

MARYLAND STATE BAR ASSOCIATION, INC.

ANNUAL REPORT 2014/2015

Volume XXIV

MSBA is pleased to present its membership with a brief overview of the year 2014/2015, highlighting its many activities, events, and accomplishments.

W. Patrick Tandy, *Director of Communications*
Lisa Muscara Brice, *Editor*

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Cover: MSBA Headquarters Conference Room
Mural depicting an artistic rendition of the
Maryland State Flag.

2014/2015 MSBA EXECUTIVE COMMITTEE

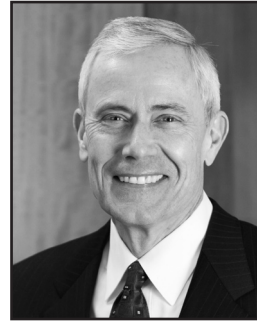
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Debra G. Schubert
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President-Elect



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Secretary



Keith R. Truffer
Assistant Secretary



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Treasurer



Alan R. L. Bussard
At-Large



Deborah Lynne Potter
At-Large



Dana O. Williams
At-Large



William Carl Isler, II
*Chair, Young Lawyers
Section*

PRESIDENT'S MESSAGE

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THANK YOU FOR THE OPPORTUNITY TO SERVE as the 121st President of the Maryland State Bar Association! Our Association is strong, with more than 25,000 members, and 30 Sections and 30 Committees of dedicated lawyers improving the profession and our community. This bar year set off with a great start, as the September meeting of the Board of Governors adjourned in time for Board members to walk to Camden Yards and cheer on our Orioles as they clinched the 2014 American League East Division title – a convergent high point between the end of a strong season for the Birds and a fruitful Bar year just begun.

As summer gave way to fall, MSBA continued its half-century tradition of bridge-building with the state's local and specialty bars by hosting the 55th Annual Conference of Bar Presidents in Solomons, Calvert County, Maryland. Also around that time, as law students everywhere began a new semester, our Special Committee on Law School Graduates made inroads into addressing the challenges facing today's new attorneys and lawyers-to-be. Under Chair (and MSBA Past President) James P. Nolan, the Committee followed up on recommendations set forth in its first-year report last spring, working closely with the Deans from the University of Baltimore School of Law and the University of Maryland Francis King Carey School of Law. Projects including Incubator programs at the law schools, enhancing the MSBA's "Hanging out a Shingle" seminar and a new "Legal Boot Camp" are coming to fruition in the near future.

Following the recommendations of our Planning Committee we hired a marketing firm this year to evaluate and assist the MSBA with better communication and service to our members. Our new marketing strategy will promote the MSBA's core missions – access to justice, professionalism, and advocacy for Maryland lawyers.

This year's travel opportunities seemingly knew no limit. I greatly enjoyed the chance, whether for Board of Governors meetings or local and specialty bar events, to traverse Maryland and surrounding states, often no fewer than three or four nights each week. I loved attending MSBA Section events, particularly with our energetic Young Lawyers Section as they welcomed home our service men and women at BWI airport or jumped into the Chesapeake Bay in January for the Polar Bear Plunge, raising needed money for Special Olympics. In February, a strong contingent of MSBA members and bar leaders headed to Punta Cana, Dominican Republic, for the MSBA Midyear Meeting and an array of well-attended educational programs. Joining us this year were the winners of our first-ever Midyear Meeting travel scholarship program to encourage first time attendees.

But perhaps the greatest personal satisfaction for me came with the inroads made for programs assisting our Veterans. As you know, our service men and women are of special priority to me, and working with the Veterans Affairs and Military Law Section, chaired by Judge C. Philip Nichols, Jr., we focused on assistance to the real heroes of society, our Veterans. The MSBA created a special Veterans "resource portal" on its new website to assist attorneys with resources for a myriad of Veterans issues. Working with law students at the Bob Parson's Veterans Advocacy Clinic at UB Law we've created educational pamphlets for Veterans Treatment Courts and Veterans Treatment Resources to be distributed throughout our court system. The MSBA's new Special Committee on Veterans Treatment Courts, under the stewardship of Committee Chair Michael G. Comeau, has made great strides for the implementation of treatment courts or dockets in Maryland. Prince George's County will conduct the first Veterans docket this spring, and several other jurisdictions are pursuing this diversionary program as well. I'm proud that the MSBA is serving the legal needs of our men and women in uniform, to whom we all owe a tremendous debt of gratitude.

Another highlight this year was joining our Past Presidents Committee in surprising Paul V. Carlin as he celebrated his 30th anniversary as MSBA Executive Director! A fabulous party, beautifully organized by Wanda Claiborne, was held on March 26 at Westminster Hall in Baltimore. With the support of his well-cultivated and dedicated staff, Paul has stood as a reassuring beacon over three decades of presidential initiatives, an ever-changing legal profession and, most importantly, member service.

As the bar year draws to a close, I can reassure our membership that the MSBA remains fiscally sound, extremely relevant, and continues its success in service to our members and the community. I thank all of the members of the MSBA, the Board of Governors, Executive Committee, and particularly the MSBA staff for your dedication and assistance to me this year. Again, thank you for the honor and privilege to serve as your President, and I look forward to seeing you in June at the MSBA Annual Meeting.



Debra G. Schubert

2014/2015 MSBA BOARD OF GOVERNORS

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Debra G. Schubert
President

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Seventh District

Scott G. Patterson
Third District

Hon. Pamila J Brown
President-Elect

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Eleventh District

Deborah Lynne Potter
Seventh District

Harry C. Storm
Secretary

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Stephen Howard Ring
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Mary Ellen Flynn
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Nancy Antoinette Sachitano
Sixth District

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Immediate Past President

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Twelfth District

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Sixth District

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First District

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Fourth District

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Sixth District

Ronald B. Bergman
Family Law Sect.

Arthur G. House
Sixth District

Christopher R. West
First District

Robert Clare Mueller
Alternative Dispute Resolution Sect.

