its broad scope. Amgen disagreed, also arguing it could rely on the “newly characterized antigen” test because it disclosed the relevant parts of the antigen structure.

The Court of Appeals for the

Federal Circuit sided with Sanofi. The court said the patent must either include enough example antibodies that are sufficiently representative of the broad invention, or disclose structural features that all the antibodies have in common. The judges dis-

carded the “newly characterized antigen” test, saying the written description requirement should focus on the antibodies, not the antigen. A new trial in the case began on February 19, this time applying the appropriate legal standard. The decision also prompted the PTO to withdraw its previous guidance document.

Implications for antibody patenting

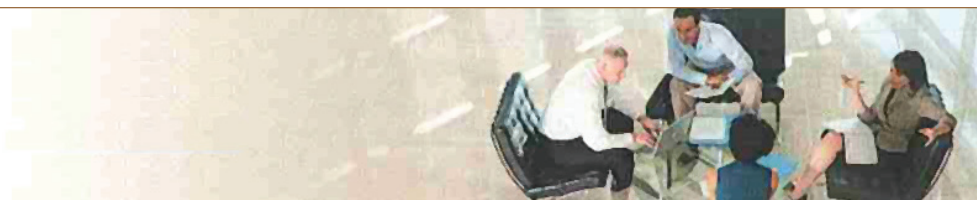
The *Amgen v. Sanofi* case has several implications for antibody patenting. Many patents that relied on the “newly characterized antigen” test already issued before this decision. The case casts doubt on the validity of at least some of these, potentially reducing their value.

The decision arguably makes it more difficult to obtain broad

CONTINUED ON PAGE 19

McMillan Metro, P.C.

ATTORNEYS AT LAW



Meet Our Newest Talent

McMillan Metro is pleased to announce that Elyse L. Strickland and Natasha M. Nazareth have joined the Firm in Of Counsel capacities.



Elyse brings extensive experience in helping individuals with their domestic issues, including business valuation, property distribution, alimony, child support, custody and visitation. She is also a family law mediator and collaborative lawyer and certified as a “best interest” attorney. In addition, she represents an array of business clients, from individuals to publicly traded corporations and small business entities, as a commercial litigator as well as, representing companies who purchase payment streams, such as structured settlement payments and lottery winnings. Elyse is licensed to practice in Maryland, the District of Columbia and Virginia.



Natasha offers a broad spectrum of services to schools, small business and not-for-profit organizations. She has extensive experience providing in-depth advice on student issues including: student services, student handbook policies, honor code, academic integrity and disciplinary violations, health and safety, admissions, accommodations, bullying and harassment, and school role in domestic and custody disputes. In addition, she assists businesses with labor and employment issues, contracts, risk management, regulatory compliance, non-profit and tax exempt law, governance, bylaws and board policies. Natasha is licensed to practice in Maryland, the District of Columbia and North Carolina.

Please visit McMillanMetro.com | (301) 251-1180

Call us for all of your business & personal legal needs.

| Arbitration & Mediation | Commercial & Construction Litigation | Corporate & Business Law
| Commercial Leasing | Education Law | Employment Law & Litigation | Estate Planning & Administration
| Family Law | Intellectual Property | Land Use, Zoning & Municipal Law | Real Estate Law



MDEC is now fully operational in Baltimore County

On February 19, 2019, the Maryland Judiciary launched Maryland Electronic Courts (MDEC) in Baltimore County.

E-filing is now mandatory for attorneys filing cases in the District Court and the Circuit Courts in Baltimore County, as well as appellate filings that commence in Baltimore County.

MDEC's expansion increases efficiencies and productivity and allows attorneys more time to focus on other critical tasks for their clients.

MDEC goals include:

- A streamlined electronic process
- Consistency in the user experience
- Greater efficiency in and between courts

Training opportunities and tutorials on how to file and serve electronically with the Maryland Judiciary are available for registered users.

For questions regarding webinar training, contact mdcourts@service-now.com.



USPTO's Evolving Guidance For Determining Patent Eligibility

BY DAVID TAYLOR, ESQ.

In the not too distant past, counseling clients as to whether their inventions were eligible for patent protection typically involved a two-part analysis of whether the inventions were (i) novel and (ii) non-obvious over the "prior art." The state of the prior art was (and typically continues to be) determined, in part, by conducting a patentability search, such as of the U.S. Patent & Trademark Office's ("USPTO") patent database and/or foreign patent databases.

That changed during the first half of the decade with the U.S. Supreme Court's issuance of its *Alice* and *Mayo* decisions for evaluating patent subject matter eligibility under 35 U.S.C. § 101. *Alice Corp. Pty. Ltd. v. CLS Bank Int'l*, 573 U.S. 208 (2014) and *Mayo Collaborative Servs. v. Prometheus Labs, Inc.*, 566 U.S. 66 (2012). The *Alice* and *Mayo* decisions opened a floodgate to patent-eligibility rejections and invalidity challenges against patent applications and issued patents, respectively, particularly in the fields of business practices/software and medical diagnostic procedures.

As my articles in the May 2018 and June 2018 Maryland Bar Bulletins discuss, the *Alice/Mayo* subject-matter eligibility test involves two steps. In Step 1, a determination is made as to whether an invention, as set forth in a patent claim, is directed to one of the basic statutory categories creating the basis for eligibility, which are a 1) process, 2) machine, 3) an article of manufacture, or 4) a composition of matter. If the claim does not fall into one of those categories, then it is presumed not to be patent eligible. If the claim falls within one of those categories, then the analysis proceeds to Step 2A, which asks if the claim is directed to a "judicial exception," which includes abstract ideas, laws of nature, and natural phenomena. If the claim is not directed to a judicial exception, end of inquiry, it constitutes patent-eligible subject matter. But, if the claim is directed to a judicial exception,

the analysis proceeds to Step 2B, which asks whether the elements of the claim add enough to transform the nature of the claim into a patent-eligible inventive concept. Well-understood, routine, and conventional activities cannot transform a claim, otherwise directed to a "judicial exception" into an inventive concept.

