



THE BAR ASSOCIATION OF MONTGOMERY COUNTY, MD NEWSLETTER

27 West Jefferson St., Rockville, MD 20850-4200
Telephone: (301) 424-3454 Fax: (301) 217-9327
Web Site: <http://www.montbar.org> — E-mail: Cindy@barmont.org

Volume 55, Issue 9

March 2008

PRESIDENT'S MESSAGE



Somehow, without any warning, I recently hit a milestone, a personal milestone, a milestone that I was not expecting. I am now alive longer without my mother than with my mother.

I was in my first year of law school when my mother died after fighting cancer for several years. Back then I did all that I could to forget the hurting, support myself financially, have fun, and succeed in law school. Now, upon my reaching this milestone, I realize that we can never run away from some pain, that indeed life goes on, and that all of us need to live life to the fullest and be good role models.

My mom was a lot of fun--so nurturing and yet so insistent that my brothers and I be independent at a young age and stay independent. My mom would welcome just about everyone she knew into our home, whether it was for dinner, for the holidays, for parties, or just because we

(Continued on page 4)

Bar Luncheon Schedule

March 4, 2008 ... Speaker: Thomas E. Perez, Secretary, Department of Labor, Licensing and Regulation

April 1, 2008

12:15p.m. - 1:00p.m.

*Rockville United Methodist Church
112 West Montgomery Ave., Rockville, MD*

BARRISTERS BASH ... A PARTY YOU DON'T WANT TO MISS

Saturday, March 15, 2008 ~ 7:30p.m.
The Hilton, 1750 Rockville Pike, Rockville, MD
Cost: \$50 per person

Dance the Night Away to Music From REUNION Featuring "The Contemptions", "The Appealables" and Other Special Performances.

For tickets or more information, visit www.steinsperling.com/barristersbash.

NEW ADMITTEE COURTHOUSE TOUR & RECEPTION

Tuesday, March 18, 2008

Time: Tour of the District and Circuit Court in Rockville, 4:15p.m.; Reception to follow in the Circuit Court Atrium, 5:15p.m.

Where: Tour will begin in the District Court, 27 Courthouse Square, Rockville

Meet in front of Courtroom 101

Current BAMC Members are invited to the reception to welcome the New Admittees!

Please RSVP by March 14 to Lili Khozeimeh at lkhozeimeh@draggacallah.com or (301) 340-9090 or Ivonne Lindley at ilindley@steinsperling.com or (301) 838-3217.

ABA DAY IN WASHINGTON ... APRIL 16-17, 2008

Congress will be considering legislation that directly impacts you, your bar entity, your clients, the legal profession and the administration of justice. Your active participation is vital to our successfully educating Congress on issues of importance to lawyers. Register online today at <http://www.abanet.org/poladv>.

**ANDREW L. SONNER
EXCELLENCE IN
DIVERSITY AWARD ... See Page 6**

114TH ANNUAL MEETING & LAW DAY CELEBRATION

May 2, 2008 ~ 8:00a.m.-2:30p.m.

Bethesda North Marriott Hotel
& Conference Center
5701 Marinelli Rd.
North Bethesda, MD 20852



Keynote Speaker:
Brendan Sullivan, Esquire,
Partner,
Williams & Connelly, LLP

~ See Insert This Issue ~

POWER OF VOLUNTEERING

As your President-Elect, I am actively soliciting your involvement, so that I may appoint additional members to our many Committees and I strongly encourage your participation in our Sections and their Councils. If you haven't already done so, please fill out the form included as an insert in this issue and return it to the Bar Association by fax to (301) 217-9327.

Paul B. DeWolfe, President Elect

SOFTBALL ORGANIZATIONAL MEETING

We will be having the 2008 Softball Season Organizational Meeting on **Wednesday, March 19, 2008** at 5:30p.m. in the Bar Association Conference Room. Please plan on attending if you are the captain of a team or would like to start a new team.

If you would like to join a team please feel free to email me at chipatlaw@aol.com and I will try and place you. *Chip Lipscomb*

FAX BACK TO (301) 424-6724 OR E-MAIL YOUR PREFERENCE TO MARIA@MCBFPROBONO.ORG

~ VOLUNTEER/CONTRIBUTION FOR PRO BONO ~

In conjunction with Rule 6.1, I wish to contribute time and/or money to the Montgomery County, Maryland, Bar Foundation Pro Bono Program.

I wish to donate: Time in the following areas of law: _____ Time to the Evening Legal Clinics (6:30p.m.-8:30p.m.)
_____ Time to the Pro Bono office as a Volunteer Consulting Attorney from 10:00a.m.-Noon on M ___ Tu ___ W ___ Th ___

I wish to donate funds and enclose \$ _____ Credit Card #: _____ Exp. Date _____

(CIRCLE ONE) VISA or MC

Name: _____ Address: _____

Phone: _____ Fax: _____ Email: _____

The Montgomery County, Maryland Bar Foundation is a 501(c)(3) tax exempt organization and contributions are tax deductible under Section 170 of the Internal Revenue Code.



Please Note New Bar Staff Email Addresses

Bar Association

| | | | |
|-----------------------|---|---------------------------------------|----------------|
| Beverly | Executive Director | Bev@barmont.org | (301) 424-3453 |
| Tessy | Office Manager/LRS Supervisor | offadmin@barmont.org | (301) 424-7040 |
| Cindy | Association Secretary | Cindy@barmont.org | (301) 762-8376 |
| Laura | Membership | | (301) 424-6351 |
| Leslie Natalia | Lawyer Referral Service Operators (part-time) | | (301) 279-9100 |
| | Lawyer Line | lrs1@barmont.org and lrs2@barmont.org | (301) 424-7040 |

Bar Foundation

| | | | |
|----------------|-------------------------------------|---------------------|----------------|
| Marleni | CLE Seminars and Events Coordinator | montcle@barmont.org | (301) 340-2534 |
|----------------|-------------------------------------|---------------------|----------------|

Pro Bono Program

| | | | |
|----------------------------|--|--|----------------|
| Client Intake Lines | | | (301) 424-7651 |
| | | | (301) 424-7652 |

The following staff listing is not for public information. It is for attorney use only.

| | | | |
|---|---|-------------------------|----------------|
| Mary Kay Canarte , Managing Attorney (Part-Time) | | marykay@mcbfprobono.org | (301) 762-5831 |
| Maria | Office Administration / Client Coordination | maria@mcbfprobono.org | (301) 424-2706 |
| Ingrid | Office Administration / Client Coordination | ingrid@mcbfprobono.org | (301) 762-8488 |

FOR LAWYERS WHO NEED HELP

If you are aware of attorneys who are having problems with alcohol, drugs, stress, emotional problems and related illnesses that interfere with their professional or personal lives, please call the Lawyer-to-Lawyer Committee. Committee members are available to assist lawyers find confidential effective programs to suit their needs.

All calls are strictly confidential.

F. Patrick Kelly, Chair

Phone: (301) 279-5600

E-mail: fpatkelly@earthlink.net

FRIENDS OF BILL W. LAWYER MEETING

For time and location of the meetings, please call Lawyer-to-Lawyer Committee member, Dan Gaskill at (301) 279-7400.

BAR ASSOCIATION OF MONTGOMERY COUNTY, MD NEWSLETTER

(USPS 430-930) ISSN-1079-0780

is published monthly except July/August combined at \$25.00 per year by the

Bar Association of Montgomery County, MD
27 West Jefferson Street, Rockville, MD 20850-4200

PERIODICALS POSTAGE PAID

Rockville, Maryland 20850-4200

POSTMASTER:

Send address changes to:

Bar Association of Montgomery County, MD, Newsletter
27 West Jefferson St., Rockville, Maryland 20850-4200
Beverly C. Mondin, Executive Director & Editor
Cindy Brandenburg, Assistant & Advertising Editor

LEGAL ETHICS HOTLINE

Charles S. Rand - (301) 762-1400
Brian Barkley - (301) 251-6600

For a written confidential opinion, submit your written request, marked confidential, to Jeffrey M. Axelson, c/o Bar Association of Montgomery County, MD, 27 West Jefferson St., Rockville, MD 20850.

BAR FOUNDATION OFFICERS (Effective July 1, 2007)

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Past President: Paul F. Kemp

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Lili Khozeimeh & Ivonne C. Lindley

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Youth Courthouse Project – Holly D. Reed, III, Co-Chair – (301) 587-9480 & Mariana C. Cordier, Co-Chair – (240) 268-0230

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Criminal Law – Marc R. Ernden, Co-Chair (Defense) – (301) 762-7007 & Carol A. Crawford, Co-Chair (State) – (240) 777-7342
Education Law – Patrick J. Hoover, Chair – (301) 424-5777
Elder Law – Camilla O. McRory, Co-Chair – (301) 777-7440 & VACANT, Co-Chair
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Juvenile Law – Mary K. Knight, Co-Chair (State) – (240) 777-7440 & Carlotta A. Woodward, Co-Chair (Defense) – (301) 424-6366
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New Practitioners – Lili Khozeimeh, Co-Chair – (301) 340-9090 & Ivonne C. Lindley, Co-Chair – (301) 838-3211
Mentor/Mentee (sub of New Practitioners) – Heather S. Collier – (301) 340-9090
Chamber Chats – Monica G. Harms, Chair – (301) 838-3230
Personal Injury Litigation – Hong S. (Paul) Chung, Co-Chair (Plaintiff) – (301) 230-5230 & Andre M. Forte, Co-Chair (Defense) – (301) 762-7770
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Telecommunications – VACANT, Chair
Workers Compensation Law – Wanda G. Caporaletti, Co-Chair – (301) 562-1140 & Kevin J. O'Connell, Co-Chair – (301) 424-2300



CURRENT UPDATE

OMISSION FROM LAST NEWSLETTER

The Memorial for Laurence T. Scott was written by Albert D. Brault. We apologize for this omission and apologize to Mr. Brault. If you save your Newsletters, please make this notation.

Beverly C. Mondin, Executive Director

CIRCUIT COURT FAMILY DIVISION

Appointment of Counsel for Children

When the Court appoints counsel to represent children, it may order the parties to pay reasonable compensation for such representation and may apportion those costs equitably. Where the Court determines that the parties are unable to bear the expense of such representation, it may request that the Family Law Fund pay some or all of the costs. For appointments made on or after May 21, 2007, the limits of compensation was raised to a

(Continued on page 5)

SLATE OF OFFICERS AND EXECUTIVE COMMITTEE FOR 2008-2009

In accordance with Article VII of the Constitution of the Bar Association of Montgomery County, Maryland, we the Nominating Committee of 2008 report that the following persons have been nominated for the indicated offices.

If any voting member wishes to place his or her name on the official ballot to be mailed on March 20, 2008, you are invited to file a petition, available in the Bar Office by March 13, 2008 and have it signed by ten or more voting members.

President-Elect

E. Joseph Fitzpatrick, Jr. Susan S. Magazine

Treasurer-Elect

Richard H. Melnick Joseph P. Suntum

Secretary

James R. Hammerschmidt James A. Mood, Jr.

Executive Committee

| | | |
|-----------------------|----------------------|-------------------------------------|
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| Bradford S. Bernstein | Sherri D. Koch | James L. Parsons, Jr. |
| Wanda G. Caporaletti | Elizabeth G. Loggia | Deborah L. Webb |
| Charles L. Frederick | David C. Merkin | Alan S. Zipp |
| | | <i>Joseph A. Lynott, III, Chair</i> |

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PRESIDENT'S MESSAGE, cont'd

(Continued from page 1)

were home sitting around the kitchen table. If Mom planned dinner for the five of us and another person or two were at the table, it just meant that we each had less to eat but more laughs to share. If Mom invited more people than our small house in Queens could hold and everyone came, as they always did, then it just meant that many of our guests would be on the staircase or outside eating, drinking, talking, and laughing. Mom would be silly and adventurous when she went out with the young waitresses from the restaurant where she worked, never forgetting that she was older than the rest of them but always having the most fun. (I know, because I was her driver!)

When my Mom was in the hospital battling cancer, she spent most of her time counseling the nurses and the staff on their relationship woes and career dreams. Often times I would arrive late at night after driving to New York from Maryland, and there would be a line of people waiting to visit her. My mom didn't believe in designated visitor's hours, and the nurses never imposed that rule on her room. Everyone who visited my mom said that they felt stronger and more appreciative of life after spending time with her.

It is these memories of my mom that have taught me the importance of role models. I believe that lawyers can be excellent role models and play a very special part in the development of children's ideals of citizenship, character building, and career goals through their involvement in coaching sports, scouting, and

other children's activities. Our Bar Association now offers members the opportunity to get involved in our new Youth Courthouse Project. To find out more, please see page 18 of this Newsletter and contact Mariana Cordier and Holly Reed.

We all know that young people learn much more from our actions than our words, and the same is true when we are mentoring new lawyers--whether the new lawyers are in our offices, watching us in courtrooms or conference rooms, meeting us at social events, or assigned to us by the Bar Association as mentees. I encourage everyone to participate in events involving new practitioners (including the March 18th Reception in our Circuit Court Atrium welcoming newly-admitted attorneys to our Bar Association and the New Practitioners' "Friendraiser" on April 24th in Bethesda) and to volunteer as a mentor to a new practitioner by contacting Heather Collier, Chair of the Mentor/Mentee Committee. Also, attending our Association's social events (such as the March 15th Barristers' Bash and the May 22nd Bar Revue) provides us great opportunities to spend time in fun atmospheres with our fellow BAMC members.

In our Bar Association, we are very fortunate that our Judges are also wonderful role models in a variety of ways. In addition to their examples from the bench, their willingness to host/lead the New Practitioners' monthly "Chamber Chats," to actively participate in our sections and committees, and to support and attend our social events provides our new

(and not-so-new) practitioners with invaluable accessibility to our judiciary's experience and expertise. Montgomery County is truly a wonderful place to practice because of the collegiality and professionalism that we have among our Bar and Bench.

In closing, I would like to share a vision that my mother and I had which shows that, even though some plans may not be fulfilled as we wish or expect, our dreams can still be fun and worthwhile:

My mother and I planned that someday when I was a lawyer with my own practice she and I would have a lunch date. She would be on time (if not early), because our meeting place was at an exclusive restaurant. I would whirl in (late as always), order my lunch, but fly off before its arrival upon receiving an emergency call to court in one of my cases. My mom would stay, enjoying her glass of wine, knowing that the check had been paid and the waitress generously tipped on my way out, and she wouldn't have a care in the world.