Gregory Philip Jimeno
Seventh District

Dana O. Williams
Eighth District

Bryon Seth Bereano
Fifth District

Darren L. Kadish
First District

Monise Alexis Brown
Young Lawyer

David Andrew Burkhouse
Tenth District

Thomas L. Kemp
Ninth District

Emmanuelle Regine Francois
Young Lawyer

Alan R. L. Bussard
Eighth District

Robert Wayne Lazzaro
Eighth District

William Carl Isler, II
Young Lawyer

Carl William Clark
Eighth District

Cynthia L. Leppert
First District

Elizabeth Sheree Morris
Young Lawyer

Hugh Cropper
Second District

Mary Virginia Murphy
Tenth District

Carl S. Silverman
Parliamentarian

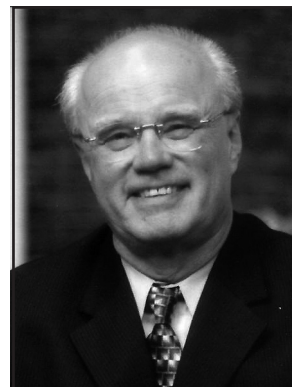
Gregory Patrick Currey
First District

John R. Orrick
Sixth District

EXECUTIVE DIRECTOR'S MESSAGE

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YOU ARE THE BAR ASSOCIATION! The MSBA is a voluntary professional membership organization. You have joined and remained a member for years, even decades, because the MSBA is ***your professional membership organization***. You have wanted to stay associated with the MSBA and all of the other lawyer and judge members. There are so many objectives which can be achieved by being associated with your fellow lawyers that aren't possible individually. Mainly, one stays a member of an association because our members are doing the same job with a collective, mutuality of interest. I looked up the word "association", and found more than 60 synonyms of that word - terms such as alliance, affiliation, union, business league, connection, mutualism, partnership, fellowship, and relationship. Even the utility of companionship, which can also be called networking. We are always creating community. You remain a member to exchange, interact, cooperate, collaborate, and cross-pollinate your knowledge and experience. In the US, the IRS has a special category for this powerful dynamic of non-profit associations: 501 (c) corporations! All of this is to say that coming together is a powerful motivator.



Paul V. Carlin

We have been very fortunate with the MSBA's consistent membership growth, which is unlike many of our other sister voluntary state bar associations, whose growth rates have stopped increasing and even dipped into negative territory. Even the MSBA must acknowledge that attracting and retaining members will be more difficult in the future, not only for market or generational reasons (where there are differences between Millennials and Baby Boomers!), but also because so much is now available for free on the Internet.

A few years ago, I read a psychographic study that attempted to devise a new marketing segmentation system for the American Society of Association Executives. Members were segmented into eight categories. The largest category by far was the "Mailboxers", comprising 42 percent of all members. They join an association to receive the information put out by the association, but do not seek active involvement or participation (*i.e.*, "let me alone to do my work."). The next largest category was the "Relevant Participants", which are those members who want to attend meetings, serve on committees, and take advantage of networking opportunities. Other categories included: the "Cognoscenti", who remain members to procure the specialized information provided by an association which they perceive cannot be received elsewhere; the "Altruistics", who are motivated by the overall values of the association, perhaps in the case of the legal profession, our emphasis on the access and provision of legal services to everyone in the community regardless of financial means; the "Status Conscious", for whom membership and involvement looks good on a resume; the "Shapers", who will remain members as long as they feel they have the opportunity to shape association policy; and, lastly, the "Comparison Shoppers" and the "Doubters".

Every association has the basic functions of maintaining membership rolls, holding meetings, accomplishing the accounting, and communicating its information to its membership (traditionally, via physical publications, but now more and more electronically). Among the myriad of services which the MSBA provides to its members are our: strong Continuing Legal Education; Legislative Services; publications; hundreds of meetings; law office management advice; a brand-new, highly attractive MSBA website, which successfully debuted last November; and free computerized legal research through Fastcase.

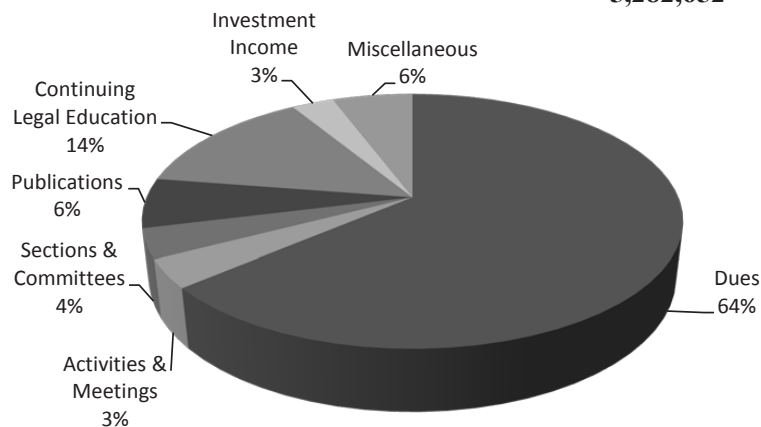
This year, pursuant to a recommendation by our Planning Committee, chaired by Stanford G. Gann, Jr., and with the approval of our Board of Governors, we are pursuing a more active marketing program. This is necessary to attract new members, retain our current members, and enhance our internal communication with our members about all that we do. While communication is the key, we will be considering re-positioning, re-messaging, re-branding and, perhaps, re-imagining what the MSBA does and how it does it. We will certainly do more web-marketing using electronic surveys, member focus groups, and social media. While keeping administrative operations stable and consistent, we nonetheless must acknowledge that change is a constant and be proactive with new programs for our members.

Thank you for your loyalty to our professional organization.

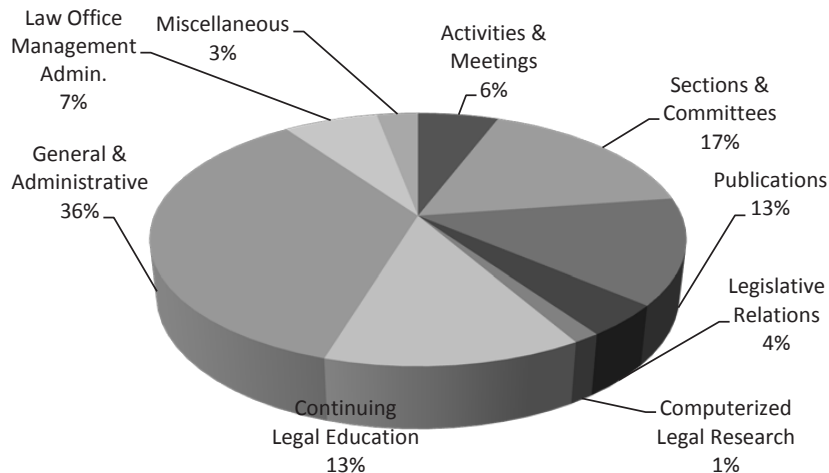
2013/2014 MSBA FINANCIAL HIGHLIGHTS

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| Revenue | 2013 | 2014 | |
|----------------------------|-----------|-----------|--------|
| Dues | 3,369,377 | 3,406,212 | 60.2% |
| Activities & Meetings | 190,351 | 164,110 | 2.9% |
| Sections & Committees | 197,896 | 227,149 | 4.0% |
| Publications | 334,132 | 353,022 | 6.2% |
| Continuing Legal Education | 729,074 | 888,088 | 15.7% |
| Investment Income | 158,977 | 316,659 | 5.6% |
| Miscellaneous | 302,845 | 302,990 | 5.4% |
| Total | 5,282,652 | 5,658,230 | 100.0% |



