

President's Message

INSIDE THIS ISSUE

Community Legal
Page 6

Candidate Profiles
Page 7-9

Get Healthy Today
Page 10

**Member
Announcements**
Page 12

**Memorandum &
Order of Court**
Page 13

Golf Classic
Page 14-15

**Session Wrap
Up Final**
Page 17-21

Board Minutes
Page 22-23

Announcements
Page 24

**Family Law
Seminar**
Page 25

Classified Ads
26-27

As president of the PGCBA I am required by our By-Laws to set out the accomplishments of the last Bar year. This was doubtless a requirement that was established to serve as both encouragement and threat to the officer in question. The accomplishments of the

last year, however, are not my accomplishments, they are the accomplishments of your Board of Directors, Executive Committee, Executive Director, and your great staff (hereinafter, collectively, the "Board") and all those who worked with us over the year. Before offering a brief summation of some of our work, I apologize in advance as I am unable to mention all of the individuals and committees that participated in making this a productive year. All of those who participated in a program, meeting, event, committee or special project deserve our gratitude and appreciation.

Our list of accomplishments includes the following:

- Hired Georgia Perry as our Executive Director;
- Conducted a full audit of our financial records and accounts;
- Installed updated computer equipment at the Bar office to ensure the integrity of our data base and to serve as the foundation for further improvements and services to our members;
- Reorganized our banking practices for greater efficiency, security and savings;
- Sponsored and organized our first Pro

Bono Legal Services Fair;

- Refurbished and rented our spare office space;
- Increased fees for Traffic School attendees and gave our instructors a well deserved raise;
- Established an Immigration Law committee;
- Hosted the Honorable Glenn T. Harrell, Jr. and the Attorney Grievance Committee presentation of the program "Recent Changes in the Maryland Rules Governing Attorney Safekeeping of Trust Property;"
- Established "Law 101," a series of four afternoon CLE programs that steadily grew in popularity;
- Successfully raised over \$3,600.00 for our "Adopt-a-School" program;
- Co-host with the J. Franklin Bourne Bar Association of the Golf Classic tournament, from which all profits will be donated to charities;
- Lowered PGCBA membership fees for attorneys serving in the public sector; and
- Increased revenue with the publication of nine additions of the Newsjournal.

Of course, no Bar year can be successful without the good work of our committees. In the last year, we again benefitted from strong committee work that included another great Alan Goldstein Criminal Law Seminar (March 29, 2008) - special thanks to David Simpson, Richard Moore, and Michael Pearson. Christmas in April (April 26, 2008) - special thanks to Maurene Epps Webb and Erik Nyce. Family Law Seminar (May 17, 2008) - special thanks to Elveta Martin and Justin Sasser. Law Day/Mock Trial Program (May 1, 2008) - special thanks to Judge Sherrie L. Krauser and Alicia Lucero. Bankruptcy Law Seminar (May 29, 2008) - special thanks to John Burns. Judge Nichols

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PRESIDENT'S MESSAGE

Continued from page 1

led the effort to update aspects of the Traffic School, and the Judicial Selections Committee supervised the balloting of our members two times over the past year, thanks to new Chair Alexander Williams, III. Board members Erik Nyce, Denise Bowman, Bryon Bereano, Jennifer Muskus, and Alicia Lucero persevered to create and present an entirely new CLE option known as Law 101. It should go without saying that it is very difficult to conceive, plan, and present a new seminar series, recruit an expert faculty and prepare printed materials in a short time. Despite the obstacles, the aforementioned Board members and their expert panel members presented four excellent programs that were very well received by those who attended. Another effort that we hope becomes a tradition is the Adopt-a-School charitable fundraiser. In only its second year, the Adopt-a-School program again succeeded in its fund raising goals.

Our Bar association also continues to benefit from an excellent working relationship with the bench. Participation by the judiciary in all aspects of the PGCBA has been a hallmark of our association and we trust that this tradition will continue. This relationship has benefitted our members in many ways. County Administrative Judge William Missouri was magnanimous in allowing us the use of courthouse facilities and access to courthouse personnel for our CLE program "Advice from the Clerks of Court" in November. Our judges also served on numerous CLE panels and as featured speakers at our meetings. We thank Chief Judge Robert Bell of the Court of Appeals, who was the keynote speaker of the Pro Bono Legal Services Fair. Judges Thomas P. Smith, William B. Spellbring, Maureen M. Lamasney, Sean D. Wallace, and Michele D. Hotten of the Circuit Court, and Judges John P. Morrissey, Krystal Q. Alves, Robert W. Heffron, Jr. and Leo E. Green, Jr. of the District Court, all of whom served on panels for the Law 101 program. We do not take these contributions for granted and we are very appreciative of the judges who have contributed their time, energy, knowledge and experience by participating in PGCBA programs and events. Also, a special thanks to Ryan Edwards, Erik H. Nyce, Thomas J. Griffin and Bryon S. Bereano who as members of our association served on these panels.

Superficially, our list of accomplishments may appear modest, however, it is not a true reflection of the full body of the Board's work. Our ongoing work includes efforts to:

- Develop a better lawyer referral service;
- Develop a package of benefits for our members;
- Establish a regular schedule for CLE programs;
- Develop ways to better integrate young attorneys as active members of the PGCBA;
- Develop more efficient working relationships with specialty and minority bar associations; and
- Revive our charitable contributions.

These are some of the important goals that we will continue to work for. I can assure you that your Board will continue to work diligently and perform admirably to provide you with more opportunities to make your law practice more meaningful, enjoyable, efficient, and successful. We should also continue to reach out to the public and to encourage you to become leaders in all of our communities. Certainly, just as much is expected of each attorney, much is expected of the PGCBA. Unfortunately, all too often, we take the accomplishments and function of the PGCBA and the Board for granted. Yes, there is much room for improvement, a great deal of work to be done and much more that we can accomplish.

Although I am proud to have played a role in our Bar's efforts this year, it is time to look ahead to next year. In this regard, there are many questions that must be answered. Can the Bar meet the expectations placed on it? Is the PGCBA capable of fulfilling its mission? What should the PGCBA's relationship be to the specialty and minority bar associations? Some have asked whether we even need a bar association. My experience over the years leads me to conclude that we have a unique role. Although we face many challenges, the Bar has relevance and is the only vehicle that brings us all together. If for nothing else, we need the Bar association because, with diversity as our strength, it provides us with an open forum for all attorneys to become knowledgeable about the challenges we face, to debate the issues, and learn about the different perspectives of our peers. Stated plainly, we can either work together to meet the challenges faced by our association or we can become something smaller, less significant, and less hopeful. It is my hope that you will respond to these challenges by becoming more active in our Bar association activities and leadership.

I am optimistic about the future of the PGCBA and our potential to do great work. I believe we can and will continue to strengthen our profession and our communities as we work collectively to meet the challenges ahead. The Board not only has an energetic, dynamic and diverse membership, we also have a fantastic executive director in Georgia Perry and wonderful staff members in Kathy Cooke and Becky Tippitt. With this combination of assets, and your participation, we will be an even better Bar association in years to come.