The evolution of the *Alice/Mayo* test has been a rollercoaster ride of federal court decisions and USPTO guidelines, some favorable to inventors and others not so favorable. In the latest installment, the USPTO has issued a 2019 Revised Patent Subject Matter Eligibility Guidance document ("2019 Guidance") for use by its more than 8500 patent examiners for assessing patent subject-matter eligibility under the *Alice/Mayo* test.

One of the two most significant changes that the 2019 Guidance makes to the *Alice/Mayo* test involves providing greater substance to the meaning of the "abstract idea" judicial exception under Step 2A by requiring that a claim fall within an enumerated grouping in order to be considered an abstract idea. Those groupings are: (a) a mathematical concept; (b) a method of organizing human activity; and (c) a mental process. Except in "rare circumstances" set forth in the 2019 Guidance, if the claim does not fall within one of the three groupings, it is not directed to an abstract idea and is patent eligible (assuming that it does not fall within the "laws of nature" or "natural phenomena" judicial

exceptions).

The other significant change implemented to Step 2A by the 2019 Guidance is to require that the USPTO personnel evaluate the claim to determine whether it "as a whole [...] integrates the [judicial] exception into a practical application of that exception." This means that the claim applies, relies on, or uses the exception "in a manner that imposes a meaningful limit on the judicial exception." The 2019 Guidance provides a list of examples of additional elements that integrate a judicial exception into a practical application, thusly making it patent eligible. The list includes additional elements that:

1. improve the functioning of a computer or other technology;
2. effect a particular treatment or prophylaxis for a disease or medical condition;
3. implement a judicial exception in conjunction with a particular machine or manufacture that is integral to the claim;
4. effect a transformation or reduction of a particular article to a different state; or
5. apply or use the judicial exception in some other meaningful way beyond generally linking the use of the judicial exception to a particular technological environment.

If a claim fails to integrate the exception into a practical application, the need for further analysis under Step 2B of the *Alice/Mayo* test is triggered.

CONTINUED ON PAGE 19

Pontius Tax Law, LLC John Pontius - Tax Attorney

5 Years - Super Lawyers Rising Stars Selection



**Trust.
Dedication.
Value.**

Representing local, national and international businesses and individuals with complex tax issues.

Avvo Rating - 10/10
Veteran Owned Business

- | | |
|---|--------------------------------------|
| — FBAR Examination and Offshore Disclosures | — Audits and Appeals |
| — Tax Planning | — State Tax Issues |
| — Unfiled Tax Returns | — IRS Penalty and Interest Abatement |
| — Lien Release | — US Tax Court Litigation |
| — Levy Relief | — Tax Fraud and Tax Evasion |
| — Trust Fund Recovery Penalty | |

www.PontiusTaxLaw.com | 240-283-7099

john.pontius@pontiustaxlaw.com

199 E Montgomery Ave, Suite 100, Rockville, MD 20850



Continuing Legal Education Opportunities

Continuing Legal Education Department: Raising the Bar for Education

BY ANDREA TERRY, ESQ.

As the Ides of March rolls out we finish the month with the newest presentation of New Veterans Affairs Wartime Pension Benefit Laws: It Finally Happened! This new program on March 27th will cover changes in the Veterans Affairs rules regarding war time pension benefits. Nationally renowned Veterans Affairs lawyer, Victoria

Collier, will cover the long journey to the recent rule changes, new planning options, review of new forms and more!

As legal technology continues to be a hot topic, join MSBA for a presentation of The Cybersleuth's Guide to Fast, Free and Effective Investigative Internet Research on March 29th. In this fast-paced semi-

nar you'll learn some of the best Internet search strategies and sources for finding crucial information that you might otherwise miss. You'll also learn how to use free public record sites and sites with free "publicly available" information (including social media sites) for discovery, trial preparation, background checks, and for

locating missing persons. A truly valuable for skill for not only lawyers but their staff.



Additional information and online registration available at msba.inreachce.com

UPCOMING LIVE CLE PROGRAMS

Registration is open for:

- **Appellate Practice in Maryland** - March 5, 2019 | John and Frances Angelos Law Center, University of Baltimore
- **Recent Developments in Estate Administration** - March 12, 2019 | Learning Commons, University of Baltimore
- **Appellate Practice in Maryland** - March 13, 2019 | Universities at Shady Grove Conference Center, Rockville, MD
- **Land Use Institute** - March 20, 2019 | Sheraton Columbia Town Center, Columbia, MD
- **New VA Wartime Pension Benefit Laws: It Finally Happened!** - March 27, 2019 | Ecker Business Center, Columbia, MD
- **The Cybersleuth's Guide to Fast, Free and Effective Investigative Internet Research** - March 29, 2019 | Ecker Business Center
- **Finance for Lawyers** - April 1, 2019 | Student Center, University of Baltimore
- **Successful Management & Collection of Fees** - April 9, 2019 | Columbia, MD
- **Advanced Business Law Institute** - April 18, 2019 | Sheraton Columbia Town Center, Columbia, MD
- **Civil Pre-Trial Practice** - April 24, 2019 | Learning Commons, University of Baltimore

Registration Opening Soon!

- **Hot Tips in Workers' Compensation** - May 9, 2019 | Columbia, MD
- **Immigration Section Spring Conference** - May 10, 2019 | Columbia, MD
- **Child Counsel Training/Best Interest Attorney Training** - May 17, 2019 | Hanover, MD
- **Advanced Estate Planning** - May 21, 2019 | Columbia, MD
- **Hot Topics in Elder Law** - June 5, 2019 | Columbia, MD
- **2019 Using and Drafting Trusts** - June 19, 2019 | Columbia, MD
- **Family Practice Update** - August 22, 2019 | Columbia, MD
- **40 Hour Basic Mediation Training** - September 23-27, 2019 | Baltimore, MD