| Expenses | 2013 | 2014 | |
|------------------------------|-----------|-----------|--------|
| Activities & Meetings | 282,384 | 322,300 | 6.3% |
| Sections & Committees | 820,572 | 867,346 | 17.0% |
| Publications | 655,612 | 631,950 | 12.4% |
| Legislative Relations | 199,622 | 205,703 | 4.0% |
| Computerized Legal Research | 66,310 | 67,103 | 1.3% |
| Continuing Legal Education | 635,459 | 712,084 | 14.0% |
| General & Administrative | 1,727,758 | 1,785,506 | 35.1% |
| Law Office Management Admin. | 329,772 | 332,574 | 6.5% |
| Miscellaneous | 144,771 | 164,730 | 3.2% |
| Total | 4,862,260 | 5,089,296 | 100.0% |



2014/2015 MSBA BOARD ACTIONS AND HIGHLIGHTS

- ☐ WORKED closely with the Court of Appeals of Maryland Rules Committee to amend Rule 7.4 on Specialization 7
- ☐ SUBMITTED five (5) names to Governor Lawrence Hogan for the Appellate Judicial Nominating Commission, pursuant to a new Executive Order
- ☐ SUPPORTED legislation to eliminate contested judicial elections for circuit courts
- ☐ APPROVED the merger of the Citizenship Law-Related Education Program into the Professional Development and Training Corporation
- ☐ RECEIVED the Report of the Recent Law School Graduates Committee to assist those just entering into law practice
- ☐ RECEIVED the Report of the Voir Dire Committee analyzing and improving the voir dire process
- ☐ RETAINED McKinley Advisors to design a membership recruitment and retention plan, after evaluating multiple marketing approaches
- ☐ CONTINUED support of the Civics and Law Academy Program in Maryland High Schools
- ☐ APPROVED Annual Audit by Ellin & Tucker
- ☐ SELECTED Board representatives to the Legal Aid Bureau, the Maryland Volunteer Lawyers Service, and the Pro Bono Resource Center of Maryland
- ☐ SELECTED recipients of the Sodaro Judicial Civility Award and Presidential Best Section Projects

2014 MSBA ANNUAL MEETING

JUNE 11-14, OCEAN CITY, MARYLAND



Incoming President Debra G. Schubert presents outgoing President Michael J. Baxter with a gift honoring his year leading the Association.



Chief Judge Mary Ellen Barbera, Court of Appeals of Maryland, addresses members at the Saturday Business Meeting.



The New Judges' Reception provides an opportunity for members to become acquainted with the most recent additions to the Maryland bench.



Attendees learn of the latest law-related goods and services to benefit their practices in the Exhibit Hall.



Learning opportunities abound each year at the MSBA Annual Meeting.



Newly installed MSBA President Debra G. Schubert (second from right) and Byron Olsen (right) smile for a photograph with Immediate Past President Michael J. Baxter (center) and his wife, Mary, as well as MSBA Past President John P. Kudel and Liza Malnik during the President's Reception.

2014/2015 MSBA SECTIONS AND COMMITTEES

SECTIONS

ADMINISTRATIVE LAW

William DuBois, Chair

This Section developed and presented a half-day CLE entitled “Maryland Administrative Law – What You Need to Know” and also introduced an email publication of case notes to supplement its Section newsletter. It also presented administrative law panels at the University of Baltimore School of Law and the University of Maryland Francis King Carey School of Law. The Section will sponsor a program on Maryland gaming regulation at the MSBA Annual Meeting.

AGRICULTURE LAW

Kim Manuelides and Kathleen Tabor, Co-Chairs

This Section, created in 2014 to serve as a supportive assembly of legal professionals to those involved in agricultural affairs as well as monitor relevant developments in other substantive areas of law as pertaining to agriculture, presented five webinars over the summer and published a Legal Services Directory, which was widely distributed through the Maryland Department of Agriculture, extension services, special events, and practitioners. Its Council met quarterly, and membership doubled in the first six months. The Section actively helped plan and participate in the American Agricultural Law Association’s first regional conference, held in Baltimore. Its educational outreach activities included participation in the University of Maryland’s “Agriculture Day”, the Maryland Horse Industry Board’s “Horse Forum”, the Maryland Farm Bureau’s Annual Meeting, and it will present a program on “Agriculture in the 21st Century: Working with Ag Clients to Diversify Their Operations” at the MSBA Annual Meeting.

ALTERNATIVE DISPUTE RESOLUTION

Cecilia B. Paizs, Chair

This Section presented a webinar on Arbitration, featuring former Court of Special Appeals Judge Albert J. Matricciani, in January, and held a “pizza and professionalism” program on Effectiveness of Mediator Strategies in Custody Mediation based on the Maryland Judiciary Statewide Evaluation of Alternative Dispute Resolution in February. It presented its Annual Spring Event, co-sponsored by the National Family Resiliency Center, in conjunction with the Maryland Collaborative Practice Council in April, consisting of a daylong training followed by its Spring Dinner Presentation, which featured the Honorable Lynne A. Battaglia, Court of Appeals of Maryland. The Section also bestowed its annual Chief Judge Robert M. Bell Award upon attorney Jonathan S. Rosenthal.

ANIMAL LAW

David G. LaRoche, Chair

This Section collaborated with the University of Maryland Francis King Carey School of Law in establishing an animal law internship program and also explored further collaborative opportunities with the Law School for animal law-related lectures and programs. It actively commented upon and testified on proposed animal law-related legislation during the 2015 Legislative Session of the Maryland General Assembly. The Section also hosted its 6th Annual Animal Law Symposium in Baltimore, drawing both regional and national speakers to address a wide variety of issues, including Animals in Biomedical Research and Safety Testing; Animal Law Mediation; and the Changing Status of Animals Under the Law: Personhood Versus Property. It promoted new membership and fostered camaraderie among current members with a spring social event; continued its collaborative relationship with the Mid-Atlantic Lyceum pursuant to an existing Memorandum of Understanding; and will present an educational program at the MSBA Annual Meeting.

BENCH-BAR

Thy P. Pham, Chair

This Section examines and attempts to improve the administration of justice throughout the judicial system of Maryland, including all the courts comprising that system, including both State and Federal, appellate, and trial courts of general and limited jurisdiction.