Respectfully submitted,

John C. Fredrickson

President, Prince George's County Bar Association
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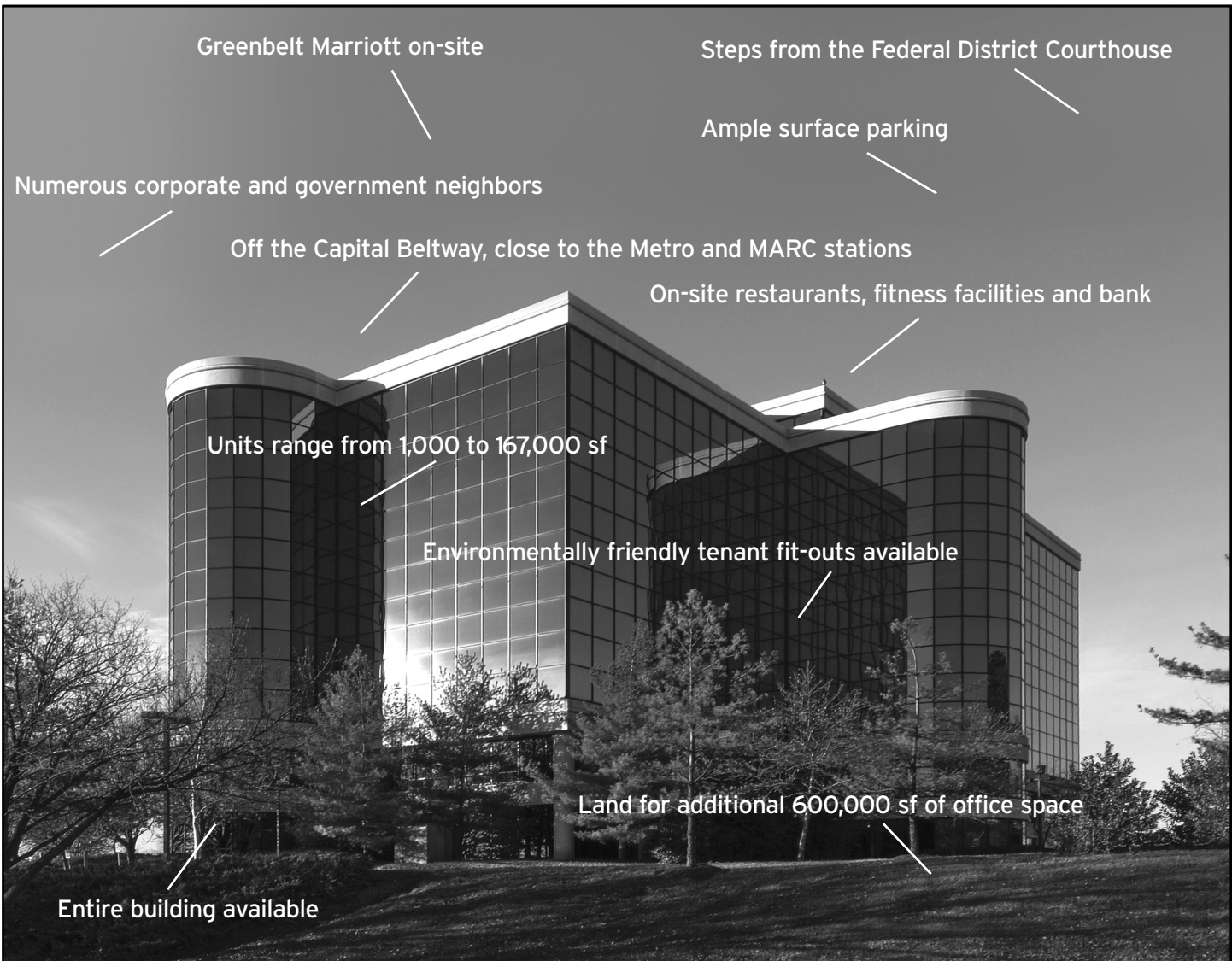
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I want to take this opportunity to thank all of the members of Prince George's County Bar Association for your continued generosity in providing representation to our clients, providing legal advice in our clinics, and providing advice and support to our staff.

I also thank you for your financial support through your bar dues check off, and the many individual financial contributions you have made to Community Legal Services.

Our Deputy Director, Nora Eidelman, is traveling in South America and her column will return next month.

Neal T. Conway
Executive Director

Community Legal Services of Prince George's County, Inc., is a non-profit organization established to provide quality civil legal services to low-income persons in Prince George's County. It does this through the generous contribution of legal advice and legal representation by members of the private Bar. Additionally, CLS operates three free legal Clinics in the County. They are located in the in Circuit Court House, Oxon Hill, and Langley Park respectively. For more information about our services, please contact Nora C. Eidelman, at 301-864-4907, ext. 12. CLS is Featured in the Catalogue for Philanthropy 2006-07. View our profile at: http://www.catalogueforphilanthropy-dc.org/2007/community_legal_71641.htm

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CANDIDATE PROFILES *FOR THE POSITION OF SECRETARY*



Debra M. Davis has been a member of the Prince George's County Bar Association for the past thirteen years. She has been a member of the Board of Directors for the past five years. She currently sits on the Executive Committee and co-chairs the Small Firm and Solo Practice Section for the past three years.

Ms. Davis is a graduate of the University of Maryland, College Park, MD and the University of Baltimore School of Law. She is licensed to practice law in the State of Maryland, the District of Columbia and the United States District Courts for the District of Maryland and the District of Columbia. She is the managing partner at the Law Office of Debra M. Davis, PC., in Camp Springs, Maryland. Her practice is concentrated in the areas of civil litigation, insurance defense and personal injury litigation. She is a former legal counsel to the Prince George's County Personnel Board and a former chair of the Ethics Board of the Washington Suburban Sanitary Commission. She is a 2000 graduate of the Maryland State Bar Association Leadership Academy and a past President of the J. Franklyn Bourne Bar Association. She has served on several state and local bar committees.

CANDIDATE PROFILES *FOR THE POSITION OF DIRECTOR*

Alicia Raquel Lucero is an associate attorney at Wampler, Souder & Sessing LLC., in Rockville, Maryland. Her practice is concentrated in the areas of Bankruptcy Law, Family Law, and Civil Litigation. She graduated from George Washington University Law School in 2004. She is licensed to practice law in the State of Maryland and was admitted to the United States District Court for the District of Maryland in 2005.



Ms. Lucero has been an active member of the Prince George's County Bar Association since 2006. She has served on the Board of Directors of the Prince George's County Bar Association for the (1997-1998) term. During this term she was involved with creation of the Law 101 project, recruiting attorney judges for the Mock Trial High School Competition, and participated in the Lawyer Referral Service.

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Robin Bright has served on the Board of Directors for the Prince George's County Bar Association since 2002. She is a member of the J. Franklyn Bourne Bar Association and has served as Treasurer and Secretary. Ms. Bright is also a member of the Women's Bar Association and serves on the Board of Directors for her alma mater, Elizabeth Seton High School. Ms. Bright is currently employed as an Associate County Attorney with the Office of Law. She has held previous positions as General Counsel and Assistant State's Attorney. Ms. Bright graduate from the University of Maryland at Baltimore School of Law. Prior to attending law school, Ms. Bright was an Accountant for ten years. She holds a Master of Arts degree in Business Administration from Bowie State University and Bachelor of Business Administration degree in Accounting from Niagara University.

