



PGCBA NEWS JOURNAL

Newsletter of the Prince George's County Bar Association, Inc.

President's Message



Gentle music permeated the atrium decorated in a festive holiday theme with lights and holiday laughter adding additional warm and welcoming feelings to the evening.

Such a glorious setting might be expected at one of the pre-inaugural parties that will be the norm rather than the exception around Washington, but no, this very festive and happy occasion was the Prince George's County Bar Association celebrating the holiday season at the Newton White Mansion.

While at many similar functions people will be eating, drinking and dancing and merely having fun, the Prince George's County Bar Association's party, as always, added a special touch that sent a personal warm holiday feeling to the community.

Those who attended, once again, exhibited the true holiday spirit, by bringing toys for needy children, toiletries for those in need and of course considerable amounts of canned goods for the needy.

I am very proud to be a member of an organization whose members each year demonstrate their genuine warmth and interest in the welfare of the less fortunate members of our community.

As we face a new year with new national leadership, we recognize that our leaders have many pressing issues which they will be called on to find timely and yet affordable solutions to.

While we, as members of the Prince George's County Bar Association, may not be called on to provide answers to the large problems facing our nation, we can provide relief to the large pressing problems facing our local community.

We can assist the overloaded Public Defender's Office by taking a Pro Bono case from them.

We can set a fee schedule that might include a reduction if a child has a "B" average during the school year and had no further problems with the law, or an alcoholic regularly attends A.A.

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PGCBA NEWSJOURNAL

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The Prince George's County Bar Association

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Marlborough Professional Park

14330 Old Marlboro Pike

Upper Marlboro, MD 20772

Phone: 301-952-1442 Fax: 301-952-1429

Email: gerry@pgcba.com

Website: <http://www.pgcba.com>

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Martin G. Oliverio 301-513-0613
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PRESIDENT'S MESSAGE

Continued from page 1

We can use our contacts to secure contributions of overstocked food and clothing and coordinate distribution of those items to the less fortunate.

The above suggestions are the obvious ones, but each of us with our professional and economic position in the community should be able to find some way that he or she could utilize whatever talents and abilities they have to lessen the plight of those less fortunate than we are, but who with our help, may next year join us as givers and thus perpetuate these loving and caring acts of personal generosity.

I wish each of you and your families a most successful and healthy New Year and look forward to working with you in this New Year.

Respectfully submitted,

William J. Parker, Jr

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I hope each one of you had a happy holiday and look forward to this new year with much hope! This is a year marked by change and serious challenges. As a nation we are facing problems never encountered quite the same before, nationally and internationally. I truly believe that if we all work together, these challenges will be overcome and our nation will see brighter days as it has not seen before. Why should we work together and face these challenges collectively? I believe that we have to adopt an attitude that these great challenges are our problems, and with that attitude, we can take the approach and realization that the personal decisions we make and actions we take in our everyday lives, are an essential part of the solution. We are part of the solution...let's approach this year with hope and responsibility!

We are delighted for all the work that you and our staff do for our organization, which makes it possible to provide assistance to thousands of indigent clients every year. Our staff is actively involved in doing volunteer work as well. They serve on Boards, provide assistance to

their churches and other communities. Our Executive Director **Neal T. Conway** serves in the Peoples Law Library Content Advisory Committee and is a Board Member of the Human Services Institute at Prince George's Community College. Our Langley Park Family Law clinic attorney **Karin Dalichow** serves on the Maryland Access to Justice Commission created by Chief Judge Robert M. Bell, and will be serving in the Critical Barriers subcommittee. Worker's Right clinic attorney **Edith Coral Johnson** is actively involved at her Chesapeake Baptist Church and teaches first and second grade Sunday-School. **Salvador Ernesto Pineda** is a Board member of the Salvadoran American National Association -Metro DC- and serves as the Youth Affairs coordinator. **Frinne Guevara** serves as the official Spanish interpreter for church services every Sunday at Immanuel's Church of Silver Spring.