BUSINESS LAW

Edward Sharkey, Chair

This Section created a new committee on Opinions Practices to expand the knowledge and understanding of business law across the state, and actively worked with the Maryland General Assembly to advance legislation fine-tuning the Maryland General Corporation Law as well as address uncertainty concerning the duty of corporate directors. It also provided testimony and comment on legislation relating to: the regulation of LLCs; creditor law; construction law; political expenditures by corporations; and benefit corporations, among other issues. The Section has also undertaken a thorough review and assessment of the Maryland Business and Technology Docket, which is being coordinated with the committee formed by the Court of Appeals to do the same; continued to maintain the Business Law Developments Blog, highlighting judicial developments affecting corporate and commercial law; hosted the 2015 Advanced Business Law Institute; and continued to work with fellows from the University of Baltimore School of Law on matters of business law. It will present the results of its 2015 legislative efforts at the MSBA Annual Meeting, where it will also present a program on cybersecurity and data privacy.

2014/2015 MSBA SECTIONS AND COMMITTEES

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Nicole Lentini, Chair

This Section co-sponsored a cocktail and dinner program on “Getting a Delay Claim to the Finish Line”; presented a breakfast program on “What Do Clients Want: Representing Architects, Contractors and Owners – Straight from the Source”; and collaborated with the Litigation Section to produce a half-day program on how to deal with expert witnesses in construction cases, during which the Honorable Paul W. Grimm, U.S. District Court for the District of Maryland, discussed the admissibility of electronic evidence. It tracked relevant bills pending in the Maryland General Assembly as well as new developments in Maryland case law on construction-related issues. The Section continued the process of updating its *MSBA Construction Law Deskbook*, with an anticipated publication date in late 2015. It is currently planning a joint networking event with the Virginia State Bar Construction Section and will sponsor an educational program at the MSBA Annual Meeting.

CONSUMER BANKRUPTCY

Tiffany S. Franc, Chair

This Section increased participation of attendees in both the Northern and Southern practice divisions by partnering with Merrill LAD to hold seven open meetings as well as nine “brown bag lunch” CLE seminars on various bankruptcy and consumer-related issues (including one by the Attorney Grievance Commission of Maryland) via teleconference. It worked with the Maryland Department of Human Resources to develop a flyer to be disseminated to distressed homeowners with their initial foreclosure documents in the Section’s continued efforts to make bankruptcy part of the foreclosure mediation conversation. The Section also heard reports from: the Clerk of Court for the U.S. Bankruptcy Court for the District of Maryland; the U.S. Trustee’s Office; and the pro bono partners on their consumer initiatives and foreclosure prevention projects. It is planning a presentation to the Judges of the Bankruptcy Court concerning a new loss mitigation/foreclosure mediation program, to be offered exclusively through the Chapter 13 process, that has met with much success in other jurisdictions where State Court foreclosure mediation is failing, and will present an educational program on the same at the MSBA Annual Meeting.

CORRECTIONAL REFORM

Booth M. Ripke, Chair

This Section stimulates interest in the administration of the correctional system among members of the Maryland Bar; seeks necessary improvements and reforms in correctional facilities and services; and coordinates activities in the field of correctional reform with other organizations and associations working in the field.

CRIMINAL LAW & PRACTICE

Mary Virginia Murphy, Chair

This Section’s Council monitored legislative efforts in the area of criminal law, and provided insight and discussion to the ongoing hot topics in the area of criminal law. Its busy email discussion group continued to provide an avenue of communication between Section members. The Section will present a program featuring the Honorable Joseph Murphy (Ret.) addressing evidence and updates in the field of criminal law at the MSBA Annual Meeting.

DELIVERY OF LEGAL SERVICES

Laurence Anne Ruth, Chair

This Section, following an involved process that culminated in a vote by the Section’s entire membership, revised and updated its bylaws, both substantively and stylistically. It continued to inform members on relevant initiatives, trainings, projects, and other issues of import to the Section and its mission via its monthly newsletter. The Section gave a presentation on “Access to Legal Services” to a librarians group, and again co-sponsored the Maryland Partners for Justice Conference, a daylong program that brings together legal services providers from around the state, and will partner with the Veterans’ Affairs & Military Law Section to present an educational program, “An Attorney for Every Veteran: Updates on Veterans’ Law and Opportunities to Serve”, at the MSBA Annual Meeting.

ELDER LAW AND DISABILITY RIGHTS

Jennifer Goldberg, Chair

This Section pursued its ongoing mission of bringing together and educating members of the Maryland bar on the needs of older adults and persons with disabilities via Section meetings on “Aid and Attendance Benefits for Veterans” and a networking/mentoring event, as well as seasonal editions of its newsletter, *The Elder Law & Disability Rights Extra*. It monitored both federal and state legislation regulations of interest to its members, and held its annual legislative update in Annapolis. The Section strengthened its award-winning Law Day Program by partnering with the Young Lawyers Section and service providers across the state to draft free advance directives for seniors and persons with developmental disabilities. It organized multiple CLE programs addressing such topics as: Medicaid Long-Term Care; Medicaid Waivers and Home and Community-Based Services; Document Drafting; and Hot Topics in Elder Law, and will present, in conjunction with the Veterans’ Affairs & Military Law Section, an educational event on caring for aging relatives at the MSBA Annual Meeting.

2014/2015 MSBA SECTIONS AND COMMITTEES

ENTERTAINMENT & SPORTS LAW

Nakia V. Gray and Pamela K. Riewerts, Co-Chairs

This Section provides a forum for communication among MSBA members with a shared interest in entertainment and sports law issues through educational information, networking, and professional opportunities; offers continuing legal education on a range of topics focusing on sports and entertainment matters; facilitates career development by promoting expertise in these and related practice areas; conducts meetings and other collaborative events; and engages in a variety of outreach activities for its target audiences, including the general public.

ENVIRONMENTAL LAW

Margaret M. Witherup, Chair

This Section held a dinner featuring former Maryland Department of the Environment (MDE) Secretary Robert Summers; hosted a teleconference on MDE's proposed Controlled Hazardous Substance reporting regulations; and held a breakfast seminar discussing green building contract provisions and the Fourth Circuit case of *Chesapeake Bay Foundation v. Weyerhaeuser Co.* Its members, friends, and families joined with Blue Water Baltimore and Tree Baltimore to sponsor a "Tree Planting Day", planting 42 trees in Forest Park Golf Course. The Section also presented a breakfast program with new MDE Secretary Ben Grumbles; participated in a second tree planting day; and partnered with the Real Property, Agriculture Law, and Young Lawyers Sections for a joint happy hour event.