Although the fulfillment of this dream was cut short, the happiness of this vision is with me whenever I make time to have lunch on my own, and it is actually because of this vision, I am never really alone. Instead, I am reminded of the fun and motivation that can be sparked by sharing one's time and support with others and the lasting impact that time together can have on those around you.

Mary Ellen Flynn

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All services provided by Licensed Mental Health Professionals

Jennifer Alfonso, MBA, MSW, LCSW-C
Clinical Director



CURRENT UPDATE, cont'd

(Continued from page 3)

maximum of \$2,000 unless a lower amount is noted under a specific appointment.

Please note that the Family Law Grant, which funds these appointments has been cut. Therefore, if you are appointed as a Best Interest Attorney, **fees will be capped at the amount noted above.**

Madeleine Jones, Family Division Coordinator

JUVENILE COURT KIDS NEED MENTORS

The juvenile mentoring program needs a few good men and women! This new initiative serves youngsters in the Montgomery County Juvenile Court System. It is currently funded by Montgomery County Schools, and coordinated on a day to day basis by the YMCA Youth & Family Services.

The mentees are all children that are either involved with the Child Welfare system because they have been abused and/or neglected, or under the supervision of the Department of Juvenile Services following a finding of delinquency. We have a diverse mentee population and are looking for mentors with varied backgrounds. We need both male and female volunteers, including those that are bilingual. The YMCA Mentoring Program also welcomes couples, faith-based and other small groups to expand the volunteer mentor pool. Mentors make a one-year commitment and meet regularly with the mentee. Contact the **Mentoring**

Coordinator, Ottoniel Perez at operez@ymcawashdc.org or by telephone at 301-585-2120 (ext. 2574) or cell phone 202-438-5051 if you or anyone you know would be interested in being a mentor. Please talk this program up and pass the information on to friends, neighbors and colleagues. These young people have challenges and difficulties, but are also filled with promise.

Katherine D. Savage, 240-777-9372

SCHOOL EDUCATION COMMITTEE

Thank you to Neil Jacobs and Judge Cheryl McCally for their help with the Parent Academy topic on the Introduction to the Legal System. The next Parent

Academy presentation prepared by the School Education Committee is scheduled for March 6, 2008 from 7-9 p.m. at Blair High School. The topic is Young Drivers and Alcohol with a discussion of collateral consequences of alcohol related driving offenses for young drivers. Administrative Law Judge Yvette Diamond will be the primary speaker. Judge Diamond won an Emmy award for the documentary Branded Dui, in which 11 young drivers shared their stories and consequences of drinking and driving. Volunteers are still needed for Montgomery County Schools Career Days in the Spring. Contact me at sandler@sandlerlawllc.com if you are interested.

Rene Sandler, Chair

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AN INVITATION TO MAKE A NOMINATION

THE MONTGOMERY COUNTY BAR FOUNDATION

*Andrew L. Sonner
Excellence in Diversity Award*



Award Criteria

Overall, the Andrew L. Sonner Excellence in Diversity Award recognizes an attorney, individual, law firm, company, association or government practice that champions the Montgomery County Bar Foundation's goal of encouraging racial and cultural diversity in the hiring, retention and promotion of attorneys and in the elevation of attorneys to leadership positions within the Montgomery County legal community. To that end, in evaluating nominations for the award, we will assess a nominee's excellence in one or more of the following areas:

1. **Influencing Others** – Successful diversity efforts addressing the importance of diversity at every reasonable opportunity or exerting influence. Making persuasive connections between organizational performance and progress on diversity. Exerting influence, including speaking engagements, can be one

mechanism for making the case for diversity.

2. **Being a Role Model** – Individually or within a larger group, acting in such a way that signals that diversity is truly important to the organization.

3. **Becoming Engaged** – Reaching out to diverse attorneys to understand first-hand the experiences of someone from a different background.

4. **Cultivating Diverse Teams** – Seeking out diverse talent in its many forms, while placing a premium on good management. Striving to develop and retain diverse team members, by mentoring, training, coaching, and providing constructive feedback.

5. **Innovating** – Identifying and implementing creative and practical solutions in order to make diversity a reality.

6. **Demonstrating Leadership** – Taking an active lead in fostering diversity in the profession through national, state, local and specialty bar associations, forging connections with law schools, colleges, high schools, and other organizations in order to broaden the diversity pipeline in Montgomery County.

Nominating Process

Eligibility: Eligible nominees include any attorney, non-attorney individual, law firm, company, association or government practice.

Time period: While our emphasis is on actions taken within the last year, we

recognize that it may be difficult to isolate certain achievements within a calendar year. Notable achievements from the past or that occur on an ongoing basis may be included as well.

Number of Nominations: Individuals and organizations may make as many nominations as desired.

Selection Process: The nominees will be reviewed by the Diversity Committee of the Montgomery County Bar Foundation, which in turn will make recommendations to the Board of Directors, which will make the final selection.

Timing: The deadline for submission of nominations is 5:00 p.m. April 1, 2008. Nominations may be submitted on the Nomination Form to Executive Director, Montgomery County, MD, Bar Foundation, 27 West Jefferson Street, Rockville, Maryland 20850, by fax 301-217-9327, or by email to execdir@barmont.org.

Please go to our website, www.montbar.org, for the Nomination Form with guidelines.

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Certified Business Appraiser
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IN MEMORIAM

Joseph Zitomer

September 6, 1924 - January 20, 2008

Joseph Zitomer, 83, an attorney who practiced Law for 52 years in the Washington area before retiring in 2002, died of kidney failure January 20, 2008 at his home in Chevy Chase, Maryland.

Joe was born September 6, 1924 in Philadelphia, where he spent the first five years of his life. His curious nature led him to explore the neighborhood so often that the local police became his favorite source of ice cream. After the stock market crash of 1929, his parents moved the family to Washington D.C. He lived in the Washington area until his death.

In 1943, Joe graduated from Eastern High School before entering the Navy's V-12 Officer Training program at Duke University. His service as a Lieutenant in the Navy totaled ten years. After becoming an Ensign in 1945 near the end of World

War II, he often joked, the Japanese heard he was coming and decided to surrender. He also served in the Korean conflict. When a superior officer gave him a Law book and told him he would be prosecuting a case the next day, Joe discovered that understanding legal material was as natural to him as reading a good novel is to others. He won the Case Club Competition before graduating from George Washington University School of Law in 1950.

Joe began his civilian career in Washington, D.C., where he and other young lawyers learned from each other as they traded stories about the criminal cases they tried. In individual practice, Joe was a trial lawyer for civil, criminal, and personal injury cases throughout his career. His primary practice was in Montgomery County, but he also tried cases in D.C. and Virginia. He was a member in good standing of the Montgomery County Bar Association as well as the Maryland, D.C., and Virginia Bars.

Joe was an avid bicyclist for much of his adult life. He joined the Potomac Pedalers Touring Club as a charter member in 1968, when the club consisted of about 20 people. He regularly bicycled to his office and to court. He used his legal expertise to help convince the National Park Service to install a bicycle path in Rock Creek Park in the early 1970's, before it became a popular sport. He also was an organizer of the first Bike Day in Washington D.C. in April 1970. He reluctantly gave up biking at age 80.

As a Board member of the Jewish Community Center building project in the 1960s, Joe suggested that the purchase of a large plot of land accessible to many would provide future advantages that could never be achieved with the smaller plot about to be purchased. He lived to see the result of that suggestion realized in the expansive complex in Rockville, Maryland.

In retirement Joe joined the Fossils, an "organization for distinguished retired men". There he was able to explore his love of learning and other activities such as bridge and bowling.

His other hobbies were bicycling, hiking, cooking, playing folk music on the guitar, and exploring the world.

His marriage to Violet Musicante Zitomer produced three children and ended in divorce. Survivors include his beloved wife of 35 years, Mary of Chevy Chase, son Jonathan and wife Pamela of Placerville, California, son Jack and wife Karyn of Goldens Bridge, New York, daughter Suzanne Proctor and husband Tim of Silver Spring, Maryland, and seven grandchildren.

He will be buried in the Columbarium at Arlington National Cemetery on May 1, 2008 at 11:00 a.m. For further details, contact Mary Zitomer at jamzee10@yahoo.com.

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NEW PRACTITIONER SECTION

COURTHOUSE TOUR & RECEPTION FOR NEWLY ADMITTED ATTORNEYS

On **Tuesday, March 18, 2008** we will welcome attorneys recently admitted to the Maryland State Bar and take them on a tour of the District and Circuit Courts. We will meet at 4:15 p.m. in the **District Court located at 27 Courthouse Square, Rockville, in front of Courtroom 101** on the lower level. Following the tour, New Admittees are invited to free reception in the Circuit Court atrium. All members of the Bench and Bar are welcome to attend. If you would like more information, or to r.s.v.p., please contact Ivonne Lindley at ilindley@steinsperling.com or (301) 838-3217 or Lili Khozeimeh at lkhozeimeh@draggacallahan.com or at (301) 340-9090.

FRIENDRAISER

Please save the date for the Spring "Friendraiser" (a.k.a. Happy Hour!) which will be on **Thursday, April 24, 2008 at 5:30 p.m.** in Bethesda, Maryland at the Black Finn Restaurant & Saloon, 4901 Fairmont Avenue, Bethesda, MD 20814. **Thank you to the Maryland State Bar Association - Young Lawyers Section for co-sponsoring the event!!** Please see future newsletters for more information.

CHAMBER CHATS

The Circuit and District Court Chamber Chats will resume in April. If you have any questions or for more information, please contact Monica Harms at (301) 838-3230 or mharms@steinsperling.com.

MENTOR/MENTEE COMMITTEE

As many of you know the Bar Association has a Mentor Program for New Practitioners. Heather Collier is this year's chair and she is in the process of pairing mentors with mentees. The mentoring program purpose is to foster professionalism and improve the practice of law in Montgomery County by having experienced practitioners known for their high degree of professionalism and commitment to excellence impart their knowledge to new practitioners. We are

looking for mentors in all practice areas and she would appreciate your time and assistance in volunteering to be mentors. Should you have any questions

please contact Heather at 301-340-9090 or hcollier@draggacallahan.com.

*Lili Khozeimeh, Co-Chair
Ivonne C. Lindley, Co-Chair*

Upcoming Events ...

Family Law Section Wine and Cheese Party to Honor the Retirement of Judge Ann N. Sundt, Circuit Court Judge – March 20, 2008, 5PM, Home of Shelly McKeon, 9805 Kentsdale Dr., Potomac, MD. For information or to RSVP, contact Heather Collier at (301) 340-9090 or hcollier@draggacallahan.com by March 1st.

~

Judge Irma S. Raker Retirement Party – May 15, 2008, 6:00PM, Smokey Glen Farm, Gaithersburg, MD. For information, contact Kathy Parker at (240) 777-9212.

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COMMITTEES & SECTIONS

ALTERNATIVE DISPUTE RESOLUTION SECTION

The ADR section is co-sponsoring with the Ethics Committee a breakfast seminar on "Mediating when Difficult Clients and Ethics Collide" on **Thursday, April 10, 2008** at 7:45 a.m. in the Bar Office Conference Room at 27 West Jefferson Street, Rockville. The seminar will cover the challenges of mediating disputes with difficult clients in several areas of the law and a mediator/attorney's ethical duties at a mediation. We look forward to seeing you for this interactive seminar.

The section's next meeting is **Wednesday, March 12, 2008** at 8 a.m. at the Broadway Diner, 895 Rockville Pike, Rockville.

*Ellen F. Kandell, Co-Chair
Judith A. Mustille, Co-Chair*

BUSINESS LAW SECTION

The Business Law Section has three great, practical programs planned for this Spring. We hope to see you there!

The March roundtable meeting will be held on **Wednesday, March 12, 2008** at 8:00 a.m. at La Madeleine Restaurant, 11858 Rockville Pike, Rockville, Maryland 20852. The roundtable will feature a discussion by **Michael A. Faerber, Esquire**, a principal with McMillan Metro, P.C. (www.mcmillan-metro.com), who will discuss the ins and outs of reviewing and negotiating commercial leases. Please note that the March roundtable meeting will be a breakfast meeting.

In April, the Business Law Section looks forward to presenting a second long-format CLE, "*Compensation & Incentive Plans - From Non-Qualified Stock Options to 409A*". The tentative date for this program is **April 16, 2008**. Please stay tuned to the Bar Association Newsletter and the Business Law Section listserv for additional information.

On **May 21, 2008**, the Business Law Section will present a roundtable meeting featuring **Deborah A. Cohn, Esquire**, a principal with Paley Rothman (www.paleyrothman.com), who will discuss fundamental considerations of estate and succession

planning in closely held businesses. Please stay tuned to the Bar Association Newsletter and the Business Law Section listserv for additional information.

*James L. Parsons, Jr., Co-Chair
David P. Shapiro, Co-Chair*

CINA/DELINQUENCY BROWN BAG BENCH BAR MEETINGS

| | |
|------------------|---------------------|
| March 20, 2008* | September 18, 2008* |
| April 16, 2008** | October 22, 2008** |
| May 15, 2008* | November 20, 2008* |
| June 18, 2008** | December 17, 2008** |
| *=Delinquent | **=CINA |

All meetings will be held in Courtroom 18 of the District Court Building at 12:30 - 1:30 PM. CINA bench/bar meetings will be held on a Wednesday and Delinquent bench/bar meetings will be held on a Thursday. Please submit any agenda items that you may have to Ann Wilson at wilsona@mcccourt.com, two days before the meeting.

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CIRCUIT COURT BENCH BAR COMMITTEE

Meetings are held in the Administrative Judge's Conference Room on the third floor of the Circuit Court building in Rockville. Meetings are held on the first Wednesday of each month at 8 AM. The remaining meeting dates for the year are 3/5/08, 4/2/08 and 5/7/08.

The following matters are brought to your attention by the Clerk of the Court, Loretta Knight:

1) **Consolidated Cases:** If the order consolidating cases does not state "all further pleadings go into [specific case]", then each individual case continues on and the department will need copies of pleadings for each case involved in the consolidation.