NEW ONLINE, ON-DEMAND

- **Advanced Real Property Institute** - presented live October 9, 2018
- **2018 MSBA Immigration Law Section Fall Conference: Federal Court Litigation and SIJS Nuts and Bolts** - presented live October 9, 2018
- **Financial Elder Abuse – 2018 Update** - presented live October 25, 2018
- **2018 Evidence and Family Law: Common Pitfalls and Practice Pointers** - presented live December 19, 2018
- **Mindfulness as a Foundation for Ethical Lawyering** - presented live January 16, 2019
- **Mental Health and the Law** - presented live January 24, 2019
- **Family Law University** - presented live February 7, 2019

VIDEO REPLAYS

- **Mental Health and the Law** - March 5, 2019, Baltimore and March 7, 2019, Rockville, MD
- **Family Law University** - March 26, 2019, Baltimore and March 28, 2019, Rockville, MD
- **Recent Developments in Estate Administration** - April 16, 2019, Baltimore and April 18, 2019, Rockville, MD
- **Appellate Practice in Maryland** - April 23, 2019, Baltimore and April 25, 2019, Rockville, MD
- **Land Use Institute** - April 30, 2019, Baltimore and May 2, 2019, Rockville, MD
- **New VA Wartime Pension Benefit Laws: It Finally Happened!** - May 7, 2019, Baltimore and May 9, 2019, Rockville, MD

NEW & RECENT PUBLICATION UPDATES

(All titles available in print and electronically)

NEW—Intellectual Property for Maryland Business and Litigation Lawyers: What You Need to Know but Didn't Know to Ask, Second Edition

The Handbook is an essential, up to date and highly practical resource that explains everything about intellectual property law to business lawyers, litigators and business persons who need to understand patents, trademarks, copyrights and other forms of intellectual property.

NEW—Civil Pre-Trial Practice, 2019 Revised Edition (with downloadable forms)

This is an essential reference to civil practice beginning with the initial contact with a potential client up to trial. The author provides the "nuts and bolts" for handling a lawsuit, including legal research, service of process, discovery, settlement negotiations, pre-trial motions and trial preparation

NEW—Model Jury Selection Questions for Maryland Criminal & Civil Trials

Select your jury using the easy, practicable sets of questions (separate sets of questions for civil and criminal trials), generously endorsed by the Maryland Court of Appeals. See *Collins v. State*, 452 Md. 614 (2017).

NEW—The Maryland Rules of Evidence Pocket Edition, 2018

This easy-to-carry pocket guide allows you to have the rules of evidence at your fingertips.

Appellate Practice for the Maryland Lawyer: State and Federal, 5th Edition

Tailored for both expert practitioners and attorneys who rarely handle appeals in Maryland and federal courts, this book guides one through the entire appellate process both in state and federal courts, providing sample appellate submissions and tips on the standards of review, criminal appeals, appeals from administrative agencies, petitions for certiorari, the appellate brief, record extract (or joint appendix), and oral argument.

Pleading Causes of Action in Maryland, 6th Edition

The Sixth Edition is the authoritative reference for filing causes of action on civil actions on a broad range of subjects. It examines and analyzes cases, statutes, treatises and other reference sources on Maryland law and pleading, and has been revised to address evolving requirements in various areas of practice.

CONTINUED ON PAGE 19

CONTINUED ON PAGE 19



Prescription Drug Abuse and Addiction

BY LISA CAPLAN

If you have had surgery, an injury, or have been in severe pain you may have been prescribed a painkiller. Although most individuals take prescription medication as prescribed, the National Institute on Drug Abuse (NIDA) found that 20 percent of the population ages 12 and older have used prescription drugs for nonmedical reasons at least once in their lifetime. NIDA's Monitoring the Future Survey found that young people are strongly represented in this group with 1 in 12 high school seniors reporting using a prescription pain reliever for nonmedical reasons.

Prescription drug abuse is defined as either taking a prescription drug that has not been prescribed for you, or taking it in dosages or for reasons other than prescribed. If you are prescribed a prescription drug for post surgery pain and you take it for your back pain this is prescription drug abuse, which can lead to prescription drug addiction.

Prescription drug addiction is a growing problem. Unfortunately, many people do not consider it as serious as someone using street drugs. An addict is an addict, whether the individual is using prescription

drugs, alcohol or street drugs. The same destructive behaviors, and potential for impact on their own and their family's lives, are present regardless of the drug.

Prescription Drugs Commonly Abused Include:

- Opioids for Pain: hydrocodone (Vicodin®); oxycodone (OxyContin®); propoxyphene (Darvon®); meperidine (Demerol®); diphenoxylate (Lomotil®); hydromorphone (Dilaudid®)
- Stimulants to treat ADHD: dextroamphetamine (Dexedrine®); methylphenidate

(Ritalin® and Concerta®); amphetamines (Adderall®)

- Central Nervous system depressants for anxiety: barbiturates such as pentobarbital sodium (Nembutal®); benzodiazepines such as diazepam (Valium®); alprazolam (Xanax®)

Drug Dependency versus Drug Addiction

Prescription drugs change the brain chemistry of the person using them just like alcohol and illegal drugs do. The individual's brain is not as effective at producing brain chemicals like dopamine or endorphins. The individual then has to replace these chemicals with another drug. It is the chronic exposure to the prescription drug that causes this adaptation and the person becomes physically dependant.

Someone who is physically dependent will experience withdrawal symptoms if the drug is reduced or stopped abruptly. The symptoms can range from

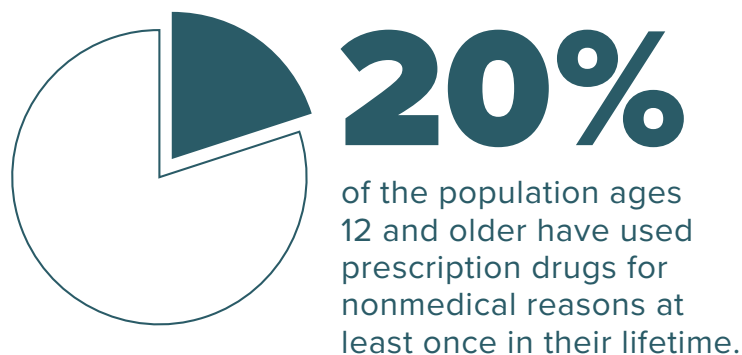
moderate to severe, but

can usually be managed medically by slowly tapering the use of the drug. Dependence usually includes tolerance where the individual needs more of the drug to receive the same effects. Drug Addiction, which can include dependency, differs in that it involves compulsive drug seeking behavior and use despite often devastating consequences.