ESTATE & TRUST LAW

Eileen D. O'Brien, Chair

This Section monitored state legislation germane to estate planning, the administration of estates and trusts, and a variety of related issues, its Legislative Committee offering written and oral testimony on multiple occasions. It also helped craft bills relevant to the aforementioned topics. The Section's active year included involvement in multiple educational programs; support for the Estate and Gift Tax Study Group; significant improvements to its website; and representation on the MSBA Board of Governors by a Past Section Chair.

FAMILY & JUVENILE LAW

Vincent M. Wills, Chair

This Section, in conjunction with the Immigration Law Section, co-sponsored a training for volunteer attorneys to represent unaccompanied Central American children who have left their countries and come to Maryland. It also presented a free Marital Property Workshop (in cooperation with the Administrative Office of the Courts); conducted a five-part program entitled "The Anatomy of a Family Law Case",

culminating in a daylong trial; advanced topics in custody cases with its Family Law University; and presented a cross-training program entitled "Cross-Training – How Family Law Intersects with Educational Law and Immigration Law". The Section actively monitored 82 separate bills during the 2015 Legislative Session of the Maryland General Assembly, taking positions on 29 of them, providing written testimony on 25 bills, and offering in-person testimony on 12. It continued to publish its newsletter and monthly "Top 10" lists, in addition to: continuing its mentoring program; working with the Administrative Office of the Courts, the People's Law Library, Family Service Support Coordinators, and other agencies to identify a need to educate the public in both procedural and substantive areas of Family Law, developing a two-part strategy to address that need which includes creating canned presentations for use by local attorneys as well as producing video presentations to be made available over the Internet. This Section's Council also amassed more than 2,000 pro bono hours in connection with the Section's work.

HEALTH LAW

Randolph Sergent, Chair

This Section held five open programs on topics that included: Health Care Compliance Programs; legal issues related to disruptive healthcare professionals; a discussion with new Maryland Insurance Commissioner Al Redmer; the corporate responsibility doctrine in healthcare fraud prosecutions; and a legislative wrap-up.

IMMIGRATION LAW

Jonelle D. T. Ocloo, Chair

This Section focused on pro bono service and legal education, and its members enthusiastically responded to a call from Chief Judge Mary Ellen Barbera, Court of Appeals of Maryland, to help unaccompanied immigrant children seeking refuge in Maryland. It also: partnered with the Pro Bono Resource Center of Maryland on a full-day training on Special Immigrant Juvenile cases; provided countless hours of pro bono legal work for immigrant children referred by Kids in Need of Defense and Catholic Charities; and continued its efforts to educate the bar on representing immigrants across different practice areas by providing cross-training seminars for family and criminal lawyers who encounter non-citizen clients. The Section launched a monthly brown bag lunch program to provide newer practitioners an opportunity to meet and ask practical case questions of experienced lawyers in a relaxed atmosphere in addition to its monthly educational webinars provided at no cost to Section members. It also offered a spring CLE program for the third consecutive year, this time focusing on the timely subject of the President's Executive Action on Immigration.

2014/2015 MSBA SECTIONS AND COMMITTEES

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Michael D. Oliver, Chair

This Section presented three IP Roundtables hosted at local law firms, including: an explanation of the numerous trials and lawsuits involved in the Baltimore Ravens copyright case over the team's original logo, by Judge Marvin Garbis; the protection of Software patents after Alice Corp; and a medley of lawyers providing updates in significant areas of IP law. It presented an IP Law Career Panel at the University of Maryland Francis King Carey School of Law featuring IP lawyers from industry, academia, private, and government practice who discussed IP law careers with students and young lawyers, and also collaborated with the University of Baltimore for the 2nd Annual Bright Ideas Baltimore, a networking event for students, lawyers, and Maryland innovators. The Section also actively monitored proposed changes to state law during the 2015 Legislative Session of the Maryland General Assembly. It will present an educational program involving a mock client interview and discussion of client counseling issues in IP law at the MSBA Annual Meeting.

LABOR AND EMPLOYMENT LAW

Darryl G. McCallum, Chair

This Section continued to inform members of legal developments in state and federal labor and employment law via its quarterly newsletter. It also marked, in conjunction with the Maryland Employment Lawyers Association and the Metropolitan Washington Employment Lawyers Association, the 50th Anniversary of Title VII of the Civil Rights Act of 1964 with a program featuring panel discussions about the implications of Title VII as well as a reception honoring civil rights leaders past and present. The Section also: collaborated with the National Labor Relations Board to present a brown bag lunch regarding changes to the procedures for union representation elections; partnered with the Litigation and Young Lawyers Sections on a program regarding temporary restraining orders and injunctions in federal and state court; and continued to present lunchtime seminars addressing recent developments under the Wage Payment and Collection Law, held in partnership with local bar associations. It will present an educational program on developments of the law regarding whistleblower and retaliation claims at the MSBA Annual Meeting.

LEGAL EDUCATION & ADMISSION TO THE BAR

A. J. Bellido de Luna, Chair

This Section continued to review and rule on Rule 16 applications for supervised law student practice in Maryland Courts, and also scrutinized several new proposals affecting Maryland lawyers and students. It also opposed HB 559 limiting the ability of students enrolled in law clinics to file suit against Maryland agencies, deeming it overly restrictive. The Section also reviewed changes to Admission Rule in Federal Courts and proposals being outlined for attorney specialization in Maryland.

LITIGATION

John P. Markovs, Chair

This Section produced several trial practice programs for its members, including the co-sponsored "Anatomy of a Trial – One-Day Boot Camp Trial Training for Young Lawyers" at the United States District Court of the District of Maryland and a program on the "Recent Impact Decisions of the Maryland Appellate Courts". It also co-sponsored the program "Evidence, Experts and Exhibits – Building and Supporting a Complex Construction Case" and honored Maryland's judges on the Circuit Courts and U.S. District Court with its annual dinner, where it also presented its 4th Annual Judge of the Year Award to the Honorable Daniel M. Long, Circuit Court for Somerset County. The Section also published three editions of its newsletter, *The Maryland Litigator*. It will present the educational programs "United States Supreme Court Year in Review" and "Litigation in Aid or Avoidance of Arbitration" at the MSBA Annual Meeting.