2) **Maryland Rule 2-507(b):** If a defendant is not served within 120 days from the issuance of original process, a Notice of Contemplated Dismissal will be mailed out. An automatic dismissal without prejudice for lack of jurisdiction will be entered 30 days from the date of this notice, unless prior to that time a written motion showing good cause to defer the entry of dismissal is filed. Please note that a request and re-issuance of a summons does not restart the 120 days. The 120 days runs from the issuance of original process.

3) **Domestic Violence Project:** The Circuit Court went "live" on February 4, 2008, with Phase I the Domestic Violence Project. The domestic violence petition was entered in the Family Department "DV Office" and then transmitted to the "DV Courtroom". Judge Dugan was able to create a protective order

(Continued on following page)



COMMITTEES & SECTIONS

(Continued from preceding page)

through the "DV Courtroom" program, printed the order out and signed it from the bench. We are pleased to report it was a success and Judge Dugan did a great job.

4) **Interpreters:** If you request an interpreter for your case and it turns out that one is not actually necessary, please be sure to let the Clerk of the Court know 48 hours in advance of the hearing date. When cancellations are not made, or are made late, the court is charged for at least 2 hours of interpreter time, and even more for lengthy trials. It is very important for attorneys to monitor their cases and determine, in advance if possible, whether an interpreter is necessary.

5) **Circuit Court's Charity Committee:** Each month a Montgomery County charity is chosen to receive funds for that month. For the year 2007 a total of over \$7,000 was collected and distributed to ten different charities.

The Clerk reminds everyone that her office is open and available to hear any concerns or suggestions you may have regarding courthouse administrative process. You can contact her at (240)777-9467. She is happy to work with you and find ways to improve courthouse services for everyone.

Finally, please note that Judge Scrivener has relocated to the 6th floor of the courthouse: Room 601 (Judge Beard's former chambers).

If you have any concerns to bring to the Committee's attention, please feel free to contact any committee member or Peter Feeney at 240 777-7349 or peter.feeney@montgomerycountymd.gov.

Peter A. Feeney, Chair

COMMERCIAL LITIGATION SECTION

The next breakfast meeting of the Commercial Litigation Section will take place on **Wednesday, March 19, 2008, from 8:00-9:00 a.m.**, at the offices of Stein, Sperling, Bennett, De Jong, Driscoll & Greenfeig, P.C.,

25 West Middle Lane, Rockville. Please RSVP to Chris Grube at (301) 838-3269, or cgrube@steinsperling.com. More information as to speaker and topic will be published and circulated in the near future.

For upcoming events, on **Tuesday, April 29th from 5:30 p.m. to 7:30 p.m.**, at the Bar Conference Room, the Commercial Litigation Section will sponsor a CLE called **Effective Dispositive Motions**. The Honorable Patrick L. Woodward of the Court of Special Appeals of Maryland and the Honorable Michael D. Mason of the Circuit Court for Montgomery County, Maryland will discuss dispositive motion practice (motions to dismiss and for summary judgment), including an overview of the standards as they are construed by the appellate courts and applied by the circuit court; advice as to the successful preparation of such motions as well as advice on opposing such motions, the types of cases that are most appropriate and least appropriate for summary adjudication, and a discussion of recent appellate decisions.

Another upcoming event is **Law Day**,

which is scheduled for **Friday, May 2nd**, at the Bethesda North Marriott Hotel and Conference Center. The Commercial Litigation Section and the ADR section are sponsoring a joint presentation from 11-12. Details on speakers and specific topics to follow.

*Carol A. Crawford, Co-Chair
Marc R. Emden, Co-Chair*

CRIMINAL LAW SECTION

The next Criminal Law Section meeting will be held on **Wednesday, March 19, 2008, 5:30-7:00** in the conference room at the Bar Association headquarters.

*Jeffrey M. Schwaber, Co-Chair
J. Bradford McCullough, Co-Chair*

DISTRICT COURT BENCH BAR COMMITTEE MEETING DATES

March 6, 2008 April 3, 2008
May 1, 2008

All meetings will be held on the 1st

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COMMITTEES & SECTIONS

Thursday of the month at 8:00a.m. in the Judges' Conference (4th Floor) in the District Court building in Rockville, unless otherwise noted.

Continuances - Please see below the Continuance Policy for all District Court Cases. In addition to Judge Wolfe's statement, within 5 days of the trial date, counsel are strongly encouraged to get the other side's consent or risk having the motion be denied.

District 6 Postponement Policy

By Administrative Orders adopted and re-adopted in 1977, 1978, 1980, and 1995, the Courts of Appeals of Maryland established procedures for the resolution of conflicts in case assignments among the various courts, and enumerated the responsibilities of counsel and the Court when a postponement is requested. Pertinent parts of those Administrative Orders provide as follows:

1. *If counsel accepts a case knowing that there is a conflict with the scheduled hearing date, counsel should not expect to be granted a continuance.*

2. *If a conflict arises after counsel enters an appearance, counsel shall make every effort to obtain coverage by a partner or associate before requesting a continuance. A request for continuance shall include a statement of compliance with this rule.*

3. *When counsel accepts a case which creates a conflict, a continuance may be granted only in the judge's discretion and under extraordinary circumstances. In the exercise of that discretion, the judge shall first assure that all parties, witnesses, and counsel in the case can be notified of the continuance sufficiently in advance of the trial date to avoid undue inconvenience; that the case has not been continued an unreasonable number of times; and that the continuance would not otherwise*

impede the proper administration of justice.

4. *Except in certain enumerated circumstances, when there is a conflict between hearing or trial dates, priority shall be given in accordance with the earliest date on which assignment for hearing or trial was made.*

In order to implement the above Order and promote the orderly administration of the Court, the following guidelines shall also apply to postponements in District 6:

All postponement requests must be in writing and signed by a party or, if represented, by his or her attorney, and contain a signed certificate of service on opposing parties and/or counsel.

All postponement requests filed by attorneys shall be by pleading and should include an order and contain a signed certificate of service on opposing parties and/or counsel.

A request for postponement shall be made as soon as the reason for the request is known, and sufficiently in advance of the trial date to minimize inconvenience to parties and witnesses.

Generally, priority among conflicting hearing or trial dates will be given to the date first set. COURT HEARINGS TAKE PRIORITY OVER ADMINISTRATIVE HEARINGS.

When a request for postponement is based upon a conflict in counsel's trial schedule, a copy of the conflicting notice shall be attached to the postponement request.

When a request for postponement is based on any other conflict, the party seeking a postponement shall, to the extent possible, attach supporting documentation evidencing the conflict (e.g., travel itinerary, doctor's note, etc.). Unless good cause exists, a case may not

be postponed if the party's scheduling conflict arose after the trial date was set by the Court.

The party requesting a postponement should notify the opposing party or counsel, seek their consent, and indicate the opposing party's position in the request for postponement.

A party requesting a postponement may not assume that it will be granted, even if the opposing party does not object. If the court has not ruled on the request to postpone prior to the court date, the party must appear on the scheduled date unless the court directs otherwise.

A party who has been advised of the right to counsel, either by a judge or by a commissioner, is not entitled to a postponement unless there is a meritorious reason for the postponement.

Specially set cases and cases set by agreement of counsel will not be postponed unless extraordinary cause exists for a postponement. All requests to postpone specially set cases must be directed to the Administrative Judge or designee.

All parties, witnesses, and counsel shall bring their calendars to court, so that cases continued or postponed in court may be rescheduled without conflict.

Eugene Wolfe, Administrative Judge

If counsel are going to be late to Court, the Court must be notified prior to the Court taking the bench. Counsel needs to call CHAMBERS on the day of court. The Rockville number is (301)279-1551, the Silver Spring number (301)563-8520.

Preliminary Inquiries - Attorneys can excuse their client's appearance if the Court receives the attorney's entry of appearance prior to the court date. However, these notices need to be hand-filed. Many clients are receiving warrants because the notices do not

(Continued on following page)

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COMMITTEES & SECTIONS

(Continued from preceding page)

catch up to the file by the PI date. Remember, the Court receives a lot of mail.

Criminal Summons - The Defendant must appear regardless whether counsel enters his appearance prior to the court date.

Civil Continuances - Motions can only be continued to Mondays, Trials can only be continued to Wednesdays. Counsel should put acceptable dates in the motion or risk having the matter set on another conflict date

Specially Set Civil Cases - Normally cases that require more than two hours of the Court's time need to be specially set. Counsel should file a motion and set forth the reasons. It normally takes 3-4 months to obtain said date. Simply because witnesses are coming from out-of-town is not a valid reason to specially set a case. Counsel must return phone calls from chambers when setting these matters.

Silver Spring Lawyers' Lounge - The Silver Spring Court House has a lawyers' lounge on the fourth floor opposite Courtroom #401. Press the numbers 2 and 4 together, then 3 to gain entry.

Jonathan R. Bloom, Chair

EDUCATION LAW SECTION

Section meetings will be held on the first Friday of the month at noontime. All will be held in the Conference Room of the Bar Association Building, unless otherwise noted. Dates are as follows:

March 7, 2008 April 4, 2008
May 2, 2008*

*to be a breakout session at the BAMC Annual Meeting & Law Day Celebration.

Patrick J. Hoover, Chair

EMPLOYMENT LAW SECTION

Meetings: March 20, 2007 at 8am in the Conference Room at the offices of the

Bar Association of Montgomery County, 27 West Jefferson Street, Rockville, MD 20850

On **March 20, 2007**, Theodore P. Stein of Theodore P. Stein, P.C. will speak about ERISA and employee benefits: what every lawyer should know to spot ERISA issues and what to do if your employment case involves an ERISA claim. Mr. Stein has been practicing for over 20 years and writes for the American Bar Association on labor, employment, and employee benefits law. Breakfast will be provided.

RSVPs should be sent to Christina at cballance@garzanet.com

On **April 17, 2008**, Denise Bean, a Federal Mediator in the Equal Employment Opportunity Commission will be speaking at a BAMC CLE Breakfast. She will be speaking about the EEOC's Mediation program, including the advantages for parties to participate in the program.

Watch out for upcoming e-mails to the list-serve on the Employment Law Section's contribution to **Law Day on May 2, 2008**. We will be working with the Immigration Law and Workers' Compensation sections to give a multi-faceted presentation.

If you are interested in any of these programs, please join the group/list-serve and/or make sure the BAMC has your current e-mail address so you can receive our e-mails with the latest details and any scheduling changes.

We welcome any ideas for topics and/or speakers for meetings and CLEs.

*Laurel N. Anchors, Co-Chair
Christina V. B. Ballance, Co-Chair*

ESTATE & TRUST LAW SECTION

Please make sure to hold the dates for the remainder of the year's meetings:

March 10, 2008 April 14, 2008

The above meetings will be held at the office of Shulman Rogers, 11921 Rockville

Pike, 4th Floor Conference Center, Rockville. Lunch is available starting at 11:45 courtesy of our sponsors, and our programs begin at noon sharp and end no later than 1pm.

Jay M. Eisenberg, Chair

FAMILY LAW SECTION

We would like to thank our excellent speakers who presented "Alternatives to Litigating Custody Issues" at our last Section Meeting, including **Judge Dennis McHugh** (retired), **Mary Pence, Esq.**, **Susan Soler, LCSW**, **Linda Gordon, LCSW**, and **Brian Wise, Esq.**

Wine & Cheese Retirement Party

Our next social event is the *Wine & Cheese* on **March 20, 2008, 5:00 p.m.** in honor of **Judge Ann Sundt's** retirement. The McKeon Law Firm will be hosting this event at 9805 Kentsdale Drive, Potomac, MD. Although valet parking will be provided, car-pooling is recommended. There is no fee to attend as the event is being sponsored by many generous Firms. If your Firm would like to be a sponsor, contact Heather Collier at 301-340-9090 no later than **March 10th**. Please RSVP to Heather Collier no later than **March 10th** to reserve your spot.

Breakfast CLE

Our next Breakfast CLE is on **March 27, 2008, 7:45 a.m.** by **Master Steven Salant - "Attacking and Defending a Financial Statement."** Master Salant will be giving his perspective on handling our most important piece of evidence. Be sure to register early as spaces fill up fast. See the CLE insert in this Newsletter for more details.

Section Chair 2008-2009

It is that time of year to put your name in for **Section Chair or Co-Chair** of the Section for next year. We will hold our election for the next Chair at Law Day on May 2, 2008, at 9:00 a.m., just before the program. If you are interested in Chairing the Section, please con-

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COMMITTEES & SECTIONS

tact Stuart Skok or Vicki Viramontes-LaFree no later than **April 1st**.

Bench/Bar

In cases to be consolidated, the Order for consolidation must state the cases are consolidated as to "all further pleadings" so that duplicate case files do not need to be maintained. Under Rule 2-507 (dismissal for lack of jurisdiction or prosecution), the 120 day rule will be enforced for dismissal of a case if there has been no service on the Defendant after 120 days from the original subpoena. Parties may request re-issuance of a Summons within 120 days but thereafter must file a Motion to Defer Entry of Dismissal pursuant to Rule 2-507(e). Phase I of the "DV Office and Courtroom" program went live on February 4th so that judges can review petitions and issue orders electronically from the courtroom. Phase II of the project will allow the Sheriff's office to access the Domestic Violence filings on line.

Regular Section meetings are held on the third (3rd) Thursday of the month at 5:30 p.m. in the Bar CLE Classroom, unless otherwise noted.

March 20th: Wine & Cheese honoring Judge Ann Sundt

April 17th: Divorce Merits (*Ricketts* and tracing non-marital funds)

May 2nd: Law Day: Domestic Partnership Agreements

CLE Programs are held at 7:45 a.m. for Breakfast programs and 5:30 p.m. for Evening programs in the Bar CLE Classroom.

April 9th: Evening: Trial of a Domestic Violence Case (Judge Algeo, Judge McCally, Deborah Webb and Stuart Skok)

Vicki Viramontes-LaFree, Co-Chair
Stuart Muntzing Skok, Co-Chair

IMMIGRATION LAW SECTION

We will continue to hold our monthly Brown Bag meetings on the 3rd Wednesday of the month at Noon in the Bar Association Conference room. The schedule is:

March 19, 2008 April 16, 2008
May 2, 2008

As always, we look forward to hearing from you! Please bring your immigration questions, comments, concerns, & experience to future Brown Bag Lunches & events!