For assistance, please contact the Lawyer Assistance Program for **free, confidential counseling**. We have a net-

work of counselors throughout Maryland. Jim Quinn, Lawyer Assistance Director, (443) 703-3041, jim@msba.org; Lisa Caplan, LCSW-C, Associate Director of the Lawyer Assistance Program, (443) 703-3042, lisa@msba.org. 24/7 Toll Free Confidential Help 1(888) 388-5459. ●

Lisa Caplan, LCSW-C has over 20 years experience in her field, and extensive experience working with lawyers and judges in the areas of mental health, substance abuse and trauma.



Symptoms of Excessive Prescription Drug Use May Include:

- Mood swings
- Anxiety
- Depression
- Agitation
- Difficulty sleeping
- Isolation
- Loss of interest in relationships with family and friends
- Withdrawal

Signs of Prescription Drug Dependency and Addiction May Include:

- Past history of addiction
- Using prescription drugs prescribed for others
- Visits to the doctor with vague complaints to get more medication
- Mood swings
- Seeing several different doctors
- Using different pharmacies
- Using more medication than recommended
- Using medication for reasons other than prescribed
- Not interested in treatment options other than medication
- Hospital visits

MSBA

SPRING SEMINAR & CHIEF JUDGE BELL AWARD DINNER

Hosted by MSBA's Alternative Dispute Resolution Section

April 30, 2019
Tabrizi's Baltimore

For more information and to register, visit msba.org/ADR-Spring-Dinner



LAWYER ASSISTANCE, LOCALLY

For nearly 40 years, the Baltimore-based MSBA Lawyer Assistance Program (LAP) has worked tirelessly to preserve and promote the professional, physical, and emotional health and well-being of all Maryland attorneys, judges, and law students by providing **free, confidential counseling** on issues affecting those in the profession:

- DEPRESSION
- ALCOHOL & DRUG ABUSE
- MARITAL & FAMILY PROBLEMS
- STRESS & BURNOUT
- ADDICTION
- EATING DISORDERS
- WORK/LIFE BALANCE

Now, LAP has brought its services home, no matter where you are in Maryland.

As part of MSBA President Judge Keith R. Truffer's yearlong focus on lawyer assistance, LAP has partnered with a nationally recognized provider of counseling service to effectively expand its presence to every corner of the state.

WE ARE HERE FOR YOU.

We have resources to help.
Take advantage of our network of experienced providers.

The MSBA Lawyer Assistance Program is available to all lawyers in Maryland. If you or someone you know is in need of LAP's free and confidential counseling services, please contact us for free:

24/7 TOLL-FREE LINE
1-888-388-5459

James P. Quinn, Director
443-703-3041
jim@msba.org

**Lisa Caplan, LCSW-C,
Counselor**
443-703-3042
lisa@msba.org



Blogging for Lawyers: Not for the Faint of Heart

BY TATIA L. GORDON-TROY, ESQ.

Did you know that most people Google a legal issue before calling an attorney? That's because people want to educate themselves first. They read articles, blogs, white papers, social media posts, and view videos looking for answers to their legal questions. When they come across a particular attorney who seems to know what he or she is talking about and has provided content that relates to the readers' problem, that's when the phone calls come in.

Once you understand this cycle, you'll know it is imperative that your law firm offer relevant content to quench the readers' educational thirst and bring them one step closer to becoming a client.

Blogging is an instrumental part of providing educational, informative, and timely content to your would-be clients. But blogging isn't for the faint of heart. It is not a quick-fix mar-

keting strategy; in fact, there's nothing quick about it. It can be tedious. Many lawyers start off feeling energized with lots of topics to cover only to end up with writer's block, falling behind on their postings, or simply tossing in the towel several weeks later.

No matter what area of law you practice, a blog can be beneficial when planned properly. It needs to reach the right audience at the right time. Here's a crash course on things to consider before you start a blog:

1. *Frequency.* Blogs are expected to remain fresh, so posting a new article weekly is the minimum frequency for which you should aim.
2. *Length.* Good blog posts are at least 500 words and capture the reader's attention by providing relevant advice or information.
3. *Thought leadership.* Blogs are your opportunity to display your expertise in a casual,

unintimidating way. Use it to communicate changes in the law or expound on legal news topics to educate and inform.

4. *Content.* Leave out your latest speaking gig, attendance at a local event, or receipt of an award. These are great, but save them for the news and announcements section of your website.
5. *Crosslinks.* Include links in your blog articles to other content on your website to entice a visitor to explore your website and learn more about your firm.
6. *Requests.* Always include a request or call to action in your blogpost, such as "contact us at [number or e-mail] to discuss your matter," or "for more information, download our white paper on [said topic]."
7. *Keywords and phrases.* Include keywords and phrases that people are known to use when

searching on Google to improve your page ranking and move you up the long list of search results. Although Google Keyword Planner isn't free to use, try alternatives such as Google Trends and Google Suggest for some insight.

8. *Social media.* You will want as many eyes on your 500-word article as possible. A blog's success is only as good as its social media distribution strategy. Blogposts to LinkedIn, Facebook, even Instagram, can reach your ideal client, or provide passive referrals from those who might provide your information to someone in need of your services.
9. *Visibility.* Bear in mind that although you are not blogging, other attorneys in your field are. A blog can help raise your visibility online from which you may derive many of your clients

over time. It is an opportunity to remain competitive.

10. *Burden.* Don't shoulder the burden alone. Recruit fellow practitioners or others in the legal field who can act as guest bloggers. Even consider outsourcing the task to a skilled freelancer to keep your blog fresh by ghost-writing articles for you.