Ms. Bright is a resident of Prince George's County and admitted to practice law in Maryland and the U.S. District Court of Maryland.

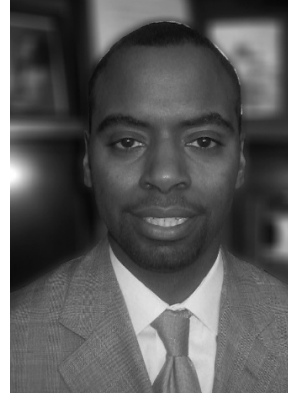
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Richard Allen Moore II has been as Assistant State's Attorney for Prince George's County since 1991 and is presently Assistant Chief of the Homicide Unit. He is a graduate of Catholic University School of Law and Morgan State University. After admission to the Bar of Maryland in 1990, he has been an active member of the PGCBA, the J. Franklyn Bourne Bar Association, and the Marlborough Inn of Court, Chapter LXII of the American Inns of Court Foundation. He currently is co-chair of the Criminal Law Committee. He also served for four years, as the attorney coach for Elizabeth Seton High School in the Seventh Circuit's Mock Trial Competition, coaching that team to the state finals in 1993.



CANDIDATE PROFILES

Joseph L. Wright is an Assistant State’s Attorney for Prince George’s County. Currently, he prosecutes cases in the Violent Crimes Unit which includes serious multi-defendant felonies, and high profile cases. He has prosecuted every type of case in the office. In his ten years in the office, he has first chaired more than 75 jury trials. Besides prosecution, Joseph is an active member of the MSBA and other umbrella bar associations. Through the MSBA, he is a committee member of the Leadership Academy and Local and Specialty Bars. He is also on the Character Committee for the Fourth Circuit, and presents at the Professionalism Course for the MSBA. Currently he is chairing the upcoming golf tournament for J. Franklyn Bourne and the Prince George’s Bar. His past bar activities are too numerous too list but include participating in the Follies, coaching a high school mock trial team, etc..



Along with his formal duties as an Assistant State’s Attorney, he is involved within the community. He is on the Prince George’s County School Board Ethics Panel, and an adjunct faculty member at Prince George’s Community College and Columbia Union College. He is very active in political developments and campaigns in Maryland. He is married to a lawyer and has two little future lawyers ages 9 and 6.

.....



Erik H. Nyce has been a member of the Prince George’s County Bar Association since 1987 and has served on the Board of Directors since 1990. He was Co-Chair of the Young Lawyers Committee and has served as Chair and member of numerous committees. Presently he is Co-Chair of Christmas in April and serves on the Law 101 Committee. Mr. Nyce practices civil and criminal law in the courts of MD, DC and VA. He is with the law firm of DeCaro, Doran, Siciliano, Gallagher & DeBlasis in Lanham, MD.

.....

Charles Todd Merryman Steuart

Todd became interested in the practice of law during high school being around his attorney father, Cal Steuart. He worked as a bailiff during the summer months and during Holiday breaks while attending college to learn more about life in the court house scene.

Todd graduated Cum Laude from St. Mary’s College, Southern Maryland in 1994 and then to University of Baltimore School of Law graduating Cum Laude in 1997.

Upon graduation he started his legal career clerking for The Honorable William D. Missouri, from 1997 to 1998.

From 1998 to 2005 Todd served as an Assistant State’s Attorney for the Prince George’s State’s Attorneys Office.

In 2005 he joined his father’s law practice forming Steuart & Steuart with offices in five counties as well as the law firm’s title company, Atlantic Coast Title, Inc.



Got Energy???

So you say you'd love to add exercise to your daily regime but by the time you leave the office, you're completely out of gas. You get in your car with every intention to go home and change for the gym, but once you get home, you're just too exhausted to do anything but lay on your couch. Is this you??? In all likelihood, you're no sloth. Rather, your diet is the likely villain. Unfortunately, most of us don't consume enough of the right calories to keep us energized throughout the day without experiencing sugar highs and lows. We eat only when we feel hungry because that's what we're supposed to do to keep from getting fat (this is an old wives tale, of course) and we often skip meals in an effort to keep our stomachs flatter and smaller which should lead to greater weight loss right? Wrong. It's this exact behavior that leads to you feeling tired, unfocused, and drained of energy at the end of the work day. If by some miracle you manage to make it into the gym after a day of consuming just one large meal, you're so drained halfway through your workout that you feel lightheaded and sick. Trust me, there's a better way.

There is a way to make it into the gym, or to the track, running trails, or basketball court at the end of the day while maintaining your energy, and emerging afterwards feeling refreshed. The key to staying motivated to exercise is keeping the amount of sugar in your blood stable. That sounds real simple doesn't it? Well, it is. You just have to give some thought to what you're eating throughout the day and do a small amount of planning. Keeping the amount of sugar in your blood stable will in turn keep your energy levels stable. So, this can be accomplished most easily by eating several small meals throughout the day. Several means five or six, not three. And the several small meals should consist primarily of complex carbohydrates and protein. Complex carbohydrates help to keep your blood sugar level stable because they are digested and absorbed slowly into the blood and thus don't require your pancreas to produce much insulin. Refined carbohydrates, such as doughnuts, cake, potato chips, and sugary foods, are absorbed very quickly which triggers the pancreas to produce large amounts of insulin. While this reaction will give you an immediate burst of energy, your energy levels will drop off very quickly and you'll be dragging and in need of another "fix".

As well, the amount of sugar in your blood impacts the levels of serotonin in your brain. Serotonin helps to regulate mood which can prevent you from feeling tired and depressed. This is yet another reason to stay clear of simple carbohydrates as much as possible.

To avoid the "crash and burn" problem associated with unregulated blood sugar levels, think about what you need to bring along to the office with you each day to get you through with ample energy stores to complete all post-work activities. When you hear "complex carbohydrates", think vegetables, fresh fruit, beans, whole grain crackers, and whole grain bars or cereals. Be sure to eat a light breakfast everyday either at home or as soon as you get into the office to get your blood sugar levels on the right track. A small whole grain bagel or a high fiber cereal such as Fiber One is an excellent choice. A few hours later, you may want to consume a banana or a medium sized apple. Follow that with some protein like yogurt or a chicken breast, and broccoli and a baked potato. Then your last meal before leaving the office could be a granola bar or a meal replacement bar that has a balance of protein and complex carbohydrates. So that's four meals that you need to get in before you get your workout in if you work the traditional 9-5 shift. That leaves two, or at least one, for after the

workout. If you happen to be a morning person though, and prefer to work out in the morning before work, then just have a light energy drink or some juice in the morning prior to your workout. Don't try to workout with food on your stomach first thing in the morning. However, you'll need to get your first solid food meal in just after your workout. I've found a good post-workout morning meal choice to be something like the Starbuck's reduced fat turkey bacon and egg white muffin (which happens to be whole grain as well). Remember to stay hydrated too. You need to drink at least a liter of water before you even head to the gym or track. And then at least another liter or two while engaging in exercise. Water keeps you hydrated which is important because dehydration can sap your energy. And lastly, try to avoid caffeine as much as possible for the same reason - too much caffeine acts as a diuretic and can dehydrate you. So if you must consume coffee, try your best to limit it to one cup a day and try to compensate by consuming additional water.