Cynthia Groomes Katz, Co-Chair
Jinhee Wilde, Co-Chair

INTELLECTUAL PROPERTY & TECHNOLOGY LAW SECTION

March 11, 2008 April 8, 2008
May 13, 2008

The Intellectual Property & Technology Law Section will meet **March 11 at 8:00 AM** in the first floor conference room at the Bar Association of Montgomery County in Rockville, MD. At the March 11th meeting, Mr. Louis Levy, of Leventhal, Senter & Lerman, PLLC, in Washington, D.C., will discuss legal challenges to the practice of selling keyword triggers, in search engines. These triggers are designed to generate "sponsored links" that appear alongside the natural search results generated by the search engine. Recent relevant case law will be discussed. The discussion promises to be of particular interest to intellectual property attorneys, as well as to non-intellectual property attorneys. Mr. Levy specializes in intellectual property law, unfair competition and internet law, including computer security and privacy issues. As always, food and drink will be provided.

In order to make the section topics as relevant to the practices of its members as possible, we also looking for other topics for future sessions. If you have a suggestion, please contact Al Churilla (email: churillaam@aol.com) or Michael Greenberg (email: Michael@APLegal.com).

Albert M. Churilla, Co-Chair
Michael L. Greenberg, Co-Chair

JUVENILE LAW SECTION

The Juvenile Law Section will be holding its meetings on the 3rd Tuesday of every month, at 12:30, in Courtroom 20 of the District Court.

March 18, 2008 April 15, 2008
Kathy Knight, Co-Chair
Carlotta Woodward, Co-Chair

LAWYER TO LAWYER COMMITTEE MEETING DATES

March 13, 2008 May 8, 2008

All meetings will be held on the 2nd Thursday of alternating months (September through May) at 5:00p.m. in the Circuit Court Law Library, unless noted otherwise.

F. Patrick Kelly, Chair
(Continued on following page)

BARRISTERS BASH ... A PARTY YOU DON'T WANT TO MISS

Saturday, March 15, 2008 ~ 7:30p.m.

The Hilton
1750 Rockville Pike, Rockville, MD

Cost: \$50 per person

Dance the Night Away to Music From REUNION Featuring "The Contemptions", "The Appealables" and Other Special Performances.

For tickets or more information
visit www.steinsperling.com/barristersbash.

~

114TH ANNUAL MEETING & LAW DAY CELEBRATION

Friday, May 2, 2008 ~ 8:00a.m.-2:30p.m.

Bethesda North Marriott Hotel & Conference Center
5701 Marinelli Rd.
North Bethesda, MD 20852

Keynote Speaker: Brendan Sullivan, Esquire,
Partner, Williams & Connelly, LLP

~ *See Insert This Issue* ~



(Continued from preceding page)

LEGAL ETHICS COMMITTEE MEETING DATES

March 12, 2008

April 9, 2008

May 14, 2008

Jeffrey M. Axelson, Co-Chair
Samuel M. Shapiro, Co-Chair

PERSONAL INJURY LITIGATION SECTION

Due to scheduling issues, there will be no meeting in March for the Personal Injury Litigation Section.

The Personal Injury Litigation Section is pleased to announce that we will be hosting a seminar in conjunction with the Real Estate Law Committee on **Law Day, May 2, 2007** titled "**Developments in Premises Liability Cases - Providing Security**" from 11:00 a.m. to 11:45 a.m. This seminar will provide an overview and analysis of recent case law that will be beneficial to attorneys representing both property owners and claimants.

If you have any questions about the section, any upcoming events or would like to

become more involved, please do not hesitate to contact us at any time.

Hong S. (Paul) Chung, Co-Chair (Plaintiff)
Andre M. Forte, Co-Chair (Defense)

REAL ESTATE LAW SECTION MEETING DATES

March 11, 2008

May 2, 2008*

April 8, 2008

June 10, 2008

*The May 2 date will be in conjunction with the Bar Association Annual Meeting & Law Day Celebration.

March Meeting - The March meeting will be a **lunch meeting on March 11, 2008 beginning at Noon** at the offices of Shulman, Rogers, Gandal, Pordy & Ecker, P.A. which is located 11921 Rockville Pike, Suite 300, Rockville, Maryland 20852-2743.

Our featured speakers will be **David M. Lyon** from the Attorney General's office, Counsel for the SDAT, **Paul Anderson**, Chief Legal Review Officer for the SDAT and **Robert Young**, Associate Director for the SDAT.

David, Robert and Paul will be speaking to us about recently passed amendments to Sections 12-117 and 13-

103 of the Tax-Property Article of the Maryland Code, which impose transfer and recordation taxes on transfers of controlling interests in 'real property entities'. Regulations implementing these amendments are being drafted with David, Robert and Paul's input and oversight this month. Copies of the draft regulations will be available prior to our meeting and David has indicated comments will be welcomed during this discussion.

LAW DAY - BAMC's 2008 Law Day will be on May 2. For Law Day, we have teamed up with the Personal Injury Section to sponsor the following break-out session from 11-Noon: "Premises Liability Suits - How to prevent them and how to win them." This session will provide an overview and analysis of recent case law that will be beneficial to attorneys representing both property owners and claimants. Our speaker will be Matthew Moore, a partner with Shulman Rogers. Matt has extensive experience litigating these issues and speaking at seminars on this topic. We expect it will be a lively discussion.

Matthew D. Alegi, Co-Chair
Alexis H. Peters, Co-Chair

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COMMITTEE/SECTION REGISTRATION

2008-2009

XEROX AND RETURN
BY March 25, 2008

NAME _____ email: _____

I. STANDING COMMITTEES

The following committees have three-year staggered terms. PLEASE INDICATE first, second and third choice by marking the figures 1, 2 and 3 in the box opposite the preferred committee. There can only be 3 choices for both Association Committees and Foundation Committees combined.

- | ASSOCIATION | FOUNDATION |
|---|--|
| _____ Fee Dispute Resolution | _____ Bar Revue |
| _____ Judicial Selections* | _____ Cable TV Law School for the Public |
| _____ Lawyer Referral Service | _____ Continuing Legal Education |
| _____ Legal Ethics | _____ School Education |
| _____ Legislation | _____ Speakers Bureau — Public |
| _____ Membership Recruitment | _____ Speakers Bureau — School |
| _____ Membership Services | _____ Youth Initiative Program |
| _____ Mentor/Mentee | _____ School Mock Trials |
| _____ Professionalism & Quality of Life | _____ Fall Outing |
| _____ Social | _____ Pro Bono |
| _____ Softball League | |
| _____ Technology | |
| _____ Unauthorized Practice | |
| _____ Youth Courthouse Project | |
| _____ <u>Special Committee</u> Lawyer-to-Lawyer Services (no staggered terms) | |

* – Please only sign up if you have no intention of running for a Judicial vacancy within the next 3 years.

II. SECTIONS — IF YOU ARE ALREADY A MEMBER OF THE SECTION, DO NOT MARK IT AGAIN.

Please indicate an "X" before the Sections in which you are interested in becoming a NEW member.

- A.
- | | | |
|--------------------------------------|---------------------------------|----------------------------------|
| _____ Alternative Dispute Resolution | _____ Employment Law | _____ Law Firm Management |
| _____ Animal Law | _____ Estate & Trust Law | _____ New Practitioners |
| _____ Business Law | _____ Family Law | _____ Personal Injury Litigation |
| _____ Commercial Litigation | _____ Federal Practice | _____ Real Estate |
| _____ Criminal Law | _____ Immigration Law | _____ Taxation |
| _____ Education Law | _____ Intellectual Property Law | _____ Workers Compensation Law |
| _____ Elder Law | _____ Juvenile Law | |

B. We ask that you indicate whether you would be willing to serve on a Section Council (for a 1-year term) and (approximately 15-20) will attend meetings regularly to plan and implement programs and seminars for the entire section and general membership.

YES _____ NO _____ SECTION _____

III. I would like to chair the _____ Committee/Section.

IV. Is there a Committee or Section you would like to see our Bar Association add in which you would actively participate? _____

IV. Is there a special project in which you would participate if it was offered by the BAMC? _____

RETURN TODAY: Paul B. DeWolfe, President-Elect
 Bar Association of Montgomery County, Maryland
 27 West Jefferson St., Rockville, MD 20850
 Fax: (301) 217-9327

Bar Association of Montgomery County, MD

114th Annual Meeting & Law Day Celebration

Friday, May 2, 2008

Bethesda North Marriott Conference Center • 5701 Marinelli Road, North Bethesda, MD 20852

THE RULE OF LAW: Foundation for Communities of Opportunity and Equity

Mary Ellen Flynn, *President* ~ Paul B. DeWolfe, *President-Elect* ~ Nancy A. Sachitano, *Annual Meeting Chair*

PROGRAM SCHEDULE

8:00 - 10:00 a.m. REGISTRATION

Room A

9:00 a.m. - 10:45 a.m. Family Law Section

A SYMPOSIUM DEFINING THE FAMILY: MARRIAGE, CIVIL UNIONS, SAME-SEX MARRIAGES, DOMESTIC PARTNERSHIPS AND MORE

Speakers: Rev. Raymond C. O'Brien, Professor of Law at Catholic University Law School; Michele Zavos, Esquire; Margo Owen, Attorney and Counselor at Law

Stuart M. Skok / Vicki Viramontes-LaFree, Family Law Program Co-Chairs

11:00 a.m. - Noon Criminal Law Section / Juvenile Law Section / Immigration Law Section component

TOPIC TO BE ANNOUNCED

Speakers: To Be Announced

Carol A. Crawford / Marc R. Emden, Criminal Law Program Chair

Mary K. (Kathy) Knight / Carlotta A Woodward, Juvenile Law Program Chairs

Cynthia Groomes Katz / Jinhee K. Wilde, Immigration Law Program Chairs

Room B

9:00 a.m. - 10:00 a.m. Employment Law Section / Immigration Law Section / Workers Compensation Law Section

TOPIC TO BE ANNOUNCED

Speakers: To Be Announced

Laurel N. Anchors / Christina V. B. Ballance, Employment Law Program Co-Chairs

Cynthia Groomes Katz / Jinhee K. Wilde, Immigration Law Program Chairs

Wanda G. Caporaletti / Kevin J. O'Connell, Workers Compensation Law Program Co-Chairs

10:00 a.m. - 11:00 a.m. Legal Ethics Committee

COURT RECORD DISCLOSURE—NEW PITFALLS—ETHICAL, CRIMINAL AND MALPRACTICE CONSIDERATIONS

Speakers: Honorable Gary G. Everngam, Samuel Shapiro, Esquire; P. David Gavin, Esquire; John Moffett, Esquire and John Murphy, Esquire

Jeffrey M. Axelson / Samuel M. Shapiro, Legal Ethics Program Co-Chairs

11:00 a.m. - 11:45 a.m. Personal Injury Litigation Section / Real Estate Law Section

DEVELOPMENTS IN PREMISES LIABILITY—PROVIDING SECURITY

Speaker: Matthew M. Moore, Esquire

This seminar will provide an overview and analysis of recent case law that will be beneficial to attorneys representing both property owners and claimants.

Hong (Paul) S. Chung / Andre M. Forte, Personal Injury Litigation Program Co-Chairs

Matthew D. Alegi / Alexis Peters, Real Estate Law Program Chairs

Room C

9:00 a.m. - 10:30 a.m. Elder Law Section / Estate & Trust Law Section / Taxation Law Section

HOW TO GENERATE BUSINESS

Speaker: Michael O'Horo, President, Sales Results, Inc.

Camilla O. McRory, Elder Law Program Chair

Jay M. Eisenberg, Estate & Trust Law Program Chair

Glenn M. Anderson, Taxation Law Program Chair

11:00 a.m. - 11:45 a.m. Business Law Section / Intellectual Property & Technology Law Section / Real Estate Law Section

TOPIC TO BE ANNOUNCED

Speakers: To Be Announced

James L. Parsons / David P. Shapiro, Business Law Program Co-Chairs

Albert M. Churilla / Michael L. Greenberg, Intellectual Property & Technology Law Program Co-Chairs

Matthew D. Alegi / Alexis Peters, Real Estate Law Program Chairs

Glen Echo Suite (downstairs)

11:00 a.m. - Noon Alternative Dispute Resolution Section / Commercial Litigation Section

TOPIC TO BE ANNOUNCED

Speakers: To Be Announced

Ellen F. Kandell / Judith A. Mustille, ADR Program Co-Chairs

J. Bradford McCullough / Jeffrey M. Schwaber, Commercial Litigation Program Chairs

12:15 p.m. - 2:00 p.m. LUNCH

Installation of Officers, Other Awards, Law Day Guest Speaker

REGISTRATION FORM – Copy This Page and Mail

To assist in planning the program and to ensure that we have an adequate supply of materials, please duplicate and complete the form below and mail it today! Please write entree selection in the space provided.

| Entree # | | | |
|----------|-------|---|-----------|
| _____ | _____ | Complete Program <u>with Lunch</u> | \$65.00 |
| _____ | _____ | Complete Program <u>without Lunch</u> | \$35.00 |
| _____ | _____ | <u>Lunch Only</u> | \$45.00 |
| _____ | _____ | Speaker <u>Lunch (ONLY 2 Primary Speakers FREE)</u> | No Charge |
| _____ | _____ | New Practitioners (practicing 5 years or less) (Complete Program <u>with Lunch</u>) | \$35.00 |
| _____ | _____ | Program Chairs & Award Recipients | \$35.00 |
| _____ | _____ | Law Firm Personnel Program & Lunch (if accompanied by lawyer) | \$45.00 |

NAME(S) (please print)

Firm Name: _____
 Address: _____
 Telephone: _____
 Fax: _____
 CONTACT PERSON: _____

MENU

- ❶ London Broil with cabernet sauce topped with pan fried onions, herb mashers and seasonal vegetables
or
 - ❷ Seared Salmon with pernod sauce and wild mushroom polenta, herb mashers and seasonal vegetables
or
 - ❸ Rigatoni pasta tossed with spinach, sundried tomatoes, fresh herbs, diced vegetables, tomato and olives concasse
- (AN ENTREE REQUEST MUST BE MADE AT THE TIME OF REGISTRATION – PLEASE INDICATE ON FORM)**

Salad
 Coffee, Iced Tea & Water
 Dessert

PLEASE INDICATE METHOD OF PAYMENT

TOTAL AMOUNT DUE: \$ _____

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PROGRAM SELECTION

Please indicate the number of individuals attending each program (and put their initials on the line).