Remember that blogs can become stale quickly. If you take the leap, be committed. ●

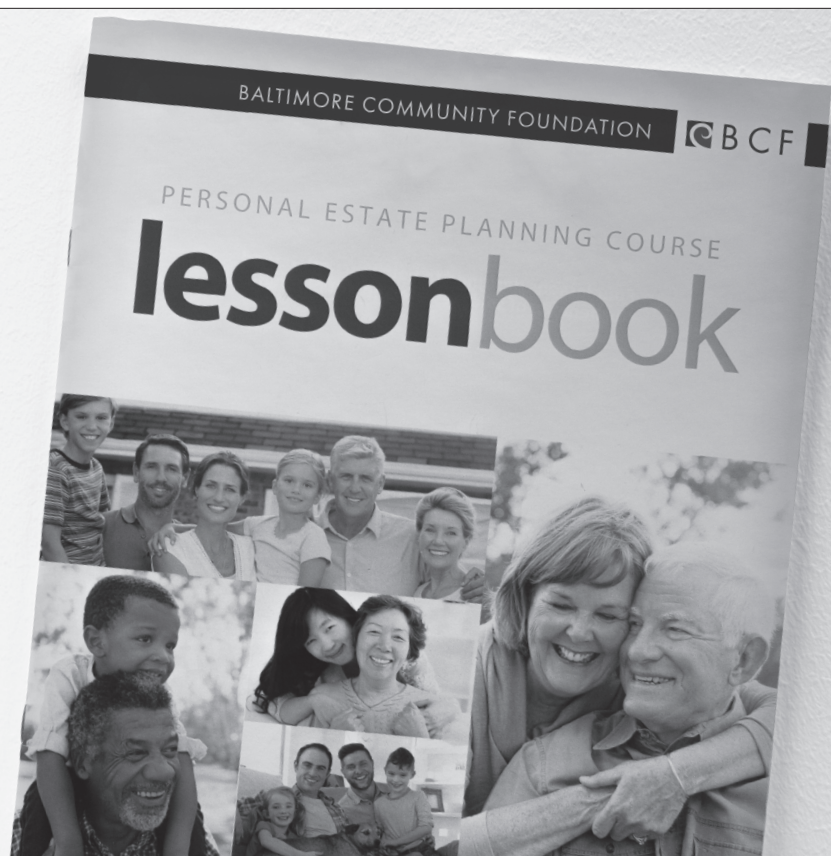
Tatia L. Gordon-Troy, Esq. transforms attorneys into published authors and knows how to use storytelling to market attorneys and their practices. She runs her own publishing and marketing firm, Ramses House Publishing LLC, www.publishingforlawyers.com. Tatia is a member of the Maryland Bar and a regular contributor to MSBA publications.

Planning With Clients? BCF Can Help

Our *Personal Estate Planning Lesson Book* presents all the basics of estate planning, wills and trusts in simple language. Our Lesson Book makes a great gift for your clients—or their young adult children.

Contact us today to **request your free copy**, and ask about a bulk order for distribution to your clients.

Call 410-332-4171, or email plannedgiving@bcf.org



BALTIMORE COMMUNITY FOUNDATION

2 East Read Street, 9th Floor
Baltimore, Maryland 21202
410-332-4171 | www.bcf.org



Nelson A. Garcia, Esq

Andalman & Flynn is pleased to announce that **Nelson A. Garcia, Esq.** has joined the firm's family law practice group, where he will practice in all areas of family law in both Maryland and the District of Columbia. Mr. Garcia is a highly skilled litigator, trained mediator and superb negotiator, as well as having experience in appellate advocacy before the District of Columbia Court of Appeals and the Court of Appeals of Maryland.

Baker Donelson continues to expand its Government Enforcement and Investigations Group with the recent addition of prominent white collar lawyers **Jonathan Biran** and **Ty Kelly**. Mr. Biran and Ms. Kelly, both former Assistant U.S. Attorneys for the District of Maryland who are consistently recognized as leading white collar defense attorneys in the Baltimore-Washington area, are joining the Firm as shareholders in Baker Donelson's Baltimore and Washington, D.C. offices. **Alison C. Schurick** has also joined the Government Enforcement and Investigations Group in Baltimore as an Associate.



Alison C. Schurick

Theresa J. Withers-Williams has joined **Timmerman, Beaulieu, Hinkle & Esworthy, LLC** as Of Counsel. Ms. Withers-Williams concentrates her practice on Business and Corporate matters. **Sean D. Harding** has also joined **Timmerman, Beaulieu, Hinkle & Esworthy, LLC** as an associate. His areas of focus include insurance defense, commercial & business litigation, and traffic offenses.



Theresa Withers-Williams

Schlachman, Belsky & Weiner, P.A. has recently elevated **Catherine A. Dickinson, Chaz R. Ball, Jonathan Scruggs,** and **Barbara Greene** to Partner. Ms. Dickinson's practice focuses on complex civil litigation, Mr. Ball's practice focuses on criminal defense and civil litigation, Mr. Scruggs' practice focuses on the representation of law enforcement and correctional officers accused of misconduct, and Ms. Greene's practice focuses on family law matters.

Veteran real estate lawyer **Stuart C. Resnick** has joined the law practice of **Kramon & Graham** as Of Counsel. Formerly Underwriting Counsel for Continental Title Group, Stuart has more than three decades of experience handling transactions for many of the region's most prominent builders and developers.



Stuart C. Resnick

The law firm of **King & Attridge** in Rockville, MD has named **Brett Alan Pisciotto, Esq.** as partner to the firm as of January 1, 2019.

After 25 years of practicing law at larger firms, attorney **April Caso Ishak** opens Woman-Owned Law Firm, **AC Ishak Law, LLC** in Havre de Grace, Maryland. The firm handles cases involving estate planning and administration, elder law, business law, property issues, and civil litigation.



April Caso Ishak

Karen Davidson and **Jamie Tansey** have been elected to the **Maryland Volunteer Lawyers Service (MVLS)** Board of Directors. Ms. Davidson is assistant corporate counsel, human resources director and corporate secretary at Lord Baltimore Capital Partners, LLC. Mr. Tansey is a senior associate at Hogan Lovells' Baltimore Office.