Follow these guidelines and you'll definitely have enough energy to get through the day and through your workout too. No more good intentions that get wasted on your living room sofa.....tonight, you're hitting the gym!

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Thursday, May 29, 2008 - 4:30pm - 6:30pm

**Panel Chair: John D. Burns, Esquire
PGCBA, Bankruptcy Laws Committee**

FEATURED SPEAKERS: HON. THOMAS J. CATLIOTA, UNITED STATES BANKRUPTCY JUDGE FOR THE DISTRICT OF MARYLAND; MARY PARK MCLEAN, ESQUIRE, TRIAL COUNSEL, OFFICE OF THE CHAPTER 13 TRUSTEE; GENE JUNG, ESQUIRE, CREDITORS, RIGHTS COUNSEL; JENNIFER MUSKUS, ESQUIRE, FAMILY LAW PRACTITIONER; JEFFREY LEVIN, PRESIDENT, SPECIALTY LENDING GROUP.

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CONGRATULATIONS TO

The Honorable Alexander Williams, Jr. of the United
States District Court for the District of Maryland

and

The Honorable Susan C. Lee, Delegate
of the Maryland House of Delegates

Recipients of the

Asian Pacific American Bar Association of Maryland
Community Service Award

MEMORANDUM AND ORDER OF COURT

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

MEMORANDUM OF COURT REGARDING THE HANDLING OF REAL ESTATE FORECLOSURE CASES

The Honorable Herman C. Dawson, Sr., the judge assigned to oversee all real estate foreclosure cases filed in the Circuit Court for Prince George's County, Maryland, has advised the undersigned that the number of foreclosure cases has escalated to the point where additional judicial resources are needed to efficiently, effectively, and timely process them. To that end, the Honorable Arthur M. Monty Ahalt, retired judge for the Circuit Court, 7th Judicial Circuit, Prince George's County, will be appointed to serve as the triage judge for all real estate foreclosure cases filed in the Circuit Court for Prince George's County, Maryland.

In his capacity as the triage judge, the Honorable Arthur M. Monty Ahalt is authorized to schedule and preside over settlement conferences between the parties. But, if Judge Ahalt is unable to, through the settlement process, have the parties reach an accommodation, he will apprise the

Administrative Judge of the court of the trial time that should be dedicated to the case along with a list of judges who will be available to hear the matters on the trial dates.

The attached Order of Court memorializing this memorandum will remain in full force and effect with Judge Ahalt having all rights, obligations, and duties of a sitting judge until such time as the court rescinds the order or the need for his intervention ceases.

WILLIAM D. MISSOURI

7th Circuit Administrative Judge

April 8, 2008

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

ORDER OF COURT REGARDING THE HANDLING OF REAL ESTATE FORECLOSURE CASES

Pursuant to the attached memorandum, it is hereby on this 8th day of April 2008 by the Circuit Court for Prince George's County, Maryland,

ORDERED, that the Honorable Arthur M. Monty Ahalt, pursuant to Rule 16-103b, is hereby appointed to triage all real estate foreclosure cases filed in the Circuit Court for Prince George's County, Maryland, and it is further,

ORDERED, that he is authorized to preside over settlement negotiations with all parties in those cases and to take any action that a sitting judge may take in handling the cases, and it is further,

ORDERED, that should the settlement negotiations fail, he is authorized to recommend to the Administrative Judge the length of time that it may take to try a case, as well

as to present a list of judges available for trial on the trial dates, and it is further,

ORDERED, that this order in no way supplants the authority of the Honorable Herman C. Dawson, Sr. to take any action he deems appropriate at the appropriate time regarding real estate foreclosure cases, and it is further,

ORDERED, that this Order remains in full force and effect until, or unless, rescinded by the undersigned or the undersigned's designee, or the need for such assignment ceases.

WILLIAM D. MISSOURI

Chief Judge, 7th Circuit

**J. FRANKLYN BOURNE BAR ASSOCIATION AND
THE PRINCE GEORGE'S COUNTY BAR ASSOCIATION**



GOLF CLASSIC



**To Benefit the J. Franklyn Bourne Scholarship Fund and
Designated charity of the Prince George's County Bar Association**



MONDAY, JUNE 2, 2008

9:00 a.m. Tournament Shotgun Start

12:00 p.m. Golf Clinic

Marlton Golf Club
9413 Midland Turn
Upper Marlboro, MD 20772

TOURNAMENT FORMAT: Captain's Choice/\$125 per player/ \$400 per foursome*

Fee includes: Range Balls for 1st-2nd-3rd place, Prizes for Longest Drive &
Closest to Pin, Luncheon and other Golf Gifts.

*** (Must sign up as a foursome.)**

CLINIC: \$50 per person (includes awards ceremony and luncheon)

Participation is limited – send in your reservation NOW!

*For questions, please contact **Georgia Perry, 301-952-1442 or gperry@pgcba.com or
Joe Wright, 240-472-4533 or crimlawyer@yahoo.com***

Enclosed is a check in the amount of \$ _____.

Please reserve _____ spots for June 2, 2008 Tournament and _____ spots for the Golf Clinic.

Name: _____ Telephone: _____

Foursome to Include: _____

Firm/Address: _____

Would like to play with: _____

Clinic Participants: _____

**Return this form with check made payable to "J. Franklyn Bourne Scholarship Fund, Inc."
and mail to Prince George's County Bar Association, 14330 Old Marlboro Pike, Upper Marlboro, Maryland 20772.
A portion of your donation may be tax deductible. Consult your financial advisor for details.**

**J. FRANKLYN BOURNE BAR ASSOCIATION
AND PRINCE GEORGE'S COUNTY BAR ASSOCIATION**

GOLF CLASSIC

To benefit the J. Franklyn Bourne Scholarship Fund, Inc.

Sponsorship Options

PLATINUM

\$5,000.00

(3) Foursomes (Free Photos)

(6) Clinic Participants

Major Signage at check-in

Name on Give Away Item

Greet Golfers at Luncheon

GOLD

\$2,500.00

(2) Foursomes (Free Photos)

(4) Clinic Participants

(1) Tee Box or Green Sign

SILVER

\$1,500.00

(1) Foursome (Free Photos)

(2) Clinic Participants

(1) Tee Box or Green Sign

Greet Golfers at Luncheon

General Sponsorships

\$750

(1) Golfer

(1) Clinic Participant

\$300

(1) Golfer

(1) Tee Box Sign

(1) Tee Box Sign

\$200

Clinic Participant

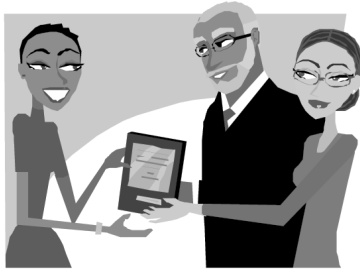
\$150

(1) Tee Box Sign

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ANNUAL MEMBERSHIP MEETING



Public Service Awards

**JUNE 10, 2008
NEWTON WHITE
MANSION
6:00 PM**



ELECTIONS

**\$50.00 PER PERSON CALL
301-952-1442 FOR RESERVATIONS**

SESSION WRAP UP FINAL

April 2008

Dear Members of the Maryland Bar:

We have prepared a list of passed legislation from the 2008 Legislative Session of the General Assembly that may be of interest to you. A chapter number indicates that the bill has been enacted. A bill passed, but not yet enacted, is still subject to a veto by the Governor. Please note that most of the legislation will not become effective until later this year.