- | | | |
|--------------------------|---|-------|
| <input type="checkbox"/> | 9:00 - 10:00 a.m. Employment /Immigration/Workers Compensation | _____ |
| <input type="checkbox"/> | 9:00 - 10:30 a.m. Elder Law/Estate & Trust/Taxation Law | _____ |
| <input type="checkbox"/> | 9:00 - 10:45 a.m. Family Law | _____ |
| <input type="checkbox"/> | 10:00 - 11:00 a.m. Legal Ethics | _____ |
| <input type="checkbox"/> | 11:00 - 11:45 a.m. Business/Intellectual Property/Real Estate Law | _____ |
| <input type="checkbox"/> | 11:00 - 11:45 a.m. Personal Injury Litigation | _____ |
| <input type="checkbox"/> | 11:00 - Noon ADR/Commercial Litigation | _____ |
| <input type="checkbox"/> | 11:00 - Noon Criminal Law/Juvenile Law/Immigration Law | _____ |

February Bar Luncheon



John McCarthy, State's Attorney for Montgomery County, Maryland, presents Samuel Hamilton, Esquire, with a Special Award of Recognition as the 1st African American Attorney in the State's Attorney's office in Montgomery County



Dr. Flora Hamilton, Samuel Hamilton, Judge Andrew L. Sonner (Retired) and Bar Association President Mary Ellen Flynn

Judge DeLawrence Beard Retirement Celebration



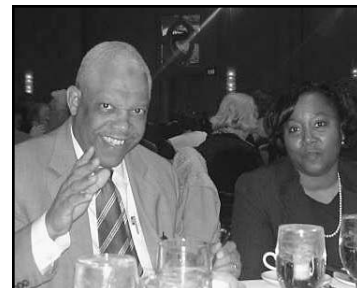
Dr. Lillian Beard, Joan Dudley, Judge DeLawrence Beard



Robert M. Bell, Chief Judge, Court of Appeals of Maryland



Administrative Judge Ann S. Harrington, Circuit Court for Montgomery County, MD



Judge Hassan A. El-Amin, District Court of Maryland for Prince George's County and Sharon V. Burrell

Judge Beard Retirement Speech Given By Judge Andrew Sonner

I was looking this week at Larry's picture on the wall with the other judges in the courthouse. Mine is there too (although segregated on a less prominent wall next to the men's room.) Many of those judges are gone, and some are forgotten. I can remember many of them.

Judges Pugh, Anderson, Shook, Shure, Moorman, Levine, Moore, Shearen, Miller, Fairbanks, Mitchell, Frosh, Rubin, Hyatt, Chapin.

There will come a time when lawyers and citizens visiting the courthouse will not remember Larry. I wonder what those lawyers and visitors who didn't know him will think when they come to his face in those years "When like our sires, our sons are gone." What will they think when they see a line of white mostly male faces and then come to Larry? I hope they will pause and imagine what it was like to be by himself, the first black man to be a judge on a court with only white judges. That was the state of affairs until farther along Judge Eric Johnson came after him. Will they be able to imagine how hard it was in his time for an African American to come to the Montgomery County white community and overwhelmingly white bar to practice law and then wear a black robe?

After reading recently in the Courthouse Crier about Larry's life before going to law school, I was reminded of the lines from the Langston Hughes early poem: "A Mother's Advice to Her Son:"

Well, son, I'll tell you:
Life for me ain't been no crystal stair.
It's had tacks in it,
And splinters
And boards torn up,
And places with no carpet on the floor-
Bare.

But all the time
I've been a-climbin' on,
And reachin' landin's,
And turnin' corners,
And sometimes goin' in the dark
Where there ain't been no light

I don't pretend to be able to imagine what it must have been like as Larry climbed bare stairs that must have had splinters and tacks. But I can tell you that Larry here has done for me and others like me in Montgomery County by climbing that stair.

Most, if not all, of the judges whose pictures are to the left of Larry's, like me, grew up with segregated schools and neighborhoods and never had the chance to meet and know someone who is black.

When I came to the courthouse, there was only one black employee: an elevator operator. There were none in the Register of Wills' office, the Clerk's office, the Sheriff's office, and none in the State's Attorney's office. In fact there was not one on the entire Montgomery County Police Department or on the State Police as well.

We were a white justice community without the

benefit of knowing well people of another race. We had no real communication, no intellectual contact, and no social relations. In a real sense, we white people were deprived of the opportunity to have friends among an interesting, and valuable part of our community. **We whites isolated them, but at the same time isolated ourselves.**

And both Larry and Eric Johnson have distinguished themselves well as excellent, thoughtful and fair jurists. They have earned the respect and admiration of the lawyers, the courthouse employees, and of course, the other judges as well.

In that not too distant day when those who knew us judges are gone, and little besides our pictures remain of what we did, said and were, I hope some courthouse visitors will not only imagine the bare stairs with tacks and splinters and boards torn up, but will also give a thought to how much better the court and the legal community must have profited from having Larry Beard as a colleague, and a judge **and also as a friend.**

Henry Adams said that "A teacher affects eternity; he never knows where his influence will end." Larry, eternity may be a bit much, but with your excellent service, your fine example, but maybe above all your friendship, you have affected Montgomery County and the legal community. And you can take pride that it has all been for the better. We are all better off having known you.



COMMITTEES & SECTIONS

SOCIAL COMMITTEE

The Social Committee is very busy preparing for the March 15th "Barristers' Bash". Another large turnout is expected based upon the success of last year's event. We do not plan to have another "Bash" next year, so for those of you who have not signed up yet, you should do so in order not to be put on a waiting list which occurred last year. Again, the Contemptions will perform, and they will be joined by the "Appealables", featuring other members or our bench. The event will be held at the Hilton on Rockville Pike.

The Social Committee will also try to plan a new event for next year to replace the "Bash", so if you have any suggestions, please let us know. Millard Bennett mbennett@steinsperling.com and Trish Weaver tweaver@paleyrothman.com.

*Millard S. Bennett, Co-Chair
Patricia M. Weaver, Co-Chair*

TAXATION LAW SECTION

March 12, 2008 April 2, 2008

The Taxation Law Section meets on the second Wednesday of each month at 5:30 pm at the law offices of Miller, Miller & Canby 200B Monroe Street Rockville, MD 20850 Phone: 301-762-5212. All interested persons are welcomed to attend. The next meeting will be **Wednesday, March 12, 2008**.

We are planning an exciting seminar entitled "**Important Income Tax Aspects of Buying or Selling a Business**" to be held on **Wednesday, April 30, 2008**, from 5:30 - 7:30 pm at the CLE Room of the Bar headquarters at 27 West Jefferson Street, Rockville, MD 20850. Using a panel of experienced tax attorneys, this seminar will present information on the taxation of several important aspects of buying or selling a business, includ-

ing (i) asset purchases and sales, (ii) entity purchases and sales, (iii) non-income tax issues, and (iv) ethical considerations.

The Small Business and Work Opportunity Act of 2007, enacted in May, 2007, greatly expanded the imposition of tax return preparer penalties. The Act amends §6694 to heighten the standards of conduct that must be met to avoid penalties for preparing a return with respect to which there is an understatement.

First, the previous "realistic possibility" standard for undisclosed positions on a return is replaced with the requirement that there be a "reasonable belief" that the tax treatment of the position was more likely than not the proper tax treatment. Second, when the taxpayer discloses a position on the tax return, the current requirement that a disclosed position be "not frivolous" is replaced with the requirement that a disclosed position have a "reasonable basis" for the tax treatment of the position.

In the case of an unreasonable position, the Act increases the first-tier penalty under §6694 from \$250 to the greater of \$1,000 or 50% of the income derived (or to be derived) by the preparer from the preparation of the return or claim with respect to which the penalty is imposed. In the case of an understatement due to willful or reckless conduct, the Act increases the second-tier penalty from \$1,000 to the greater of \$5,000 or 50% of the income derived (or to be derived) by the return preparer.

The Act revises the definition of return preparer in §7701(a)(36) to broaden the scope of the present-law income tax return preparer penalties to also include preparers of estate and gift tax, employment tax, excise tax, and exempt organization returns. The regulations broaden the scope of the preparer penalties to include persons who did not sign the tax return

or claim for refund, who may have no knowledge of how their work is ultimately reported on the return, or no knowledge of the size or complexity of the schedule, entry, or other portion of the return or claim for refund relative to the entire tax return.

The Act also amends §6695(b) to impose a penalty on a tax return preparer of any return or claim for refund who fails to sign a return when required, unless it is shown that the failure is due to reasonable cause and not due to willful neglect. The penalty is \$50.00 for failure to sign, with a maximum of \$25,000 per person for each calendar year.

The Act is effective for tax returns prepared after May 25, 2007.

Since the imposition of the Act, the IRS has issued several Notices to provide guidance and transitional relief due to many issues and questions which have arisen regarding the implementation of the new law. The IRS intends to revise the regulations governing tax return preparer penalties in 2008. The Notices provide guidance for preparers until that time.

Guidance has been provided in Notice 2008-12 with respect to the implementation of the tax return preparer signature requirement, and in Notice 2008-11, which clarifies the transition relief provided in Notice 2007-54.

Notice 2008-13 provides that preparers generally can continue to rely on taxpayer representations in preparing returns and can also generally rely on representations of third parties, unless the preparer has reason to know they are wrong. The notice provides interim rules to implement and interpret these heightened standards. The interim rules will be in effect until the overhaul of the current return preparer penalty regulations is complete. The interim rules emphasize the importance to preparers of understanding the legal basis for positions taken on tax returns, the requirement for taxpayers to disclose certain positions, and the need for preparers to advise taxpayers on the various penalties that can apply when a position is taken on a return that may not be supported by existing law. Notice 2008-13 also requests input and recommendations from the tax return preparer community on the final regulations. The IRS anticipates finishing the transition from the old rules to the new regime, by the end of 2008.

[Note: This month's article on the Preparer Penalties was written by Christine E. Buckley].

Glenn M. Anderson, Chair

TECHNOLOGY COMMITTEE

Tech Tip of the Month – E-mail Etiquette - Suffer from "Reply All-itis"? Regretted hitting "Send" one too many times? Manage your e-mail or e-mail manage you? For time and sanity saving tips, check out the ABA's website:

(Continued on following page)

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TELEPHONE (410) 321-8368
FAX (410) 321-1599

Email: sdunn@sdunnlaw.com

Webpage: www.sdunnlaw.com



(Continued from preceding page)

<http://www.abanet.org/genpractice/ereport/2007/apr/survivingemail.htm>.

Tech Talks – A big thank you to Sharon Rabinovitz and Paul Simpson of Gore Brothers Reporting for their Tech Talk on Creating Strong and Effective Trial Presentations following the February Bar Luncheon!

Immediately following the March Bar Luncheon, we will host a Tech Talk in the CLE classroom on "Managing Your Practice" by Al Granite of Automated Business Consultants, Inc. in Arlington, VA. Mr. Granite will talk to us about two practice management software: Amicus Attorney and PCLaw from LexisNexis. Please e-mail Sei-Hee Ariei (seihee@heeneylaw.com) with "Tech Talk" in the subject line to RSVP.

In April, Technology Co-Chair C. Sei-Hee Ariei and Richard Stolker will be doing a presentation on "Adobe Acrobat for Lawyers". An announcement will be sent out in March to RSVP for this event.

Technology Brown Bag Lunch Series in the BAMC CLE Classroom, 12:15 - 1:15 –

February – (The Art of Blogging (an introduction for members looking to improve their practices through the web), featuring Grant D. Griffiths, Esquire and Dawn Bowie, Esquire, originally scheduled for February 29, has been postponed - look for details to come). **March 12, 2008** – Ethical Considerations in an Online World (just because you can, doesn't mean you should...), presented by FindLaw and the MSBA Committee on Ethics. Please e-mail your questions to Lindsay in advance so we can cover as many of your concerns as possible. **May preview** - Mac v. PC

RSVP to Lindsay Parvis at lpavis@draggacallahan.com or 301-340-9090. Programs subject to cancellation, depending upon enrollment.

Computer Classes – Many thanks to Montgomery College's Information Technology Institute and Edmund Palaszynski for their efforts to bring computer classes to our members. Though there was not sufficient interest for classes to go forward, the College offers customized computer classes for businesses on a variety of

Microsoft applications, in addition to its continuing education classes. For custom classes, please contact Ed at 240-567-3826; for existing continuing ed classes, go to: <http://www.montgomerycollege.edu/iti/>.

*Sei-Hee Ariei, Co-Chair
P. Lindsay Parvis, Co-Chair*

WORKERS COMPENSATION LAW SECTION

The Workers' Compensation Section of the Bar Assoc. of Montgomery County meets the **THIRD THURSDAY** of each month 4:30-5:30pm at bar headquarters, Rockville, MD.

The scheduled meetings are:

March 20, 2008 April 17, 2008

NEXT MEETING: MARCH 20, 2008 4:30 PM BAR HEADQUARTERS. We hope to have a speaker on medicare set-asides. Please come join us!