Jonathan Biran



Ty Kelly



Sean D. Harding



Karen Davidson



Jamie Tansey

Richard L. Flax has been appointed counsel of the nonprofit **Maryland Citizens' Health Initiative**.

William P. Atkins, a patent and trial attorney with **Pillsbury Winthrop Shaw Pittman LLC**, published the Fourth Edition of the Patent Trial and Appeals Board (PTAB) Handbook.

Turnbull, Nicholson & Sanders, P.A. has relocated to Court Towers, 210 W. Pennsylvania Avenue, Suite 420, Towson, Maryland 21204, (410) 339-4100. The Firm will continue to focus its practice on Divorce, Child Custody, Support, Property Division, Adoption, Mediation, and other Family Law Matters.



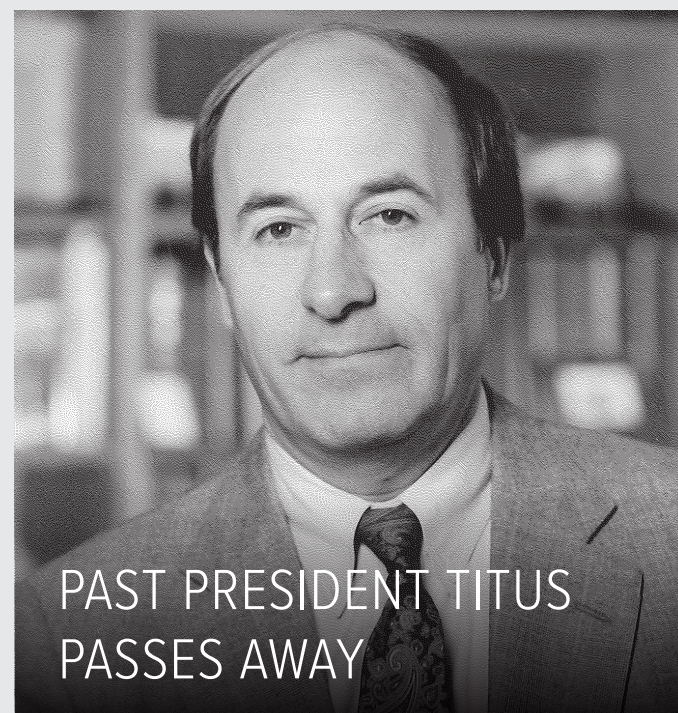
Richard L. Flax



Photo Credit: Myles Friedman

Congratulations Hon. Vicki Ballou-Watts

On January 31, 2019, Hon. Vicki Ballou-Watts, Circuit Court for Baltimore County, was awarded the J. Earle Plumhoff Professionalism Award by the Baltimore County Bar Association (BCBA). The Plumhoff Professionalism Award is the BCBA's most prestigious award, and is awarded to a BCBA member who has made professional contributions to BSBA activities, has contributed time and resources that have largely gone unnoted, and displays dignity, integrity, and civility.



PAST PRESIDENT TITUS PASSES AWAY

MSBA expresses our deepest condolences to the family, friends, and colleagues of Past President Judge Roger W. Titus, who passed away on Sunday, March 3, 2019, following a courageous battle with cancer. He was 77-years-old.

Titus served as MSBA President during the 1988-1989 bar year. He was commissioned as a United States District Judge on November 17, 2003, and served in the Court's Southern Division at the Greenbelt courthouse and was on active status until January 17, 2014. He continued service on senior status until his passing.

Funeral services were held Friday, March 8, at Saint Bartholomew Catholic Church in Bethesda, followed by a reception at Congressional Country Club and private burial.

Read The Washington Post's obituary for the Honorable Roger W. Titus at www.msba.org/Titus-Obituary.

Send your latest news and updates for inclusion in Et Alia: BarBulletin@msba.org.

CLASSIFIEDS

SERVICES

ECONOMIST: Lost income, benefits and life-care plans valued for personal injury, wrongful death and employment cases. University professor with extensive experience. DR. RICHARD B. EDELMAN, 8515 Whittier Boulevard, Bethesda, MD 20817. (301) 469-9575 or (800) 257-8626. References and vitae on request. Visa/MC. Please visit at: www.economic-analysis.com.

Michele Zavos has joined **Delaney McKinney, LLP**, of Chevy Chase, Maryland, as a partner, where she will continue her longstanding family law and estate planning practice, which includes a focus on adoptions, artificial reproductive technology, divorce, probate, surrogacy, and issues unique to LGBT families.

Mid-Year Meeting

CONTINUED FROM PAGE 1

ranging from practice manuals and handbooks to program materials has been made available online, with links to all source documents.

- **Lawyer Assistance Program.** Over the past four decades, MSBA's Lawyer Assistance Program (LAP) has grown into a comprehensive counseling service for lawyers, judges, and law students struggling with complicated mental health issues. As part of President Truffer's yearlong prioritization of lawyer assistance, LAP has partnered with a nationally recognized counseling services provider to effectively extend its footprint into every county across the state.
- **Maryland Access to Justice Commission.** Eighty percent of Marylanders who need help with a civil legal problem do not receive it. This year, MSBA has formally partnered with the Maryland Access to Justice Commission to work toward the shared goal of ensuring that all Marylanders have access to justice and legal representation.
- **MSBA Legal Summit & Annual Meeting.** Engaging, inspiring, essential... the MSBA Legal Summit & Annual Meeting is the biggest event of the year for Maryland's legal profession. This year's conference, set for June 12-15, 2019, in Ocean City, will speak to every segment of the profession through learning, camaraderie, and fun. CNN Chief Legal Analyst and best-selling author Jeffrey

Toobin will lead an all-star slate of speakers beginning at 3:00 p.m. on Wednesday, June 12.

Three concurrent continuing legal education programs followed the plenary luncheon. Laura LaGrow Armstrong, Senior Consultant/VIP Client Account Manager with designDATA, tackled law practice modernization, including choosing the right cloud solutions, client-management technology, and more, with "Modernize Your Legal Practice with Technology". In "Fairness and Bias in Machine Learning and Artificial Intelligence Systems", Dr. James Foulds, Assistant Professor in the University of Maryland Baltimore County's Department of Information Systems, led an open discussion on the benefits and challenges that artificial intelligence and machine learning systems present to legal professionals. And Jennifer Dill, Esq., of the law firm of Ferrante, Dill & Hisle, LLC, explored "The Impact of Implicit Bias on the Legal Profession" and how practicing mindfulness can help address oft-overlooked bias tendencies.