NEGLIGENCE, INSURANCE & WORKERS' COMPENSATION

Wendy B. Karpel, Chair

This Section hosted its first Outreach Program, entitled "The Evidence Behind the Tweets: Social Media and Evidence", featuring a panel discussion led by the Honorable Paul W. Grimm, U.S. District Court for the District of Maryland. It held its second Outreach Program, on "Industrial Loss? A Practical View from the Commission", at the Maryland Workers' Compensation Commission, which addressed various scenarios and answered questions germane to this important aspect of Workers' Compensation practice. The Section, in conjunction with the Alternative Dispute Resolution Section, will present "At the Corner of Negligence and Workers' Compensation: 60+ Tips in 60 Minutes", an educational program featuring the Honorable Deborah Sweet Eyler, Court of Special Appeals of Maryland, at Solo Day at the MSBA Annual Meeting.

REAL PROPERTY

Marc Bergoffen, Chair

This Section organized a CLE program entitled "A New Era in Closings: How Dodd-Frank is Changing the Real Estate Settlement Business"; held its annual Advanced Real Property Institute; and continued its popular Commercial Estate Discussion Group monthly lunch program. It also joined the Young Lawyers Section and Membership Committee in promoting MSBA membership at the Speed Networking Night, and participated in networking events with student groups at both the University of Baltimore School of Law and the University of Maryland Francis King Carey School of Law. The Section also held onsite education programs at National Harbor, in Prince George's County, and Baltimore's Everyman Theater, highlighting the real estate and tax credit issues associated with the theater's renovation. It will present its Distinguished Practitioner of the Year Award at the MSBA Annual Meeting.

SENIOR LAWYERS

Rob Ross Hendrickson, Chair

This Section held lunch meetings every other month, featuring a wide variety of speakers that included Chief Judge Mary Ellen Barbera, Court of Appeals of Maryland; Senator Jack Lapidus; Dean Ronald Weich of the University of Baltimore School of Law; Dean Donald Tobin of the University of Maryland Francis King Carey School of Law; and Dr. Robert Hieronimus, as well as a conducting a field trip to the Irish Railroad Workers Museum in Baltimore. It kept its members informed with its monthly newsletter, and worked to grow its ranks by recruiting new members while also inviting the colleagues of current ones to attend its bimonthly meetings.

SOLO & SMALL FIRM PRACTICE

Ara D. Parker, Chair

This Section sponsored two well-attended "Hanging Out a Shingle" Programs, offering a great resource for attorneys interested in starting solo practices. It will present its popular Solo Day Program, co-sponsored by the Negligence, Insurance & Workers' Compensation Section, at the MSBA Annual Meeting.

STATE & LOCAL GOVERNMENT LAW

Stephen J. Orens, Chair

This Section held its first "Beer & BBQ" networking event at the Jailbreak Brewing Company in Laurel and hosted its Spring Institute Honoring Law Day in May, featuring former Maryland Attorney General Steve Sacks and a host of other speakers discussing topics such as the use of police bodycams; a Supreme Court Update; Regulating Services in the Internet Age; and Government's Use of Social Media. It also joined the Laws Committee during the 2015 Legislative Session of the Maryland General Assembly in reviewing, commenting, and providing input on proposed legislation having a potential impact on State, county, and municipal governments, and their attorneys referred to the Section by the Laws Committee. The Section Council explored methods of honoring a public sector attorney who goes "above and beyond" each year, as well as ways to implement the use of MSBA-sponsored social media as a forum for networking and sharing of ideas between public-sector attorneys and private practitioners who represent clients before Maryland and municipal governmental agencies. It will present an educational program at the MSBA Annual Meeting.

TAXATION

Jennifer A. Pratt, Chair

This Section continued its tradition of staffing its U.S. Tax Court Pro Bono Program; assisted the Maryland Volunteer Lawyers Service with its pro bono tax training; and co-sponsored the premier educational program for tax lawyers in Maryland, the annual Advanced Tax Institute. It again hosted a successful Tax Networking Night in November, which allowed members to network with tax and accounting colleagues, including Maryland and federal tax officials. The Section also held an educational program featuring a lively panel debate about the Wynne case, discussing its history and path to the United States Supreme Court as well as its ramifications on

Maryland and other states pending the Supreme Court's decision; worked to compile an index of tax articles by author and topic to post on its website for the benefit of its members; held a joint program with the Young Lawyers Section to provide tax tips for every lawyer and provide an opportunity for younger lawyers to network with more senior tax lawyers. It will present its Tax Excellence and J. Ronald Shiff Memorial Pro Bono Awards at its annual Irving Shulbank Memorial Dinner and Program in May, and will host an educational session on Divorce Tax Law at the MSBA Annual Meeting.

VETERANS' AFFAIRS AND MILITARY

C. Philip Nichols, Jr., Chair

This Section, committed to the needs of veterans and active-duty military personnel, recruited 247 members in this, its first year. It worked closely with many groups and organizations, including the Department of Veterans Affairs; the Maryland Department of Veterans Affairs; the Maryland Legal Aid Bureau; and the Homeless Persons Representation Project to improve the level of service to many deserving veterans and their families. The Section made progress in the implementation of a Veterans' Docket in two District Courts and one Circuit Court and, as part of President Debra G. Schubert's yearlong focus on the legal needs of veterans, launched a new online Veterans' Affairs and Military Law Resources portal (www.msba.org/sections/military/link.aspx) to assist practitioners. It also presented its BG Philip Sherman Award to MSBA Past President and Vietnam veteran Thomas D. Murphy and worked with Maryland Legal Aid to develop a telephone "hotline" service that will launch later this year.

YOUNG LAWYERS

William Carl Isler, II, Chair

This Section remained committed to public service by working with local non-profits to organize a number of volunteer opportunities for young lawyers, including the Maryland Food Bank, My Sister's Place, the Ronald McDonald House, and Our Daily Bread. It also: organized multiple Operation Welcome Home and National Honor Flight events in recognition of President Debra G. Schubert's yearlong commitment to serving veterans; launched "Young Lawyers Running for a Cause", to promote physical wellness and awareness of social causes and illnesses; provided members with experiential opportunities via pro bono opportunities through the Pro Bono Connection Fair, Wills for Heroes, the Expungement Project, and Advance Directives Day; initiated a mentoring program to provide young lawyers with guidance and growth opportunities; and offered a host of general networking events for its members. The Section again partnered with the Executive Committee in participating in the MSP Polar Bear Plunge, raising thousands of dollars for Special Olympics Maryland. Its 24th Annual Charity Event raised thousands of dollars for Playworks Maryland, a nonprofit organization dedicated to teaching inner-city school children inclusive play, mediation, and leadership, and also instituted a Rule of Law Initiative in local high schools, with young lawyers teaching students about the law and its effects on everyday life.