The workers compensation met on February 4, 2008 to review summary judgment within the context of workers' compensation appeals. This meeting was held in conjunction with Maryland Defense Counsel (as arranged

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| <input checked="" type="checkbox"/> Education (six weeks) | <input checked="" type="checkbox"/> Expert Testimony | by the State of Maryland |
| <input checked="" type="checkbox"/> Counseling (26 weeks) | <input checked="" type="checkbox"/> Forensic drug screening | |

JERRI BENNER-GUNNISON, DIRECTOR

15719 Crabbs Branch Way - Rockville, MD 20855
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COMMITTEES & SECTIONS

by Wendy Karpel of County Attorney's Office) and Maryland Trial Lawyers' Association (as arranged by Ken Berman of Berman, Sobin & Gross). The section was most fortunate to have Judge Sally Adkins from the Court of Special Appeals attend and speak to the section on recent cases concerning summary judgment from WCC appeals. Wendy Karpel (Employer/Insurer) and Wanda Caporaletti (claimant) did a mock appellate argument given a factual scenario of an appeal from WCC on an OD (occupational disease) where parties filed cross motions for summary judgment in Circuit Court. Judge Adkins questioned on the parties on various legal points. An active Q&A session was then held with great audience participation. Relevant cases discussed included:

Baltimore County v. Kelly, 391 Md. 64 (2006): Claimant had work-related MVA that exacerbated a prior back injury. The Commission held that the Claimant's need for back surgery was related to the on the job injury. The Employer appealed this determination to the Circuit Court. The Employer filed for summary judgment claiming that there was no medical evidence to support that the back surgery was causally related to the Claimant's on the job

motor vehicle accident and that based on *S.B. Thomas v. Thompson*, 114 Md. App. 357 (1997), medical evidence was required to prove causation because it involved a complex medical question. The circuit court agreed that the Claimant did not meet its burden of proof and granted the Employer's motion for summary judgment. The Court of Special Appeals and the Court of Appeals disagreed. The Commission reviewed the competing evidence before and determined that the surgery was related to the accidental injury. Therefore, as the prevailing party before the Commission, the Claimant was not obligated to present medical testimony establishing causation to survive summary judgment. The burden of production shifted to the employer due to the WCC finding against the employer after weighing conflicting evidence. Summary judgment should have been denied.

WCC - Claimant prevailed (surgery related to AI)

CIRCUIT CT - Employer SJ granted
CT SPEC APP/CT OF APP - Employer loses on SJ

Kantar v. Grand Marques Café, Et. Al (2006): The Claimant lost at the Commission on the issue of worsening of condition. The Claimant

appealed but did not bring a doctor to trial. The Employer moved for judgment on the basis that the Claimant did not carry its burden of proof. The circuit court granted the employer's motion for judgment. The Court of Special Appeals citing to Kelly found that the Claimant had the burden of proving that her compensable disability worsened as a result of accident. Without having a doctor testify as to the complex medical issue of whether any worsening was due to the original accident, the Claimant could not carry its burden of proof.

WCC - Employer prevailed on worsening
CIRCUIT CT - Employer prevails on Motion for Judgment

CT SPEC APP/CT OF APP - Employer prevails on Motion for Judgment

Thompson v. Baltimore County (2006): The Commission found Claimant sustained an occupational disease of chronic sinusitis and that the claim was not time barred. The Employer argued statute of limitations had run because the Claimant had actual knowledge that the sinusitis was related to his employment before the two year statute of limitations had run. Based on this defense, the Employer appealed. At the Circuit Court, the Employer

(Continued on following page)

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(Continued from preceding page)

filed a motion for summary judgment alleging that the Commission had erred as a matter of law because the claim was time barred. In support of its motion for summary judgment, the Employer attached a copy of a deposition of a doctor who testified that he told the Claimant that the sinusitis was related to his employment more than two years before the claim was filed. The Claimant failed to file a written response to the Motion for Summary Judgment. At the Circuit Court hearing, Claimant's counsel argued Claimant would testify that he did not have actual knowledge that the sinusitis was related to employment more than two years before filing of claim. Therefore, the Claimant argued that there was a dispute of fact and summary judgment should be denied. The circuit court granted the motion for summary judgment. The Court of Special Appeals reversed. The Court found that the Commission had considered the conflicting evidence regarding when the Claimant acquired actual knowledge. Since the Commission reviewed the evidence at the Commission hearing, the court on appeal was entitled to rely on the Commission's finding that the claim was not barred by the statute of limitations. As the prevailing party before the Commission, the Claimant was not required to produce any additional evidence to survive summary judgment.

WCC - Claimant prevailed on OD and SL.
CIRCUIT CT - Employer prevailed on SJ (on SL)

CT SPEC APP - Employer loses on SJ
Griggs v. C&H Mechanical Corporation, Et. Al., 169 Md. App. 556 (2006): The Commission held that the Claimant suffered a compensable accidental injury. The Employer argued the claim was barred by the statute of limitations as the claim was filed over two years after the accident. The Commission did not specifically rule on the statute of limitations defense. The claimant raised an estoppel argument that was not decided by the Commission. The Employer appealed and filed a motion for summary judgment on the issue of limitations with the circuit court. The circuit court granted the employer's motion. The Claimant appealed. The Court of Special Appeals affirmed the grant of summary judgment. It was apparent on the face of the claim that the Claimant failed to file within the two year statute of limitations as the accident occurred on January 2, 2002 and the claim was not filed until February 20, 2004. Claimant argued that he failed to file timely because the employer told the Claimant that the employer would file for him timely. Therefore, the employer was stopped from raising limitations. Since he won at the Commission, the Claimant argued that based on Baltimore County v. Kelly he could not lose on summary judgment. The Commission's decision on compensability creates a material dispute of fact. Rejecting this

argument, the Court of Special Appeals distinguished this case because the Commission never decided the issue of estoppel. The Claimant argued the issue of estoppel for the first time at the circuit court. Therefore, the circuit court cannot rely on the Commission's decision as evidence of estoppel. Even though the Claimant was the prevailing party below, he was required to produce evidence that a material fact existed to survive summary judgment. Since the Claimant provided no affidavit in opposition to the undisputed facts presented by the Employer, the circuit court was correct in granting summary judgment to the party that lost at Commission.

WCC - Claimant prevailed on AI. (SL not specifically addressed)

CIRCUIT CT - Employer SJ granted

CT SPEC APP - affirmed granting of Employer's SJ

Montgomery County v. Lake, 68 Md. App. 259 (1986): In reference to issues of fact, the decision is presumed correct. This presumption does not apply to issues of law.

Smith v. Howard County (2007): The Commission issued an automatic award finding that the Claimant sustained an occupational disease. Other than the claim form, no evidence was submitted to the Commission. The Employer failed to file contesting issues. The Employer appealed the automatic award.

At the end of all the evidence presented at trial, Employer moved for judgment arguing Claimant failed to provide sufficient evidence that he suffered a compensable occupational disease. The circuit court agreed and granted employer's directed verdict. The Claimant appealed arguing that his victory before the Commission constitutes a *prima facie* case of an occupational disease. Therefore, as the successful party at the Commission, the Claimant argued that he has no burden of production and cannot therefore suffer a directed verdict (or

summary judgment) against it on the grounds that he failed to produce a *prima facie* case. The Court of Special Appeals disagreed with the Claimant holding that the switching of the burdens is based on the Commission's actual consideration of conflicting evidence. Since the Commission did not examine any conflicting evidence when it issued its automatic award, there was no presumption of correctness as to the Commission's decision and the Claimant has both the burdens of proof and persuasion on appeal. The Circuit Court was correct in granting a motion for judgment against the party that prevailed before the Commission.

WCC - Claimant prevails on auto. Award
CIRCUIT CT - Employer prevails on Motion for J (2-519)

CT SPEC APP/CT OF APP - Employer prevails on Motion for J

Wanda G. Caporaletti, Co-Chair
Kevin O'Connell, Co-Chair

YOUTH COURTHOUSE PROJECT COMMITTEE MEETING DATES

March 5, 2008 April 2, 2008
May 7, 2008

All meetings will be Brown Bag Lunch meetings, to be held on the 1st Wednesday of the month at 12:15p.m. in the Bar Association Conference Room, unless otherwise noted.

The Youth Courthouse Project Committee had its first tour on January 29, 2008. The group of student from Gaithersburg Middle School toured the State's Attorney's Office, viewed a criminal proceeding presided over by the Honorable Ann Harrington, viewed a presentation by the K-9 Unit of the Sheriff's Department, and briefly toured the courthouse library.

Holly D. Reed, III, Co-Chair
Mariana C. Cordier, Co-Chair

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mstavish@bwsiplaw.com



PRO BONO UPDATE

PRO BONO—"A WIN-WIN"

Mary Kay Canarte, Managing Attorney

The Pro Bono Program has made it through the first month of 2008!! We continue to serve the many residents of Montgomery County who cannot afford legal representation. We have seen and increase in Bankruptcy and debt collection cases and ask that attorneys with experience in these areas please call to review any opportunities to assist these clients in their unfortunate plight. Our legal clinics offer a unique opportunity to get a glimpse of the many complex issues facing our low-income residents including debt and bankruptcy problems, divorce, custody, child support, housing, employment/contract issues, individual rights or disability cases. The volunteer attorneys who attend our clinics get to do pro bono service while also networking with other attorneys and the clients. It is a rewarding experience for all who attend. There are many benefits achieved from providing service to the community. Our clinics are a walk-in, first come, first serve for clients. Attorneys must be scheduled into the clinics. If you would like to have this unique opportunity to be apart of something very special or you would like to review available cases, please contact MaryKay Canarte at (301) 762-5831 or marykay@mcbfprobono.org. We still have many clinic vacancies for the March/April 2008 calendar for attorney participation. Some attorneys come for a season and some stay for many seasons to come. **Come join us! We especially need help at our beloved TESS Center.**

FREE FAMILY LAW TRAINING ON WEBCAST...

The Bar Foundation Family Law Training Sessions known as the Rita Rosenkrantz Family Law Training is now available for viewing by webcast by any attorney. This extensive and in-depth **six hour** family law training is a must see!! Please feel free to forward the link below to any interested attorneys or your associates. The excellent compilation of family law materials are available for any Maryland barred attorneys in good standing who agree to take a pro bono case!!

Many Thanks to Barbara Bullman, Louis Fireson, Cynthia Robinson, and Donya Zimmerman who agreed to take a Pro Bono case!!!

Please submit an email or written request with your availability for a pro bono case to marykay@mcbfprobono.org. To view the webcast see the LINK: <http://www.gorebrothers.com/webcast/mcba/>

OUR PRO BONO HEROES...

The following attorneys volunteered their time to the Pro Bono program this past month. On behalf of the Montgomery County Bar Foundation Board of Directors, we thank each of you for your generosity and dedication to our Pro Bono clients. **We are pleased to announce that the hourly rate has increased to \$80.00 per hour for complex CUSTODY cases. If you are interested in receiving referrals for contested custody, please contact marykay@mcbfprobono.org or call (301) 762-5831.**

January Pro Bono Referrals

| | |
|---------------------|----------------------|
| Thomas K. Brown | John M. Quinn |
| Barbara E. Bullman | Kathlyne T. Ramirez |
| Kate Bunker* | Cynthia Robinson |
| Michael F. Callahan | Darin L. Rumer |
| David F. Chavkin+ | Heather Sunderman |
| Andrew Fontanella | Bud Tayman |
| Robert K. Goren | Richard Ugelow** |
| Amy C. H. Grasso | Robert D. Wagman |
| Sandra V. Guzman | Thomas Weschler |
| Patrica H. Ley | Lynette A. Whitfield |
| Jonathan P. Morgan | |

*=2 cases **=3 cases +=9 cases

During January, the following activity took place in the Pro Bono Program:

Cases Closed - 196

Open Cases - 140

Intakes - 195

The Board of Directors also wishes to thank the Child Custody Hero's who have handled these very difficult cases under the Child Custody Grant.

January Child Custody Cases

| | |
|-------------------|------------------------|
| Rodella E. Berry* | Aileen Oliver |
| Thomas K. Brown | Dianne Stewart-Hamilin |
| Steven Cohen | |

*=2 cases

~

The PRO BONO Evening Legal Clinics

are at **three locations.** The long awaited Germantown UpCounty Center clinic opened on Tuesday, September 11, 2007 and has thus far been a great success. We are very grateful to the Gilchrist Center for their assistance in obtaining the space permit and their on-going partnership with our program. We also thank Jonathan Bloom, Esquire and Stacy Reid Swain, Esquire who help supervise this new clinic in Germantown. The Evening Legal Clinics at TESS and the Gilchrist Center in Wheaton continue to thrive under the able assistance of Jay Marks, Esquire, David Vega, Esquire, and Juan Carlos Washington, Esquire. Their assistance and commitment continues to be the backbone of our Pro Bono Program along with the many committed volunteers. **If you have ever come to these clinics, you will see a tsunami of clients needing attorney guidance and assistance. The commitment of all of our pro bono team enables everyone to have equal access to justice and essential legal information.**

The following attorneys volunteered during the month of JANUARY 2008 at the Clinics. On behalf of the Board of Directors of the Bar Foundation, we wish to thank these super attorneys for their time and dedication.

Gilchrist Germantown Center

| | |
|--------------------|-------------------|
| Jonathan Bloom | Stacy Reid Swain |
| Lyndolynn Mitchell | Robert Wagman |
| Patrick Ronan | Lynette Whitfield |

Gilchrist Wheaton Center

| | |
|-----------------|-----------------|
| Michele Cabrera | Jay Marks |
| Nicholas Dale | Jerry Lyell |
| Marc Emden | Robert Spar |
| Kevin Finnegan | David Vega |
| Luis Gomez | Juan Washington |

TESS Center

| | |
|----------------|-----------------|
| Jerry Lyell | David Vega |
| Mark Schofield | Juan Washington |
| Priya Sharma | |

EVENING WALK-IN CLINICS

1st and 3rd Wednesday of each month
(6:00 PM to 8:30 PM)

Tel: (301) 565-7675

TESS Community Service Center

8513 Piney Branch Road

Silver Spring, Maryland 20901

2nd and 4th Wednesday of each month
(5:30 PM to 8:00 PM)

Tel: (240) 777-4940

Charles W. Gilchrist Center

for Cultural Diversity

11319 Elkin Street

Wheaton, Maryland 20901

2nd and 4th Tuesday of each month

(6:00 PM - 8:30 PM)

Tel: (240) 777-6940

Charles Gilchrist Center for Cultural

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Montgomery County Committee

MEETING NOTICE

Saturday, March 1, 2008

9:30 A.M. - 11:30 A.M.

held in the BAMC Conference Room

27 West Jefferson Street, Rockville

Refreshments will be served.

PLEASE BE ON TIME. THE MEETING WILL ONLY LAST AN HOUR.

For more information contact Holly Reed, Esq. at (301) 587-9480.

MONTGOMERY COUNTY DIVORCE ROUNDTABLE

The Brown Bag Lunch Discussion Series sponsored by the Montgomery County Divorce Roundtable, Inc. presents **Role of the Parent Coordinator—Strengths and Weaknesses**, to be presented on **Thursday March 13, 2008, Noon-1:30p.m.** in the Judicial Conference Room, 3rd Fl, Circuit Court. There is no cost for the presentation.