Attendees also enjoyed a networking reception at the close of the conference.

"At this midpoint in the bar year, I am confident that the MSBA is headed in a new and exciting direction," said Truffer, "and with your continued support and contributions we are creating a stronger and more vibrant MSBA to better serve our members, our profession, and our community." ●

Dateline

CONTINUED FROM PAGE 4

29 The **MSBA** presents "*The Cybersleuth's Guide to Fast, Free and Effective Investigative Internet Research*." The live program will be held at the Ecker Business Training Center in Columbia, Maryland from 8:30am to 4:30pm, and will also be available via webcast. For more information and/or to register visit: www.msba.org/Cybersleuth19.

31 MSBA *Professional Excursion* to Playa Mujeres, Mexico begins. The excursion provides a one-of-a-kind travel experience, where you can meet fellow MSBA members, gain valuable learning experiences, and explore a beautiful destination. It's not too late to book your trip! For more information or to register visit: www.msba.org/professional-excursions.

APRIL

1 The **MSBA CLE Department** presents *Finance for Lawyers* by Joseph Novello at the University of Baltimore Student Center beginning at 8:30am. For more details and/or to register for this essential program, please visit: www.msba.org/financeforlawyers.

2 **Maryland Volunteer Lawyers Service** presents *A Taste for Pro Bono* at Union Craft Brewery in Baltimore, MD beginning at 6:00pm. For more information, see mvlslaw.org/tasteforprobono.



LEGAL SUMMIT & ANNUAL MEETING

MARYLAND STATE BAR ASSOCIATION

June 12-15 | Ocean City, MD

YOU DON'T WANT TO MISS A THING

Join us by **noon on Wednesday, June 12** for this great lineup and more.

12-1 pm Preconference Workshops

JUST ANNOUNCED

1-2 pm Keynote Speaker

ROD ROSENSTEIN
United States Deputy Attorney General,
MSBA Member



2-3 pm Attorneys General Panel



BRIAN E. FROSH
Maryland Attorney General



KARL A. RACINE
D.C. Attorney General

3-4 pm Keynote Speaker



JEFFREY TOOBIN
CNN Chief Legal Analyst and Best-Selling Author

MSBA.ORG/ANNUALMEETING

Dateline

CONTINUED FROM PAGE 18

4 MSBA's Labor and Employment Section presents *Labor and Employment Law Spring Program* featuring panelists: Robin Cockey of Cockey, Brennan and Maloney and Darryl McCallum from Shawe & Rosenthal, LLP. Moderated by Darrell VanDeusan. The program will take place at the United States District Court in Greenbelt, MD beginning at 5:00pm. For more information and/or to register visit: www.msba.org/Employment-Bench-Bar.

9 Join the **MSBA Continuing Legal Education Department** and **Minnesota Lawyers Mutual Insurance Company** for a new presentation of *Successful Management & Collection of Fees* on Tuesday, April 9, 2019 at the Loyola Graduate Center – Columbia Campus, in Columbia, MD. For more information and/or to register visit: www.msba.org/SuccessfulManagement.

11 *Eleventh Feminist Legal Theory Conference* sponsored by The **University of Baltimore School of Law's Center on Applied Feminism** and **The University of Baltimore Law Review**. The theme of this year's conference is Applied Feminism and #MeToo and it will be held at the University of Baltimore School of Law in Baltimore, MD, on April 11 and 12, 2019. For information about this conference and past conferences, please visit: <http://law.ubalt.edu/centers/cf/conference/EleventhFeministLegalTheoryConf.cfm>.

12 The **MSBA Young Lawyers' Section** invites you to attend its *28th Annual Charity event* beginning at 6:00pm at Gertrudes, 10 Art Museum Drive Baltimore, MD 21228. This year's event will benefit the Capital Area Immigrants' Rights ("CAIR") Coalition. For more information, to register, or to consider donating, please visit: www.msba.org/YLS-Charity-Event.

18 Join the **MSBA Business Law Section** for the newest presentation of *Advanced Business Law Institute!* on Thursday, April 18, 2019 at the Sheraton Columbia Town Center, in Columbia, MD. Hear from experienced practitioners on topics of Choice of Entity under the New Tax Act, Formation and Operation of Marijuana-Related Businesses, Dealing with Use of Social Media by Company Personnel and more! For more information and/or to register, please visit: www.msba.org/ABLI.

18 Join the **MSBA Litigation Section** for the presentation of *The Honorable Glenn T. Harrell, Jr. Award of Judicial Excellence* to the Honorable Robert N. McDonald, Court of Appeals of Maryland at the Annual Judges' Dinner. The program begins at 6pm at Doubletree Hotel in Annapolis. For more information and/or to register, please visit: www.msba.org/JudgesDinner.

24 Join the **MSBA** for the newest presentation of *Civil Pre-Trial Practice*, beginning at 8:30am on Wednesday, April 24, 2019 at the University of Baltimore's Learning Commons in Baltimore, MD. Experienced litigator Neil Dilloff will lead the class through the pre-trial process from deciding to take a client to the day of trial. The course book will be his publication "Civil Pre-Trial Practice, 2019 Revised Edition". For more information and/or to register, please visit: www.msba.org/Civil-Pre-Trial.

25 Join The **Maryland State Bar Association-Litigation Section (MSBA)**, **Federal Bar Association of Maryland (FBA-MD)**, **American College of Trial Lawyers-Maryland (ACTL-MD)**, and The non-profit **The Constitutional Sources Project (ConSource)** beginning at 6pm at Westminster Hall for *Maryland Bicentennial Symposium and Celebration of McCulloch v. Maryland* Including a Re-enactment. For more information or to register, please visit: www.msba.org/McCulloch.