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STANDING COMMITTEES

BUDGET & FINANCE

John J. Murphy, III, Chair

This Committee reviews budget requests from the various Sections, Committees, and other MSBA-related programs and submits a final budget for the Board of Governors' approval. It also makes recommendations to the Board regarding budget amendments, financial policies, and long-range fiscal plans.

CONTINUING LEGAL EDUCATION

Harry C. Storm, Chair

This Committee, which met four times with members participating in person, telephonically, or via videoconferencing, analyzed results of an MSBA-wide survey to determine what members want in the way of CLE programming, delivery methods, and pricing, and how current services align with member expectations. It oversaw the CLE Department's delivery of approximately 30 live educational seminars and publication of 10 legal reference books. The Committee also conducted a request for proposal process with multiple service providers across the country before deciding to extend MSBA's contract with its current host of the online CLE catalog and webcasting function. It is also researching and developing a policy on partnership and co-sponsorship of programs.

ETHICS

Dolores Dorsainvil, Chair

This Committee issues written opinions on the proper interpretation of the Rules of Professional Conduct, which are indexed and available on MSBA's website. It also publishes an opinion in each issue of the *Maryland Bar Journal*. The Committee provides oral advice on the interpretation and application of the Rules through the operation of a telephone "hotline" service, announcing the volunteer names each month in the *Bar Bulletin* and on the website.

JUDICIAL APPOINTMENTS

Donna E. McBride, Dennis M. Robinson, Jr. and Sidney A. Butcher, Co-Chairs

This Committee interviews and evaluates applicants for judicial vacancies at trial and appellate levels throughout the State. It is authorized, pursuant to the MSBA's bylaws, to advise the Judicial Nominating Commissions and the Governor that it finds an applicant for judicial appointment is "highly recommended," "recommended," "not recommended," "not recommended at this time," or that the Committee has "insufficient information" to form an opinion as to the applicant's qualifications; the Committee's recommendations apply to any future applications for the same judicial position within eighteen (18) months from the interview date. The Committee reviews the questionnaires of applicants, interviews the applicants, contacts reference and other members of the legal community, and then votes on the qualifications of each applicant. This year, it interviewed and evaluated more than 66 applicants for five judicial vacancies throughout the State.

LAWS

Hon. Kevin F. Arthur, Chair

This Committee prepares the MSBA Legislative Program, which sets forth the Association's positions on such legislative issues as the regulation of the legal profession, the administration of justice, and the independence of the judiciary, for consideration by the Board of Governors. It reviews all bills filed during the state legislative session, recommends positions on bills of interest to MSBA, and presents the Association's positions on bills through written and/or oral testimony during the session. The Committee also assists in amending proposed legislation and securing passage of MSBA-supported bills.

LAWYER ASSISTANCE PROGRAM

Hon. William G. Simmons and Jay Dante Miller, Co-Chairs

This Committee continues to expand its services, offering comprehensive lawyer assistance to help members who are experiencing a broad range of problems and personal concerns such as alcohol; drugs; mental health; stress; family; and wellness issues. It receives more than 100 referrals to assist judges, attorneys, and others in the legal community who have trouble in their professional or personal lives annually. The Committee holds monthly core group meetings and quarterly business meetings to identify, facilitate, and support those experiencing problems.

LOCAL & SPECIALTY BAR LIAISON

Michael W. Siri, Chair

This Committee held the 55th Annual Conference of Bar Presidents October 23-25 in Solomons. It provided plenary sessions for Conference participants and networking opportunities for different local and specialty bar association leaders throughout Maryland; the Conference also concurrently hosted the monthly Board of Governors' meeting and the Young Lawyers Summit. The Committee is developing an additional event during the bar year to facilitate discussion amongst the incoming chairs and presidents of the local and specialty bar associations.

MEMBERSHIP

William N. Sinclair, Chair

This Committee, in conjunction with the Young Lawyers Section, held its annual Speed Networking Night in January, drawing the participation of more than 25 Section members representing 15 Sections and more than 75 attendees and receiving positive feedback from Section members and attendees alike.

PATTERN JURY INSTRUCTION

Sara H. Arthur, Chair

The Criminal Pattern Jury Instruction Committee prepared the *2015 Supplement* to its *2012 Second Edition*. The Civil Pattern Jury Instruction Committee finalized and will publish its *Fifth Edition*, which will include a chapter on employment law, in 2015.

PLANNING

Stanford G. Gann, Jr., Chair

This Committee, following the creation of the new Special Committee on Marketing stemming from the recommendations from the *2013-2014 Planning Committee Report*, focused on: 1) evaluations of cross-borders practice and the Uniform Bar Exam program that some other states use; 2) repository protocols for document retention and transition from year-to-year activities of the Sections and Committees; 3) 10-year projections; and 4) the Planning Committee Retreat next year. It will provide its recommendations for each of these areas in its *Final Report* to the MSBA Board of Governors in May 2015.

PROFESSIONALISM AND CIVILITY

Hon. Robert Kershaw and Barry Nudelman, Co-Chairs

This Committee promotes professionalism and civility among Maryland lawyers, judges, and citizens. It launched an MSBA Speakers' Bureau to assist local and specialty Bars with planning and presenting professionalism programs throughout the state, and collaborated in the planning of the Maryland Professionalism Center's 2014 Professionalism Symposium. The Committee will present a CLE program at the MSBA Annual Meeting, where it will bestow its inaugural Charles H. Dorsey, Jr., Professionalism Award, established to recognize a member of the bar or bench who has made outstanding contributions to the promotion of legal professionalism and civility.

PROGRAM

Hon. Barbara K. Howe and Alice S. Chong, Co-Chairs

This Committee planned educational programs on current topics, including opportunities for social interaction as well as the MSBA Midyear Meeting, held in February in Punta Cana, Dominican Republic, and continues to seek opportunities to make all of its programming timely, relevant, innovative, and instructional to address the needs of the various MSBA Sections and Standing and Special Committees. It is planning the MSBA Annual Meeting, which will feature substantial law and practice programs in June in Ocean City.

PUBLIC AWARENESS

Jason Hessler and Gwendolyn Tate, Co-Chairs

This Committee enhances the public's understanding of the law through community education and outreach. It presents MSBA's several ongoing public service projects, including its series of 24 public awareness legal information guides, which are disseminated to the public free of charge; its Speakers' Bureau, through which 250 attorneys volunteer to educate community groups about the law; and, in conjunction with the Young Lawyers Section, the One Bar/One Community volunteer opportunities. The Committee also co-sponsored, with the Citizenship Law-Related Education Program, its annual Law Day program, a lawyer/student/teacher conference this year dedicated to "Magna Carta: Symbol of Freedom Under Law".