Gail Thornburgh Ph.D. has been practicing psychology in Maryland and The District of Columbia since 1990. Dr. Thornburgh has functioned as a Parent Coordinator for many years and is a part of The State Judicial Conference Custody Subcommittee that is dealing with the role of the Parent Coordinator. Dr. Thornburgh will talk about the role of the PC in relation to its strengths and weaknesses.

Bring your lunch and be ready for an enjoyable, interactive discussion. There will be a 20-30 minute presentation followed by a group discussion.

Please RSVP by email to George Spangler at: gspangler@mccourt.com.

SIMON E. SOBELOFF JEWISH LAW SOCIETY

Join us for OUR THIRD ANNUAL "RECEPTION TO HONOR THE MONTGOMERY COUNTY JUDICIARY" on **MARCH 27, 2008 5:00 PM to 8:00 PM** in the **CIRCUIT COURT ATRIUM**, Rockville, Maryland. *Catered by Max's Kosher Café & Deli.* COST: \$15 at the door or free with purchase/renewal of a Sobeloff Society

membership. If you are planning to attend this event, please **RSVP** to info@sobeloff.org or call Cindy at (240) 777-9042.

MONTGOMERY COUNTY WOMEN'S BAR ASSOCIATION

The Montgomery County Chapter of the Women's Bar Annual **Take Your Child to Work Day Luncheon** will be held on **Thursday, April 24, 2008** at the Golden Bull Restaurant in Gaithersburg, Maryland from noon to 1:30 p.m. The featured speaker will be **Dr. Lillian M. Beard**. During the course of her illustrious career as a pediatrician, Dr. Beard has appeared as a health expert on television news programs such as Good Morning America, CNN's Health Accent, and Every Day with Joan Lunden. Since

1995, Dr. Beard has served as the national spokesperson for the American Academy of Pediatrics, and also has written an advice column "Ask Dr. Beard" for *Good Housekeeping* magazine. From 1979, she has served as an assistant professor at her alma mater, Howard University Medical School, as well as at George Washington University. She has earned countless honors and awards including the National Medical Association Hall of Fame Award, and was featured in the 1998 publication, *Women of Courage: Inspirational Stories of African American Women*. Dr. Beard is also the wife of our esteemed Judge DeLawrence Beard. The event will include a focus on safe and healthy relationships and their impact on one's ability to be successful, and will cost \$25.00 per person. Please attend and also sponsor a high school student who might otherwise not have the opportunity to participate in

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such an event. For further information please contact Darcy Shoop at 301-838-3228 or Judge Marielsa Bernard at 240-777-9366.

Back by popular demand the chapter will be having a brown bag monthly meeting either late March or early April at the bar office conference room. The topic will be **domestic violence** and the speakers are the Honorable Judge Marielsa Bernard, April Randall, Esquire (Sexual Assault Legal Institute) and other speakers to be announced. Look for more information in the near future or call me for more information.

The annual **Law Day at the Montgomery County Commission for Women** is scheduled for **May 8, 2008**. We will be providing the legal help and workshops. If you wish to volunteer or need information, please contact Katie Porwick at porwick@scbmalaw.com.

The next meeting of the Executive Committee will be on **MONDAY, MARCH 10, 2008**, in the Circuit Court Library. Everyone is welcome to attend.

If you want to join the Montgomery County Chapter of the Women's Bar Association, you can get an application at <http://www.wba-md.org>.

Sherry L. Leichman, President

The deadline for submission of copy for the newsletter is the 10th of the month for the following months' issue.

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BARRISTERS BASH

March 15, 2008 ~ 7:30 p.m.

The Hilton,

1750 Rockville Pike,

Rockville, MD

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~

ANNUAL MEETING & LAW DAY CELEBRATION

May 2, 2008

Bethesda North Marriott Hotel & Conference Center

~ See Insert This Issue ~

~

BAR REVUE

May 22, 2008 ~ 5:30 p.m.

F. Scott Fitzgerald Theatre

TO FAMILY LAW PRACTITIONERS:

SEEKING A PSYCHIATRIC EVALUATION OR TREATMENT FOR A YOUNG MINOR GIRL THAT IS THE FOCUS OF LITIGATION WITH VISITATION OR CUSTODY ISSUES?

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~ www.msba.org ~

ABA FAMILY LAW MEETING

The ABA Family Law Section will hold a joint meeting with the American Psychological Association from April 30 - May 3, 2008 in Chicago, Illinois. An agenda and registration information will be posted soon at:

www.abanet.org/family/events/spring08.shtml

Hotel information is already posted, and the hotel may sell out quickly with both ABA and APA members booking rooms, so I encourage you to make your reservations soon if you plan to attend.

BAMC MEMBER PUBLISHES HANDBOOK

Gimmel, Weiman, Ersek, Blomberg & Skok, P.A. is pleased to announce the publishing of their *Handbook on Separation and Divorce* by **Stuart Muntzing Skok, Esquire**. The Handbook is designed as a quick reference tool for clients as well as for family law and non-family law professionals who counsel individuals going through divorce. It is available on-line at www.blurb.com or through the Firm at www.gweblaw.com

AMERICAN LAW INSTITUTE ABA SEMINARS/WEBCASTS

Thursday-Friday, March 6-7, 2008
 Conservation and Preservation Easements
 and Community Stewardship Entities

*Principles, Drafting Practices,
 and Practical Realities*

on site in Coronado | or | video webcast

Thursday-Saturday, March 6-8, 2008
 Fundamentals of Employee Benefits Law
 on site in San Antonio | or | video webcast

Thursday-Saturday, March 6-8, 2008
 Fundamentals of Bankruptcy Law
 on site in Las Vegas | or | audio webcast

Thursday-Saturday, March 13-15, 2008
 Regulation D Offerings and Private Placements
 on site in Scottsdale | or | video webcast

Wednesday-Friday, March 26-28, 2008
 Pension, Profit-Sharing, Welfare, and
 Other Compensation Plans
 on site in San Francisco | or | video webcast

Thursday-Friday, March 27-28, 2008
 Environmental and Toxic Tort Litigation
 on site in Scottsdale | or | video webcast

Wednesday-Friday, April 2-4, 2008
 Legal Issues in Museum Administration
 on site in Scottsdale | or | video webcast

Thursday-Friday, April 3-4, 2008
 Insurance Industry and
 Financial Services Litigation
 on site in Scottsdale | or | video webcast

Thursday-Friday, April 3-4, 2008
 Global Warming: Climate Change and the Law
 on site in Washington, DC | or | video webcast

Thursday-Friday, April 10-11, 2008
 Corporate Taxation
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For information on any of the programs listed above or to register, please visit the website at www.ali-aba.org.

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WHAT'S NEW ...

LEGAL ANNOUNCEMENTS

Berman, Sobin & Gross, LLP, takes pleasure in announcing that **Craig I. Meyers** has joined the firm as an Associate. Mr. Meyers concentrates on civil litigation including general negligence, complex litigation, and medical malpractice. He is a member of the Maryland Bar Association and licensed in Massachusetts. Mr. Meyers is a 2004 cum laude graduate of Suffolk University Law School. The firm's main office is located at 481 N. Frederick Avenue, Suite 300, Gaithersburg, MD 20877, telephone: (301) 670-7030, as well as, 7 other convenient locations in Frederick, Columbia, Baltimore, Landover, Linthicum, MD; Arlington, VA and Washington, D.C.

Barbara E. Bullman is pleased to announce that she has relocated her offices to 200 A Monroe Street, Suite 233, Rockville, MD 20850, tel.: 301-251-1458.

The Law Firm of **Haspel & McLeod, P.C.** is pleased to announce that **Virginia B. Joehl** has become associated with the firm. The firm has an office at 77 South Washington St., Suite 200, Rockville, MD 20850, tel.: (301) 424-8841 and 316 West Patrick St., 1st Floor, Frederick, MD 21701, tel.: (301) 631-0592.

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minutes to D.C. Courts or Rockville. Free parking. \$795 per month, inclusive. Shops, bank, eateries on the premises. Call Steve at 301-229-7900.

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(Continued from preceding page)

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FAMILY LAW ASSOCIATE – ROCKVILLE – AV rated family law firm has an opening for an associate attorney with 2 - 4 years experience. Please send a letter of interest and resume by mail to Law Office of Cheryl Lynn Hepfer, 220 North Adams Street, Rockville, MD 20850, by fax to (301)294-2270, or email to law@hepfer.com. ■

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MARCH BREAKFAST CLE

**Tips and Tactics for Attacking
and Defending Financial
Statements**

*Thursday, March 27, 2008
7:45 am - 8:45 am*

Speaker: Master Steven G. Salant,
Montgomery County Circuit Court
Family Division Masters



WHAT'S NEW ...

WELCOME NEW MEMBERS

Kathleen A. Bay, 110 North Washington St., Suite 205, Rockville, MD 20850; tel.: (301) 279-2412; fax: (301) 989-6412; email: BayFal@aol.com

Robin G. Bortnick, 11424 Twining Lane, Potomac, MD 20854; tel.: (301) 762-2021; fax: (301) 294-2187; email: RobinBortnick@gmail.com

Jill H. Breslau, 4601 Willard Ave., Chevy Chase, MD 20815; tel.: (301) 907-4580; fax: (301) 907-6559; email: jillbreslau@comcast.net

Lance Butler, III, 2022 Trenton Place, SE, Washington, DC 20020; tel.: (202) 258-0044; email: l.butler.iii@att.net

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Stephanie L. Joseph, 199-P East Montgomery Ave., Rockville, MD 20850-4200; tel.: (240) 773-9639; fax: (240) 773-9660; email: sjoseph@opd.state.md.us

Megan Limarzi, 200 St. Paul Place, Baltimore, MD 21202; tel.: (410) 576-6383; fax: (410) 576-6382; email: mlimarzi@oag.state.md.us

R. Scott Oswald, 888 17th St., NW, Suite 900, Washington, DC 20006-3307; tel.: (202) 331-2883; fax: (202) 261-2835

S. Mona Reza, 1436 Longhill Dr., Potomac, MD 20854; tel.: (301) 217-0420; email: rezalaw@aol.com

Gregory R. Singleton, 20418 Apple Harvest Circle, Apt. E, Germantown, MD 20876; tel.: (240) 912-6608; email: gsingleton@comcast.net

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Frances C. Wilburn, 1101 17th St., NW, Suite 700, Washington, DC 20036-4704; tel.: (202) 872-0800; fax: (202) 857-8343; email: frannywilburn@gmail.com

Joyce A. Williams, 2 Wisconsin Circle, Suite 700, Chevy Chase, MD 20815; tel.: (301) 980-5224; fax: (888) 266-9899; email: jaw@jwilliamsllaw.com

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STATE'S ATTORNEY'S ASSIGNMENTS

STATE'S ATTORNEY OFFICE FOR MONTGOMERY COUNTY
DISTRICT COURT SCHEDULE: MARCH 2008

| | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | FRIDAY |
|---------------------|-----------|------------|------------|------------|------------|-------------------|
| | 3 | 4 | 5 | 6 | 7 | 7 |
| | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | FRIDAY |
| | 10 | 11 | 12 | 13 | 14 | 14 |
| Adjudicatory Crtm - | | | | | | |
| Duty Cases | Kim | Kim | Simpson | McNeely | Ferguson | Mays/Michalski |
| Duty Courtroom/am | Nixon | Nixon | PT's | Earle-Hill | Earle-Hill | Bortnick/Nunley |
| Duty Courtroom/pm | Simpson | Nixon | McNeely | Knight | Earle-Hill | Testu |
| Emergencies | McNeely | Simpson | Knight | Ferguson | Simpson | Kaplan |
| Court Coverage | Nixon/Kim | Earle-Hill | Earle-Hill | Nixon/Kim | Nixon | Wink |
| Drug Court/Truancy | | | | | | Zarrella/Zeaeger |
| Other | | | | | | Birdsall |
| Not Available | | | | | | |
| Adjudicatory Crtm - | | | | | | |
| Duty Cases | Kim | Nixon | Ferguson | McNeely | Knight | Mays/Michalski |
| Duty Courtroom/am | Knight | Ferguson | PT's | Earle-Hill | Earle-Hill | Cohen/Wink |
| Duty Courtroom/pm | Knight | Ferguson | Nixon | Knight | Earle-Hill | Bortnick |
| Emergencies | Nixon | Kim | Knight | Kim | McNeely | Zeaeger |
| Court Coverage | | | | | | Zarrella |
| Drug Court/Truancy | | | | | | Hendricks/Hughes |
| Other | | | | | | Birdsall |
| Not Available | | | | | | |
| Adjudicatory Crtm - | | | | | | |
| Duty Cases | McNeely | Kim | Ferguson | McNeely | McNeely | Mays/Michalski |
| Duty Courtroom/am | McNeely | Kim | PT's | Earle-Hill | Earle-Hill | Hughes/Kaplan |
| Duty Courtroom/pm | Ferguson | McNeely | Simpson | Simpson | Simpson | Tomasic |
| Emergencies | Nixon | Nixon | Simpson | Ferguson | Earle-Hill | Cohen |
| Court Coverage | | | | | | Casafranca |
| Drug Court/Truancy | | | | | | Hendricks |
| Other | | | | | | Hendricks |
| Not Available | | | | | | Testu/Zeaeger |
| Adjudicatory Crtm - | | | | | | |
| Duty Cases | McNeely | Kim | Ferguson | McNeely | McNeely | Favretto |
| Duty Courtroom/am | McNeely | Kim | PT's | Earle-Hill | Earle-Hill | Mays/Michalski |
| Duty Courtroom/pm | Ferguson | McNeely | Simpson | Simpson | Simpson | Zarrella/Bortnick |
| Emergencies | Nixon | Nixon | Simpson | Ferguson | Earle-Hill | Kaplan |
| Court Coverage | | | | | | Tomasic |
| Drug Court/Truancy | | | | | | Cohen |
| Other | | | | | | Casafranca |
| Not Available | | | | | | Hendricks |
| Adjudicatory Crtm - | | | | | | |
| Duty Cases | McNeely | Kim | Ferguson | McNeely | McNeely | Mays/Michalski |
| Duty Courtroom/am | McNeely | Kim | PT's | Earle-Hill | Earle-Hill | Kaplan/Wink |
| Duty Courtroom/pm | Ferguson | McNeely | Simpson | Simpson | Simpson | Sartwell |
| Emergencies | Nixon | Nixon | Simpson | Ferguson | Earle-Hill | Hendricks |
| Court Coverage | | | | | | Zarrella |
| Drug Court/Truancy | | | | | | Tomasic |
| Other | | | | | | Cohen |
| Not Available | | | | | | Hendricks |
| Adjudicatory Crtm - | | | | | | |
| Duty Cases | McNeely | Kim | Ferguson | McNeely | McNeely | Mays/Michalski |
| Duty Courtroom/am | McNeely | Kim | PT's | Earle-Hill | Earle-Hill | Kaplan/Wink |
| Duty Courtroom/pm | Ferguson | McNeely | Simpson | Simpson | Simpson | Sartwell |
| Emergencies | Nixon | Nixon | Simpson | Ferguson | Earle-Hill | Hendricks |
| Court Coverage | | | | | | Zarrella |
| Drug Court/Truancy | | | | | | Tomasic |
| Other | | | | | | Cohen |
| Not Available | | | | | | Hendricks |

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ATTENTION ATTORNEYS: Looking for an easy way to earn some Pro Bono hours you can report to the Court of Appeals? The Pro Se Project may be just what you are looking for. We are conveniently located on the second floor of the Circuit Court building, and can always use your help. You can volunteer your time in one of two ways. If you happen to be at the courthouse, and have a little time to spare, stop by and see one, or maybe two, clients. We almost always have a backlog of people waiting to be seen between 12:00pm and 2:00pm each day, and could use your help. If you have more time to spare, we ask that you coordinate your visit by either contacting us directly, or speaking with our Bar liaison, Cherish O'Donnell, at 301-913-0068. By doing this we can schedule you for a time when we know we will be shorthanded, and your presence will do the most good. Please be assured, volunteers are under no obligation to take anyone on as a client. On the other hand, if you happen to see someone who needs an attorney, you are free to offer your services.