27/28 Join the **MSBA** and Local & Speciality Bars throughout Maryland for the first annual *Day of Service*. Multiple events giving attorneys an opportunity to give back to their communities will be occurring throughout Maryland at various time on both Saturday and Sunday. Please visit www.msba.org/DayofService for more information on all available events and/or to register.

30 Join the **MSBA ADR Section** for its *Spring Seminar and Chief Judge Bell Awards Dinner*. The seminar begins at 11:30am at Tabrizi's in Baltimore, Maryland. For more information and/or to register, please visit: www.msba.org/adr-spring-dinner.

Antibody Patenting

CONTINUED FROM PAGE 11

antibody patents. A patent application typically includes structures of antibodies the applicant has made, but not all or even most other possible alternatives that function similarly against a common antigen. The applicant may now need to either narrow the scope of its inventions to more closely resemble the particular antibodies it creates, or invest more effort to disclose a sufficient number of alternatives to justify a broader scope.

Many patent applications going forward will likely include more diverse examples of antibodies and explanations of how the antibody structures contribute to their function. The examples could include antibodies actually made in the lab as well as others simply described in the text, tables, or figures of the application. Structural details of the antibodies could include, for example, amino acid sequences of one or more parts of the molecules, including permissible variations, and extent of variations, in those sequences. Certain parts of the antibodies may affect their function more than others, perhaps justifying more detail on those parts having greater significance.

Lastly, doing away with the "newly characterized antigen" test may reduce the commercial

attractiveness of early antibody research. A significant portion of research focuses on finding the antigen(s) responsible for causing a health condition. Companies that invest in making those discoveries arguably had a greater chance of obtaining a broader antibody patent under the previous legal test compared to today. Competitors can now simply wait for others to invest in the antigen discovery, saving themselves the expense, then design-around the likely narrower antibody patents that issue in the future.

The discussion here applies to patenting antibodies in the U.S. Patent offices of other countries often have different legal standards. For example, an invention like that in *Amgen v. Sanofi* could receive more favorable treatment in the European Patent Office compared to the U.S. As a possible best practice, the patent applicant could describe the invention in a large variety of ways in the application but then request patent protection only for a subset of subject matter it believes appropriate on a country-by-country basis. ●

Steve is an attorney at Sonapat LLC in Rockville, Maryland.

USPTO

CONTINUED FROM PAGE 12

Generally, the changes implemented by the 2019 Guidance have been viewed as positive developments for inventors, and seem to improve predictability as to patent eligibility. Further, the 2019 Guidance provides inventors with additional ammunition in their arsenals for overcoming patent-eligibility rejections. The author already has had one favorable experience involving the 2019 Guidance, in

which a USPTO examiner agreed that a patent-eligibility rejection against the claims of a client's patent application was inappropriate under the 2019 Guidance and would be withdrawn. ●

David Taylor is a partner with the law firm of Berenato & White, LLC in its Bethesda office. The firm concentrates its practice in the area of intellectual property.

CLE Products

CONTINUED FROM PAGE 13

- **Successful Management & Collection of Fees** - May 14, 2019, Baltimore and May 16, 2019, Rockville, MD
- **Civil Pre-Trial Practice** - May 28, 2019, Baltimore and May 30, 2019, Rockville, MD
- **Advanced Business Law Institute** - June 4, 2019, Baltimore and June 6, 2019, Rockville, MD

UPCOMING LIVE WEBCASTS

- **Recent Developments in Estate Administration** - March 12, 2019
- **Appellate Practice** - March 13, 2019
- **New VA Wartime Pension Benefit Laws: It Finally Happened!** - March 27, 2019
- **The Cybersleuth's Guide to Fast, Free and Effective Investigative Internet Research** - March 29, 2019
- **Finance for Lawyers** - April 1, 2019
- **Civil Pre-Trial Practice** - April 24, 2019
- **Hot Tips in Workers' Compensation** - May 9, 2019

CLE Publications

CONTINUED FROM PAGE 13

UPCOMING SPRING 2019 CLE PUBLICATION UPDATES

(Details available soon)

- *Using & Drafting Trust in Estate Planning, 2019 Revised Edition*
- *Civil Practice & Procedure in the District Court of Maryland, 2019 Edition*
- *Criminal Practice & Procedure in the District Court of Maryland, 2019 Edition*
- *Maryland Divorce & Separation Law, Tenth Edition*
- *Maryland Automobile Accident Deskbook, Third Edition*
- *Practice Manual for the Maryland Lawyer, Fifth Edition*
- *Maryland Civil Pattern Jury Instructions, Fifth Edition—2019 Replacement Pages*

Order your copies today @ msba.inreachce.com

A Legal Solution to Storing Firearms

GUNSITTERS®
SECURE FIREARM STORAGE

Storage Solutions For
Estates • Criminal Charges
Domestic Liability • Drug Dependency
Medical Marijuana Conflict

Pickup Services Available Serving MD, DC & VA

GunSitters.com

973-610-8600 18 Cessna Court, Gaithersburg, MD 20879

Mid-Year Meeting Looks to MSBA's Future	Page 1
From the Boardroom	Page 4
Blogging for Lawyers: Not for the Faint of Heart	Page 16

ADDRESS SERVICE REQUESTED



How will you respond?

ATTORNEY GRIEVANCE COMMISSION
OF MARYLAND
200 HARRY S. TRUMAN PARKWAY
SUITE 300
ANNAPOLIS, MD 21401-7479

Your Name, Esquire
1 High Anxiety Ct.
Baltimore, MD 21201

PRIVATE AND CONFIDENTIAL

Our victories don't make headlines.
Our clients don't boast about our work.
But, behind the scenes, lawyers have
trusted our responses for years.



Are You Fit to Admit?

When an applicant's character is under scrutiny, this question may be more difficult than any contained on the bar exam.

Bar applicants have the burden of proving their fitness to practice law.

That's where we come in.

ATTORNEYGRIEVANCES.COM

**KRAMER &
CONNOLLY**
THE LAWYER'S LAWYERS
410.581.0070

BARADMIT.COM