RESOLUTION OF FEE DISPUTES

Charles O. Fisher, Jr., Chair

This Committee is composed of an Executive Council, consisting of a Chair and seven Vice Chairs, and more than 100 members who volunteer to act as Client Representatives and Arbitrators. Its Executive Council meets approximately four times per year to vote on the disposition of cases.

RULES OF PRACTICE

Phillip Tyson Bennett, Chair

This Committee's principal function is to follow the proceedings of the Court of Appeals' Committee on Rules and to serve as the liaison between MSBA and the Committee on Rules. This year, at least one member of the MSBA Committee attended each meeting of the Rules Committee and reported back to MSBA leadership as appropriate.

TECHNOLOGY

Keith R. Truffer and Carol Jeanne Persson, Co-Chairs

This Committee works to improve the access to and use of available technology by MSBA members. This year, it worked to develop a social media policy; assisted in the development of a user's guide for remote video access to MSBA Committee meetings; worked towards the improvement of the MSBA mobile app; participated in a program with the Solo & Small Firm Practice Section on electronic filing; worked to develop a technology email discussion group for use by MSBA members; and continued to develop a database of business and technology *nisi prius* decisions for use by MSBA members.

SPECIAL COMMITTEES

APPOINTMENTS

Bernard Allen Cook, Chair

This Committee publicizes vacancies on the boards of directors for the Maryland Volunteer Lawyers Service, the Pro Bono Resource Center of Maryland, and the Legal Aid Bureau, interviews interested candidates, and makes recommendations to the MSBA Board of Governors.

ASIAN AMERICAN BAR

Ranju R. Shrestha, Chair

This Committee works to raise the standard of legal services provided to Maryland's Asian Pacific American communities. This year, it focused its efforts on public service, co-sponsoring the Asian Pacific American Holiday Gala with the Asian Pacific American Bar Association of Maryland in December; creating and disseminating an informative brochure on "How to Incorporate a Business" among local Asian Pacific American businesses; holding a career panel at which students from both of the state's law schools could engage in individual sessions during which attorneys could review their resumes and provide feedback, or conduct a mock interview; and assisting the Leadership Academy with its own public service project, a daylong small business clinic. It will again collaborate with Ronald McDonald House to provide breakfast and care packages to children and families with serious illnesses seeking treatment at Baltimore-area hospitals on May 30.

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Alice S. Chong, Chair

This Committee is a partnership between MSBA, the Maryland Judiciary, CLREP, and the Maryland Public School System and engages young people of high school age in learning about law and civil society. It conducted three Civics & Law Academies around the state, in Worcester, Charles, and Caroline Counties, featuring a faculty of volunteer lawyers and judges providing participants with a minimum of four hours of focused instruction and interactive discussions on topics such as Law and Justice; Rights and Responsibilities; Free Speech, School Speech, and Protected Speech; and Power and Empowerment.

COURTHOUSE CONSTRUCTION

Hon. Marcella A. Holland and Hon. Robert B. Kershaw, Co-Chairs

This Committee is addressing some of the numerous problems facing courthouses in Baltimore City. It is assisting the courts in developing plans for an additional, new courthouse to house the Circuit Court's criminal division and some units of the District Court.

EDITORIAL ADVISORY

Courtney A. Blair, Chair

This Committee continues to oversee production of the *Maryland Bar Journal* and the *Bar Bulletin*, providing to members beneficial information regarding the legal profession. The *Journal*, available in print and online, continues to feature timely legal theme issues, while the *Bulletin* continues to include a range of substantive legal topics as well as practical information relevant to Maryland lawyers.

IMMEDIATE RESPONSE

Rachel T. McGuckian, Chair

This Committee fielded several inquiries this year, none of which were determined by the Committee to be of such a significantly serious nature as to warrant a public response from the MSBA.

INVESTMENTS

Cleaveland D. Miller, Chair

This Committee oversees MSBA's prudent investment of Association assets. The investment objective is to earn a fair return while ensuring that sufficient funds are always available for the smooth operation of MSBA functions.

LAW REFORM

Henry E. Dugan, Jr., Chair

This Committee, in a major thrust to improve neutrality and enfranchise a significant block of the electorate in Judicial Elections for the Circuit Courts of Maryland, this year obtained the support of the Board of Governors for having a Bill filed in the Maryland Legislature that would take away the Democratic and Republican Primaries and have all judicial candidates run without Party affiliation in the General Election in a random (non-alphabetical) enumeration with signification as to whether or not a candidate is a Sitting Judge.

LAW SCHOOL GRADUATES

James P. Nolan, Chair

This Committee, equipped with members of the legal community from both within and outside the MSBA, explores the challenges and problems – and possible solutions – facing recent law school graduates. It studies issues such as law school debt, a weak job market, and what roles bar associations, law schools, and the legal establishment as a whole might play in addressing these issues.

LEADERSHIP ACADEMY

Hon. Lisa A. Hall Johnson and William Carl Isler II, Co-Chairs

This Committee continued to nurture and develop a group of young lawyers from diverse backgrounds with the goal of creating a trained leadership pool for MSBA and the entire legal community in Maryland. Its select group of 15 Fellows were identified from a highly competitive pool of applicants as having superior leadership potential, and through strong mentorship relationships and monthly leadership trainings develop increased leadership skills while maturing both professionally and personally. The Fellows developed a required public service project, providing pro bono services to small businesses in an effort to educate and inspire aspiring entrepreneurs and small business owners who have limited financial resources and serve low-income communities in Maryland.

MARKETING

Stanford G. Gann, Jr., Chair

This Committee, following the 2013-2014 Planning Committee Recommendation to the Board of Governors and its approval in May 2014, was created to select a marketing consultant for the MSBA. It reviewed many candidates, and the Board of Governors approved the Committee's recommendation in January. A contract with the marketing consultant is being finalized, and the consultant is expected to begin its evaluation and preparation of a marketing plan over the next several months. The Committee will update the Board on the consultant's progress in May.

PAST PRESIDENTS

John P. Kudel, Chair

This Committee met in the fall and the spring of the bar year. It continues to discuss issues of importance to the MSBA, including the future plans for the Bar Headquarters and the continued participation of Past Presidents in the ABA House of Delegates and the National Conference of Bar Presidents.

VETERANS TREATMENT COURTS

Michael G. Comeau, Chair

This new initiative will work closely with the courts in order to establish a treatment court or docket specifically addressing the special needs of veterans while involved in the legal system.

VOIR DIRE

Paul Mark Sandler, Chair

This Committee is composed of more than 40 members, including judges and lawyers from across Maryland, who continue to work on the development of model Voir Dire questions.