JUDGES SCHEDULES

District Court Judges' Schedule - March 2008

| DATE | RV302 | RV304 | RV203 | RV202 | RV101 | RV204/ Bonds | SS401 | SS402 | SS301 | SS302 | HR303 | |
|-----------|-------|----------|----------|------------|-----------|-----------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Monday | 3 | McCally | Mitchell | Johnson | Simmons | Sarsfield | Kim | Hamilton | Conroy | Crawford | Evergam | (closed) |
| Tuesday | 4 | Johnson | Evergam | McCally* | Hamilton | Crawford | Sarsfield | Simmons | Mitchell | Kim | Conroy | (closed) |
| Wednesday | 5 | Mitchell | Conroy | Johnson | Crawford | Hamilton | Wolfe | Sarsfield | Evergam | McCally | Kim | Simmons |
| Thursday | 6 | Simmons | Crawford | Evergam* | Kim | Sarsfield | Johnson | Wolfe | Hamilton | Hamilton | Conroy | (closed) |
| Friday | 7 | Crawford | Wolfe | Mitchell | Simmons | McCally | Hamilton | (closed) | Evergam | Evergam | Sarsfield | (closed) |
| Monday | 10 | Hamilton | Johnson | Sarsfield* | Crawford | Kim | Mitchell | Evergam | Simmons | Conroy | McCally | (closed) |
| Tuesday | 11 | McCally | Wolfe | Sarsfield | Simmons | Hamilton | Conroy | Johnson | Kim | Kim | Crawford | Evergam* |
| Wednesday | 12 | Mitchell | Evergam | Conroy | Wolfe | V.J. | Simmons | V.J. | Kim | Crawford | V.J. | (closed) |
| Thursday | 13 | Evergam | McCally | (closed) | V.J. | V.J. | Johnson | Sarsfield | Wolfe | V.J. | Simmons | (closed) |
| Friday | 14 | Evergam | Hamilton | Simmons | McCally | V.J. | Wolfe | (closed) | (closed) | V.J. | Conroy | (closed) |
| Monday | 17 | Wolfe | Simmons | Conroy | V.J. | McCally | Kim | Evergam | Sarsfield | Hamilton | Johnson | (closed) |
| Tuesday | 18 | Johnson | Crawford | Evergam | Simmons | Sarsfield | Hamilton | Wolfe | Kim | Conroy | McCally | (closed) |
| Wednesday | 19 | Evergam | Hamilton | Wolfe | McCally | Crawford | Simmons | Sarsfield | Sarsfield | V.J. | Kim | Conroy |
| Thursday | 20 | Simmons | Johnson | Kim* | V.J. | Conroy | Crawford | Hamilton | McCally | Evergam | V.J. | (closed) |
| Friday | 21 | Kim | Wolfe | Conroy | V.J. | V.J. | Evergam | Johnson | (closed) | Crawford | Simmons | (closed) |
| Monday | 24 | Conroy | Johnson | Wolfe | V.J. | V.J. | Mitchell | Hamilton | Crawford | V.J. | Simmons | (closed) |
| Tuesday | 25 | Hamilton | Evergam | (closed) | Simmons | Crawford | Conroy | Wolfe | Mitchell | V.J. | V.J. | Johnson* |
| Wednesday | 26 | Mitchell | Wolfe | Conroy | V.J. | Johnson | Evergam | Crawford | Hamilton | Sarsfield | V.J. | Simmons |
| Thursday | 27 | Wolfe | Simmons | (closed) | Mitchell | Sarsfield | Crawford | Conroy | Conroy | V.J. | Evergam | (closed) |
| Friday | 28 | Simmons | Conroy | Evergam | Sarsfield | V.J. | Wolfe | Crawford | (closed) | Mitchell | Johnson | (closed) |
| Monday | 31 | Johnson | Mitchell | Simmons | Kim | Wolfe | Hamilton | Sarsfield | McCally | Evergam | V.J. | Crawford* |

Date Prepared: January 4, 2008
 Date Revised: January 22, 2008
 Date Revised: January 30, 2008
 * = Special Set/VOPs

JUDGES' MEETING - 20

RV303
 3-1, 10-Wolfe
 6-McCally
 7-Conroy
 17-Simmons
 20-Wolfe

RV201
 7-Johnson

SS402
 3-Meters
 10-Speed
 17-Meters
 24-Red Lights
 31-Speed

Schedule updates are available on our website when we receive them
www.montbar.org/memonly/dc_sch.htm

Circuit Court

| | 2008 | Criminal | Civil | Duty | Motions | Family | General | CINA | Delinq | Juv/Duty | EAP Duty | Drug Court |
|-----------|----------------------|--|--|-----------------------|---|---|-------------------------------|-----------------------------|---|---|------------|--|
| | March | | | | | | | | | | | |
| 3/3/2008 | 3rd- 9th wk 740 | Rupp CM Boydton CM Bernard PT | Rowan Scrivener McGann Rupp | Pincus | Savage | Craven Thompson Dugan (Sundt) Debelius Mason Algeo* | Johnson (Beard) Boydton | Greenberg McHugh 7 | McCormick | Rubin Craven 4, 5, 6 McCormick 7 McGuckian 3 | Dist Court | 3/6/2008 Adult - Rupp Juvenile - Savage |
| 3/10/2008 | 10th- 16th wk 741 | Boydton PT Bernard CM 10, 11, 13, 14 | Pincus Scrivener McGann Rupp Rowan | Scrivener Mason 14 | Rowan Craven No Motions 12&13 Savage 11 Rupp 14 ROW | Craven Thompson Dugan (Sundt) Debelius Mason Algeo | Johnson (Beard) Savage | McCormick 10, 11, 13, 14 | Rubin McCormick 12 Greenberg 13, 14 | Greenberg Rubin 10 | (Beard) | 3/13/2008 Adult - Rupp Juvenile - Savage |
| 3/17/2008 | 17th- 23rd wk 742 | Boydton CM Bernard PT | Rowan Scrivener Rupp | McGann | Pincus | Craven Thompson Dugan (Sundt) Debelius* Mason Algeo | Johnson (Beard) Savage | Rubin | Greenberg Craven 19, 20 | McCormick McHugh | (Sundt) | 3/20/2008 Adult - Rupp Juvenile - Savage |
| 3/24/2008 | 24th- 30th wk 743 | Boydton PT Bernard CM | Pincus Rowan McGann Rupp | Rupp Rowan | Scrivener | Craven Thompson* Dugan (Sundt) Debelius Mason Algeo | Johnson (Beard) Savage | Greenberg No CINA 25 | McCormick Craven | Rubin | Dist Court | 3/27/2008 Adult - Rupp Juvenile - Savage |
| 3/31/2008 | 31st- 6th wk 744 | Bernard CM Boydton CM Johnson PT | Pincus Rowan Scrivener McGann Rupp | Boydton Algeo | Savage | Craven* Thompson Dugan (Sundt) Debelius Mason Algeo | Bernard Boydton (Beard) | McCormick McGann | Rubin | Greenberg | McGann | 4/3/2008 Adult - Rupp Juvenile - Savage |

*Family Duty; CM=Criminal Motions; PT=Criminal PreTrial Jury Demand/Appeal Docket

Calendar

☺ Bar Office Conference Room

📖 CLE Classroom

📍 See Committee/Section Pages for Location

📞 CLE Seminar—Call (301) 340-2534 to Register

MARCH

| | | | |
|----|--|----------------------------|--|
| 4 | 12:15p.m. 1:15p.m. | 📖 | Bar Association Luncheon Technology Committee “Tech Talk” |
| 5 | 8:00a.m. 12:15p.m. 2:00p.m. | ☺ ☺ 📖 | Circuit Court Bench Bar Com. Youth Courthouse Committee Judicial Interviews |
| 6 | 8:00a.m. 2:00p.m. | 📍 | District Court Bench Bar Com. Judicial Interviews |
| 7 | 7:30a.m. Noon | ☺ ☺ | Foundation Board of Directors Education Law Section |
| 10 | 11:45a.m. 5:00p.m. | ☺ ☺ | Estate & Trust Law Section Executive Committee Meeting |
| 11 | 8:00a.m. Noon | ☺ 📖 | Intellectual Property & Technology Real Estate Law Section |
| 12 | 7:30a.m. 8:00a.m. 8:00a.m. 2:15a.m. 4:30p.m. 5:30p.m. | ☺ 📖 ☺ 📖 ☺ ☺ | Elder Law Section ADR Section Business Law Section Technology Committee Brown Bag Legal Ethics Committee Taxation Law Section |
| 13 | 8:00a.m. 5:00p.m. | ☺ ☺ | Employment Law Section Lawyer to Lawyer Committee |
| 18 | 12:30p.m. 4:15p.m. | 📖 | Juvenile Law Section New Admittee Courthouse Tour & Reception (Reception at 5:15PM) |
| 19 | 8:00a.m. Noon 5:30p.m. 5:30p.m. 6:00p.m. | ☺ 📖 ☺ ☺ ☺ | Commercial Litigation Section Immigration Law Section Criminal Law Section Softball Organizational Meeting Bar Leaders Dinner |
| 20 | 8:00a.m. 8:00a.m. 4:30p.m. 5:00p.m. | ☺ ☺ ☺ 📖 | Law Firm Management Section Employment Law Section Workers Comp Law Section Family Law Section Wine & Cheese (Honoring Judge Sundt’s Retirement) |
| 26 | 5:30p.m. | 📖 | CLE Seminar—Criminal Law |
| 27 | 7:45a.m. 5:00p.m. | 📖 | CLE Breakfast—Family Law Sobeloff Society Judicial Reception |

APRIL

| | | | |
|----|---|------------------|--|
| 1 | 12:15p.m. 1:15p.m. | 📖 | Bar Association Luncheon Technology Committee “Tech Talk” |
| 2 | 8:00a.m. 12:15p.m. 5:30p.m. 5:30p.m. | ☺ ☺ 📖 📖 | Circuit Court Bench Bar Com. Youth Courthouse Committee CLE Seminar—Estate & Trust Law Taxation Law Section |
| 3 | 8:00a.m. 3:00p.m. | 📖 | District Court Bench Bar Com. Judicial Selections Panel Com. |
| 4 | Noon | ☺ | Education Law Section |
| 7 | 5:30p.m. | 📖 | CLE Seminar—Immigration & Criminal |
| 8 | 7:30a.m. 8:00a.m. 5:30p.m. | ☺ ☺ 📖 | Real Estate Law Section Intellectual Property & Technology CLE Seminar—Real Estate Law |
| 9 | 7:30a.m. 4:30p.m. 5:30p.m. | ☺ ☺ 📖 | Elder Law Section Legal Ethics Committee CLE Seminar—Family Law |
| 10 | 7:45a.m. | 📖 | CLE Breakfast—ADR |
| 14 | 11:45a.m. 5:00p.m. | ☺ 📖 | Estate & Trust Law Section Executive Committee Meeting |
| 15 | 5:00p.m. 12:30p.m. 5:30p.m. | 📖 ☺ 📖 | Personnel Transition Committee Juvenile Law Section CLE Seminar—Rita Rosenkrantz I |
| 16 | Noon 5:30p.m. | ☺ 📖 | Immigration Law Section CLE Seminar—Business Law |
| 17 | 7:45a.m. 8:00a.m. 4:30p.m. 5:30p.m. | 📖 ☺ ☺ 📖 | CLE Breakfast—Employment Law Law Firm Management Section Workers Comp Law Section Family Law Section |
| 22 | 5:30p.m. | 📖 | CLE Seminar—Rita Rosenkrantz II |
| 24 | 5:30p.m. | 📖 | New Practitioner Friendraiser |
| 25 | 7:30a.m. | ☺ | Foundation Board of Directors |
| 29 | 5:30p.m. | 📖 | CLE Seminar—Commer. Litigation |
| 30 | 5:30p.m. | 📖 | CLE Seminar—Taxation Law |

Future Calendar

- March 15, 2008 ~ Barristers Bash ~ Hilton, Washington DC/Rockville
- March 19, 2008 ~ Bar Leaders Dinner ~ Lakewood Country Club
- March 20, 2008 ~ Judge Sundt Retirement Party
- May 2, 2008 ~ Annual Meeting & Law Day Celebration
- May 15, 2008 ~ Judge Raker Retirement Party
- May 22, 2008 ~ Bar Revue ~ F. Scott Fitzgerald Theatre

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