Judges and Court Administration

District Court Commissioners- Jurisdiction: SB58/HB87(Ch. 40) allow District Court commissioners to exercise the powers of office in any county to which they are assigned by the Chief Judge of the District Court or the Chief Judge's designee. The Act authorizes commissioners to serve temporarily in any county in the State without the need for an emergency designation by the Chief Judge of the District Court.

State Board of Law Examiners - Sunset Extension and Bar Exam Fee: SB514 extends the termination date for the State Board of Law Examiners by 10 years and increases the statutory maximum bar examination fee established by the Board from \$150 to \$250 for fiscal year 2009 and to \$400 thereafter. The bill also expresses the intent of the General Assembly that the expenditures of the Board be covered by fee revenue to the extent possible.

Lawyers - Payment of Taxes and Unemployment Insurance Contributions: SB493 repeals the requirement that the Client Protection Fund verify through the Comptroller's Office that a lawyer has paid or has entered into a payment plan for all undisputed taxes and unemployment insurance contributions before certifying as paid any annual fee paid by a lawyer. The bill instead requires that the Fund provide the Comptroller a list of lawyers who have paid annual fees to the Fund each year and provides that the Comptroller may refer a lawyer to the Bar Counsel if the individual does not make payment or payment arrangements on the undisputed past due tax and unemployment insurance contribution amounts.

Civil Actions and Procedures

Maryland Uniform Interstate Depositions and Discovery Act: SB103/HB88(Ch. 41) establishes the Maryland Uniform

Interstate Depositions and Discovery Act, which sets forth procedures governing interstate discovery requests for depositions and production of documents. The Act requires a party requesting issuance of a foreign subpoena from another state, the District of Columbia, or a U.S. territory or possession, to submit the foreign subpoena to the circuit court clerk for the county in Maryland in which discovery is sought to be conducted for service on the individual named in the foreign subpoena. The Maryland rules governing service, discovery and subpoenas in civil actions apply to subpoenas issued under the Act. However, a request for discovery by submitting a foreign subpoena does not constitute an appearance in a court of this State.

Service of Process- MVA as Agent for Nonresident Driver: SB413 designates the MVA as the agent for a nonresident driver with regard to service of process in an action related to an accident or collision involving a motor vehicle driven by the nonresident. The bill establishes procedures for such service and authorizes the MVA to collect a fee to recover its costs.

Preservation of Right to Jury or Judge Trial Act: HB577 provides that any provision in a consumer insurance contract that limits or waives the right to a trial by judge or jury by requiring arbitration is void and unenforceable. In effect, the bill prohibits a provision requiring binding or nonbinding arbitration in such contracts. However, the bill does not apply to a provision requiring an appraisal process to determine the value of property.

Domestic Violence

Permanent Protective Order After Conviction and Imprisonment: SB393/HB182 provide for the issuance of a permanent protective order against an individual against whom a final protective order was previously issued if the individual was convicted and served a term of imprisonment of at least five years for attempted murder, first degree assault, rape, and certain sexual offenses. Unless terminated at the request of the victim, a final protective order issued under the bills is permanent.

Enforcement of Protective Order: SB392/HB183 authorize a judge to order a law enforcement officer to use all reasonable and necessary force to return a minor child to the custodial parent at the time a final protective order is served or as soon as possible after entry of the final protective order.

SESSION WRAP UP FINAL

Family Law

Immunity from Liability - Leaving Unharmed Newborn

- Time Period: SB531/HB1394 extend, from 3 to 10 days, the time a person can leave an unharmed newborn with a responsible adult, without being subject to civil liability or criminal prosecution.

Children in Need of Assistance - Custody – Physical

Disabilities: SB551 prohibits a court, in determining whether to grant custody and guardianship of a child in need of assistance to an individual, from considering a physical disability of the individual, unless the court finds that the disability causes a physical condition that is detrimental to the best interests of the child.

Permanency Planning and Interstate Placement of Foster

Children: SB57(Ch.16)/HB90 require a local department of social services and a juvenile court to consider both in-state and out-of-state placements in the development and evaluation of

permanency plans for children in out-of-home placements. The Act increases from 7 to 10 days the required notice of any permanency planning hearing that must be given to the child's foster parent, preadoptive parent, or any relative providing care. The Act also requires the court to consult on the record with the child at least every 12 months at a permanency planning hearing.

Emergency Placement of Children - Criminal History

Records Checks: HB265 authorizes a local department of social services to request a federal name-based criminal history records check of adults living in a home in which an emergency in-home placement is made. The bill also requires the local department to immediately remove a child from an emergency in-home placement if an individual does not comply with the conditions of a name-based record check.

Maryland Uniform Interstate Family Support Act -

Revision: HB786 revises the Uniform Interstate Family Support Act. The bill clarifies jurisdictional rules that limit the ability of parties to seek modifications of orders in states other than the state that issued the original support order, but also allows parties to voluntarily seek to have an order issued or modified in a state where they do not reside. The bill provides greater detail about how a controlling support order is to be determined and reconciled if multiple support orders have been issued and clarifies the procedures the

Child Support Enforcement Administration must follow under those circumstances.

Child Support Collection Fee - Repeal of Sunset:

SB198 repeals the September 30, 2008 termination date so that authorization continues for the Child Support Enforcement Administration to deduct an annual collection fee of \$25 from specified families that receive child support services for annual amounts of at least \$3,500. However, if the fee requirement contained in the federal Deficit Reduction Act is repealed, then the bill terminates as of the effective date of repeal of the federal requirement.

Counsel for Minor - Payment of Fees:

HB149 authorizes a court to impose counsel fees against one or more parties to an action in which custody, visitation rights, or the support of a minor child is contested and an attorney for the child has been appointed.

Juvenile Law

Release of Confidential Information:

HB882 authorizes a law enforcement agency to release a photograph and information identifying a child who has escaped from a juvenile detention center or a secure residential facility for the purpose of aiding in the child's apprehension. The bill specifies that the release of this information does not violate confidentiality protections for juvenile police records.

Arrests for Reportable Offenses - Expansion of

Notification: SB238/HB75 require law enforcement agencies to notify nonpublic school superintendents or principals when a student enrolled in one of their schools is arrested for committing crimes of violence as well as crimes involving weapons, gang activity, or drugs. However, the information disclosed is otherwise required to be kept confidential.

Criminal Law

Furnishing Alcohol to a Minor:

SB166/HB76 increase the maximum penalty for furnishing or allowing underage consumption or possession of alcohol from \$1,000 to \$2,500 for a first offense, and for a subsequent violation, from \$1,500 to \$5,000.

Stings - Possessing Stolen Property:

SB387/HB282 provide that, in a prosecution for theft by possessing stolen

SESSION WRAP UP FINAL

property, it is not a defense that the property was provided by law enforcement as part of an investigation, if the property was described to the defendant as being obtained through the commission of theft.

Forgery of Signature and Counterfeit Documents -

Prohibition: SB250(Ch29)/HB550 (Ch.30) establish a new offense against forging, falsifying, or counterfeiting the signature of court officers or employees or using documents containing the forged, falsified, or counterfeited signatures. Violators are guilty of a misdemeanor punishable by a maximum penalty of five years' imprisonment and/or a \$10,000 fine. The Act removes the element of "intent to defraud another" from the existing offense of counterfeiting, causing to be counterfeited, or willingly aiding in the counterfeiting of a commission, patent, or pardon.

Dogfighting and Cockfighting: SB44 /HB719 increase the maximum penalties for knowingly attending a deliberately conducted dogfight or cockfight as a spectator from imprisonment for 90 days and/or a fine of \$1,000 to imprisonment for one year and/or a fine of \$2,500.

Vehicle Laws - Falsifying Documents and Registration

Plates- Arrest: HB847 authorizes a police officer to arrest an individual without a warrant for a violation of specified provisions of law related to falsifying vehicle-related documents and registration plates.

Identity Fraud - Prohibitions, Evidence, and Penalties:

SB60/HB1113 increase the maximum imprisonment penalty for felony identity fraud from 5 to 15 years. The bills also prohibit a person from using a "re-encoder" or "skimming device" to access, read, or scan personal identifying information or a payment device number. The bills proscribe the knowing and willful possession, with fraudulent intent, of such a device for the unauthorized use, sale, or transfer of personal identifying information or a payment device number and establishes penalties. The bills also authorize, in a criminal case or juvenile proceeding involving identity fraud, the introduction of the affidavit of a lawful credit cardholder as substantive evidence that the credit card or credit card number of the credit cardholder was taken, used, or possessed without the authorization of the credit cardholder. In addition, the bills establish that it is a crime for a person to intentionally, willfully, and without authorization copy, attempt to copy, possess, or attempt to possess the contents of all or part of a computer database that was unlawfully accessed. A violator is guilty

of a misdemeanor and is subject to maximum penalties of imprisonment for three years and/or a fine of \$1,000.

Altering Results of Drug or Alcohol Screening Test - Synthetic Urine:

HB1171 provides that the definition of "bodily fluid adulterant" includes synthetic urine under criminal law prohibitions against altering the results of a drug or alcohol screening test. The bill also expands the definition to include a substance that is intended to be substituted for a sample of bodily fluid.

Unauthorized Removal of Property - Elements of Crime:

HB1265 repeals the requirement that a person enter or be on the premises of another for a conviction of the crime of taking and carrying away from the premises or out of the custody of another or use of the other, or the other's agent, or a governmental unit, any property without the permission of the owner of the property.

Criminal Procedure

Custodial Interrogation - Recordation:

SB76/HB6 establish that it is State public policy that a law enforcement unit, that regularly uses one or more interrogation rooms with the capability to create audiovisual recordings of custodial interrogations, shall make reasonable efforts to create an audiovisual recording of a custodial interrogation of a criminal suspect in connection with a case involving murder, rape, or sexual offense in the first or second degree, whenever possible. The bills also mandate that a department that does not regularly utilize such interrogation rooms is to create audio recordings.

Sex Offender Registry - Additional Information:

SB56/HB18 require that, in addition to any aliases, the registration statement of a person required to register with the State's sexual offender registry include the registrant's former names, electronic mail addresses, computer log-in or screen names or identities, instant-messaging identities, and electronic chat room identities used by the registrant. In addition, a registration statement must contain a copy of the registrant's valid driver's license or identification card and the license plate number and description of any vehicle owned or regularly operated by the registrant.

Statewide DNA Data Base System - Crimes of Violence and Burglary- Sample Collections on Charge:

SB211 requires a DNA sample to be taken from any individual charged with a crime of violence or felony burglary. The bill also sets forth requirements for the collection, testing,

SESSION WRAP UP FINAL

storage, expungement, and disposal of DNA samples and evidence, increases penalties for unlawful access to, disclosure of, or testing of DNA information, enhances post-conviction procedures, and contains several reporting requirements. The bill sunsets December 31, 2013.

Office of the State Prosecutor - Subpoena Authority:

HB424 authorizes the State Prosecutor, for the limited purpose of furthering an ongoing criminal investigation in a case within the State Prosecutor's jurisdiction, to issue a subpoena to produce telephone, business, governmental, or corporate records or documents.

Police and Court Records - Nuisance Crimes-Expungement:

SB695/HB685 permit a person convicted of specified public nuisance crimes to seek expungement of the associated criminal records. The petition may not be filed within three years after the conviction or satisfactory completion of the sentence, whichever is later. The bills provide that a person is not entitled to expungement if, since the time of the conviction for the nuisance crime for which expungement is sought, the person has been convicted of a crime other than a minor traffic violation or is a defendant in a pending criminal proceeding.

Eligibility for Parole - Medical Parole:

HB883 establishes medical parole as a form of release from incarceration in a State or local correctional facility for incapacitated inmates who, as a result of a medical or mental health condition, disease, or syndrome, pose no danger to public safety. Provides that medical parole for a person serving a life sentence requires the approval of the Governor.

Surety Insurers - Failure to Pay Bail Bond Judgment

SB571/HB915 extend existing penalties to surety insurers that are precluded or removed by a circuit court from the list of insurers eligible to post bonds with any circuit court due to failure to resolve or satisfy one or more bail bond forfeiture judgments.

Death Penalty - Maryland Commission on Capital Punishment:

SB614/HB1111 establish a Maryland Commission on Capital Punishment (MCCP), staffed by

the Maryland Statistical Analysis Center in the Governor's Office of Crime Control and Prevention. MCCP must make a final report, and if applicable, a minority report, on its findings and recommendations to the General Assembly by December 15, 2008. Recommendations must address racial, jurisdictional, and socioeconomic disparities and the risk of innocent people being executed. The Commission must

also compare the effects of prolonged capital punishment cases and those involving life imprisonment without the possibility of parole, a comparison of the costs to implement the death penalty to life imprisonment without the possibility of parole, and the impact of DNA evidence in assuring fairness and accuracy in capital cases.

Department of General Services Police - Jurisdiction, Authority, and Responsibility: **HB1550** provides that DGS has full police jurisdiction and authority for the enforcement of criminal laws and parking and motor vehicle laws on buildings and grounds currently under its jurisdiction. It also extends this jurisdiction to the surrounding areas of these buildings and grounds to 1,000 feet in any direction in Annapolis and Baltimore City.

Real Property

Maryland Foreclosure Process:

SB216(Ch. 1)/HB365(Ch. 2) significantly lengthen what has been one of the nation's shortest and most summary foreclosure processes. Except under specified circumstances, the Acts prohibit the filing of an action to foreclose a mortgage or deed of trust on residential property until the later of 90 days after a default or 45 days after the notice of intent to foreclose required under the Acts is sent. The legislation requires a secured party to send a written notice of intent to foreclose to the mortgagor or grantor and the record owner at least 45 days before the filing of an action to foreclose a mortgage or deed of trust on residential property. This notice must be sent by certified mail, postage prepaid, return receipt requested, and by first-class mail. Further, the Acts mandate that a copy of the order to docket or complaint to foreclose a mortgage or deed of trust and all other papers filed with it must be served by either personal delivery of the papers to the mortgagor or grantor, or by leaving the papers with a resident of suitable age and discretion at the mortgagor's or grantor's dwelling house or usual place of abode (up until now, service of process has not been a required part of Maryland foreclosure procedure). The Acts also prohibit a foreclosure sale of residential property from occurring until at least 45 days after service of process is made.

Maryland Mortgage Fraud Protection Act:

SB217(Ch. 3)/HB360(Ch. 4) create a comprehensive mortgage fraud statute with criminal penalties and authorize the Attorney General, a State's Attorney, and the Commissioner of Financial Regulation to take action to enforce the statute. The Acts define mortgage fraud broadly to include any intentional misrepresentation or omission, or facilitation

thereof, to a lender or borrower on which that lender or borrower detrimentally relies. Parties who knowingly receive proceeds elicited by such misrepresentation or omission are also liable under the Acts, which make mortgage fraud a felony, punishable by a fine of up to \$5,000, imprisonment for up to 10 years, or both. The Acts authorize the Attorney General or the Commissioner of Financial Regulation to seek an injunction to prohibit a person from engaging or continuing to engage in violations. In addition, the Acts allow victims of mortgage fraud to bring private actions seeking damages and attorney's fees from alleged violators. If the court finds that the defendant has violated the provisions of the Acts, the court may award damages of up to three times the amount of actual damages.

Protection of Homeowners in Foreclosure - Prohibition on Foreclosure Rescue Transactions- Enforcement:

SB218(Ch. 5)/HB361(Ch. 6) add to the protections of distressed homeowners initially provided by 2005's Protection of Homeowners in Foreclosure Act. The Acts extend existing protections to residences in default and not simply residences in foreclosure, with "in default" defined as at least 60 days past due. In addition, the legislation prohibits a foreclosure consultant from engaging in,

arranging, promoting, promising, soliciting, participating in, assisting with, or carrying out a "foreclosure rescue transaction." The Acts define such transactions as ones in which a residence in default is conveyed by a homeowner who retains a legal or equitable interest in all or part of the property, including lease-purchase, option to reacquire, or any other legal or equitable interests, and that are designed or intended by the parties to prevent or delay foreclosure proceedings, either actual or anticipated.

More information about these bills and other legislation can be found at the Maryland General Assembly's webpage, www.mlis.state.md.us or please call our offices.

Very truly yours,

Thomas V. Mike Miller, Jr.

Joseph F. Vallario, Jr.

James E. Proctor, Jr.

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PGCBA BOARD MINUTES for: 2-19-08

MINUTES FOR PRINCE GEORGE'S COUNTY BAR ASSOCIATION BOARD OF DIRECTORS MEETING

February 19, 2008

PRESENT: John Fredrickson, President, William Parker, Jr., President-Elect, Garland Stillwell, Treasurer, Nicholas Rattal, Secretary, Bryon Bereano, Gerald Baker, Denise Bowman, Alicia Lucero, Arnold Bruckner, Richard Moore, Robin Bright, Jennifer Muskus, William Snoddy, Clayton Aarons, the Honorable Mark T. O'Brien, the Honorable Crystal Q. Alves, the Honorable Gerald F. Devlin, Isaac Marks and Georgia Perry.

The President's Report

President Fredrickson called the meeting to order and advised the Board that the February 5th meeting, co-sponsored with the J. Franklyn Bourne Bar Association, was very successful. There was a sponsorship from BB&T Bank who provided \$1,500 toward the cost of the event.

Mr. Fredrickson further advised that Law Practice 101 was on schedule with Judge Wallace and Judge Green being the primary speakers.

The Alan Goldstein seminar was discussed and the Board was waiting on a date set by the co-chairmen Mike Pearson, Richard Moore and Dave Simpson.

The potential golf tournaments were discussed. It is possible that there will be two tournaments. The tentative date is June 2nd for a golf outing co-sponsored by the J. Franklyn Bourne Bar Association at Marlton and sponsors were being sought.

President Fredrickson further advised the Board that Law Day was fast approaching and that Judge Krauser was working on obtaining a speaker and that the Show Place Arena would be the site. The meal would be youth friendly orientated. He implored the Board of Directors meeting to attend the Law Day meeting.

The status of the rental condo was discussed. President Fredrickson advised the Board that they have a proposal and that William Monks was leading the effort in the negotiation process.

Secretary's Report

The Secretary's Report was presented and Judge Devlin made a motion which

was seconded by Clayton Aarons to adopt the minutes.

Treasurer's Report

The Treasurer's Report was given and Gerald Baker reiterated his concern that the Lawyer Referral Service was dysfunctional and that according to the financial records there was slightly under 24 referrals. The Bar Association received compensation for less than 24 referrals. There was a discussion that on Law Day the Bar Association have a lawyer available for the public to consult at the Bar Office. Phone calls would be answered and their availability would be advertised. It was decided that Arnold Bruckner and Gerald Baker come up with a plan to institute this proposal.

The Treasurer's Report was adopted on a motion by Judge Devlin which was seconded by Judge O'Brien.

Executive Director's Report

Georgia Perry presented the Executive Director's Report and advised that the suspension letters have been sent and that seven members have paid as a result of the suspension letter and nine members advised Ms. Perry that they would not pay because of the Lawyer Referral Service.

Ms. Perry indicated that the Bar Leadership Institute in Chicago will be coming up on March 12th - 15th and that Garland Stillwell and she would be attending.

Ms. Perry discussed the February 5th meeting and advised that the J. Franklyn Bourne Bar Association picked up half of the share of the costs.

Old Business

Law Practice 101 was on course.

There is nothing new to report regarding the lawyers' lounge.

The Adopt-A-School Program was further discussed and President Fredrickson asked Directors to contribute.

New Business

Gerald Baker brought up the fact that Lawyer Referral Service needs to be revitalized and that a task force be created to look into this process. The task force would have approximately five members but that John Burns, Todd Pounds, and Gerald Baker would be members of the task force.

Arnold Bruckner made suggestions on how the Lawyer Referral Service could be revitalized and there would be a budget needed to look into this revitalization.

The Board will wait for a report from the task force.

Bryon Bereano asked why the District Court Judges' calendar was not in the Bar Association Newsletter. Ms. Perry advised that she was no longer receiving the schedule in a prompt enough fashion. Judge Alves volunteered to look into a solution.

Bill Parker advised that he was planning less meetings for next year during his presidency of the Bar Association.

Judge Devlin made a motion to adjourn the meeting which was seconded by Arnold Bruckner and the meeting was adjourned.

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MINUTES FOR PRINCE GEORGE'S COUNTY BAR ASSOCIATION BOARD OF DIRECTORS MEETING

March 18, 2008

PRESENT: John Fredrickson, President, Nicholas Rattal, Secretary, Debra Davis, Karen Pasciuto, Linda Gantt, Alicia Lucero, Clayton Aarons, Arnold Bruckner, Gerald Baker, Jennifer Muskus, Bryon Bereano, and the Honorable Cathy H. Serrette and Georgia Perry.

The President's Report

President Fredrickson called the meeting to order and advised the Board that there would be a joint golf tournament with the J. Franklyn Bourne Bar Association on June 2, 2008, and that the scheduling and package was being put together. Outback will be the caterer for the event.

Law Practice 101 was discussed and President Fredrickson was pleased with the excellent showing of members of the bar and he reiterated all of the positive remarks concerning the event and he personally thanked the sponsors.

President Fredrickson also advised that BBT were sponsors for the joint February meeting of our bar and the J. Franklyn Bourne Bar Association. They contributed \$1,500 and had 10 members from their bank present.

Law Day was discussed mainly concerning the struggle in getting members of the Bar Association to attend the Law Day luncheon. President Fredrickson asked all of the board members to make a special effort to show up.

The Adopt-a-School Program was discussed and so far there have been donations in the amount \$895 and the deadline was April 8, 2008.

Secretary's Report

The Secretary's Report was read and there was a minor change as to the fact that the J. Franklyn Bourne Bar Association agreed to pick up half of the cost of the February meeting if necessary and the minutes were adopted.

Treasurer's Report

The Treasurer's Report was presented and it was determined that 10 new people had joined the Bar Association at the reduced rate and the trend was looking positive.

Arnold Bruckner made a motion, which was seconded by Linda Gantt, to approve the Treasurer's Report.

Executive Director's Report

Georgia Perry informed the Board that the Bar actually made \$754 at the February meeting. It was also learned that Bill Parker had spoken with Judge Nichols regarding the Traffic School. They agreed to raise the fee from \$50 to \$70 to more accurately reflect the cost. It was also determined that the instructors will be given a \$5 an hour raise and that usually there are about 45 to 50 students in the classes.

The Lawyer Referral Service was discussed. It was determined that 48 members paid dues to LRS and that the Board was in contact with Baltimore to ask for monthly report on the number of cases referred. There were approximately 640 calls for the month of February and only 37 referrals. This situation was going to be looked into as to possible actions to be taken in the future.

Ms. Perry reported 331 ballots have been received in regard to the Judicial Qualifications.

Ms. Perry reported that the Bar Leadership Institute in Chicago was

a great meeting. Approximately 700 people attended the event and it was very informative. Ms. Perry stated that 80 bar associations attended with fewer than 1,300 members, which is very similar to Prince George's County.

Old Business

Old business was discussed and reminding the Board that the Alan Goldstein Seminar would be held on March 29, 2008.

New Business

Gerald Baker and Arnold Bruckner agreed to arrange for attorneys to take calls from the public on Law Day, May 1. They are going to prepare a press release for the bar to publish. President Fredrickson said that if he received the information he would make should that it was disseminated.

Law Day was again discussed mainly concerning the low turnout. Ideas were needed on how to encourage a higher turnout. Judge Serrette proposed that we ask each organization to send people, such as the State's Attorney's Office, the Office of the Public Defender, and the Office of the County Attorney.

Gerald Baker made a motion to adjourn the meeting which was seconded by Clayton Aarons. The meeting was adjourned.

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ANNOUNCEMENTS

The Law Links

Committee is seeking law firms to participate in their summer program. If you are interested in hiring a student for this summer and participating in this program, please contact :

Judge Adams at 301-952-3766 or

Abigail Bruce-Watson at 301-731-0005.

Family Law Events:

June 18, 2008

Topics: Motions for Continuance
& Enforcement of Discovery Requests

Speaker: TBA

4:45 p.m. Courthouse Library

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“IT’S ALL ABOUT THE KIDS”

I. Custody Tangents

***Home Studies**

***Custody/Psychological Evaluations**

***Parenting Coordinators**

***Best Interest Attorneys**

II. Mock Trial-Custody & Child Support

III. Grandparent/Third Party Custody & Visitation

IV. Case Law and Legislative Update/Helpful Bits

SATURDAY, MAY 17, 2008

8:30 A.M. – 1:00 P.M.

Jury Lounge, Court House, Upper Marlboro

COST FOR SEMINAR AND MATERIALS:

Advance Registration-\$30; Registration after April 18th and At the Door-\$40.

(Note: Written materials may be unavailable at the time of the seminar to “walk-ins”)

FOR INFORMATION CONTACT:

PGCBA, Family Law Committee

Co-Chair:

Justin J. Sasser, Esq. 301 627-4300

Co-Chair:

Elveta M. Martin, Esq. 301 952-5448

***Please register me for the 2008 Family Law Seminar. My \$30.00 check payable to the Prince George's
County Bar Association for advance reservation (by April 18th) is enclosed. \$40 fee at door.***

Name _____ Phone: _____

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II/I-PG Bar in the subject line.

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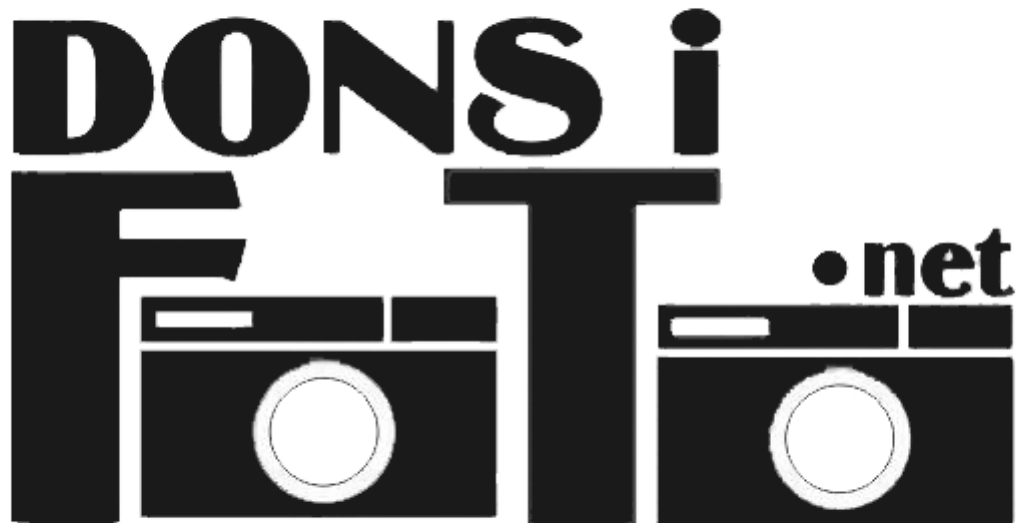
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<p>Law Links- Summer Program Needs your Support Contact Judge Tillerson-Adams @ 301-952-3766 or Abigail Bruce-Watson @ 301-731-0005</p>	<p style="text-align: center;"></p> <p style="text-align: center;">Make Your Reservation NOW!</p>	<p>Tuesday, July 15, 2008 Board Retreat 6:00 to 9:00 PM Courthouse Room M0421</p>

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