Success Stories from our Clinics

Two landscaping workers came to our Worker's Rights Legal Clinic in December 2008 complaining that their employer, a landscaping company, had not paid them their wages. One gentleman was owed approximately \$5000.00. He received

most of the checks but he was unable to cash them due to insufficient funds. The next gentleman was owed \$1,085.00 for two checks that were unable to be cashed. These gentlemen were desperate to resolve this matter right away since they had plans to move out of the State in the next couple of weeks. Due to economic difficulties in obtaining jobs in this area they decided to re-locate to Illinois in the hope that work is more abundant there. The Worker's Rights Legal Clinic was able to negotiate with the company and obtain a settlement that satisfied both workers. The first gentlemen obtained \$4,085.37 and the next gentlemen received \$1,085.00. The first gentlemen had been paid in cash for some of his wages and he agreed that the settlement of \$4,085.37 was a just amount.

At our Langley Park Family Law Clinic, we were pleased to assist a client who was horrified that she had relinquished her children's right to child support. Apparently, her husband had forced her to sign an agreement relinquishing their children's right to child support. In exchange for signing the agreement, he agreed to include her in a petition for immigration benefits. The client came to our Clinic upset that by having signed the agreement, she had taken away important rights for her children. When our attorney assured her that the agreement was invalid, that no person could relinquish child support payments for her children, the client was very relieved. She was also pleased that she could apply to our pro bono program for assistance with her divorce, custody and child support matters.

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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SEVENTH JUDICIAL CIRCUIT OF MARYLAND

PRINCE GEORGE'S COUNTY

FROM THE CHAMBERS OF WILLIAM D. MISSOURI

CHIEF JUDGE

TO: All Attorneys who appear before the Circuit
Court for Prince George's County on civil matters

FROM: William D. Missouri
Chief Judge

RE: The scheduling of Alternative Dispute Resolution

DATE: December 9, 2008

Please be advised that effective immediately the Honorable Michele D. Hotten, Civil Coordinating Judge, will assume the oversight and management of the court's Alternative Dispute Resolution (ADR) Office. Effective this day, until further notice, any matters involving the ADR Office that cannot be resolved by staff are to be referred to Judge Hotten.

ORDER FROM CIRCUIT COURT

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

**ORDER OF THE COURT REGARDING THE
ALTERNATIVE DISPUTE RESOLUTION OFFICE**

Pursuant to Rule 16-101 it is on this __9th__ day of December 2008,
by the Circuit Court for Prince George's County, Maryland,

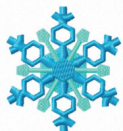
ORDERED, that oversight of the court's Alternative Dispute Resolution (ADR) Office is hereby assumed by the Honorable Michele D. Hotten, Civil Coordinating Judge for the court. In that capacity, Judge Hotten is responsible for the scheduling of all ADR matters before the Circuit Court for Prince George's County. and it is further,

ORDERED, that Judge Hotten is authorized to review the present manner in which the office is operating and to determine what, if any, additions, deletions, modifications, or changes to the present system is merited, and it is further,

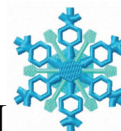
ORDERED, that the Honorable Michele D. Hotten shall report any changes that she deems appropriate to the Chief and Administrative Judge of the Seventh Judicial Circuit before any such changes are commenced.

WILLIAM D. MISSOURI
Chief Judge, 7th Circuit

cc: Hon. Robert M. Bell
Hon. Glenn T. Harrell, Jr.
Resident Judges
Hon. Peggy A. Magee
Sondra D. Battle, Court Administrator
Bar Journals



IN HONOR OF BLACK HISTORY MONTH



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OberlKaler's Steven Smith Selected for 2008 "Outstanding Healthcare Transaction Lawyers"

WASHINGTON, DC – December 4, 2008 The law firm OberlKaler announced today that Steven R. Smith, Attorney-in-Charge of the firm's Washington, DC office, has been selected by Nightingale's Healthcare News for its 2008 ranking of "Outstanding Healthcare Transaction Lawyers." He is one of only twelve lawyers from across the country selected for inclusion.

A principal in OberlKaler's Health Law Group, Mr. Smith practices exclusively in the health care regulatory, operational and transactional areas where he counsels hospitals and other clients on: compliance, both operationally and legally, with the various laws and regulations that affect them, including the Stark and anti-kickback laws; structuring transactions to achieve the objectives of the client and to comply with such laws and regulations; patient safety and quality assurance issues as they relate to both reimbursement and improvement of patient care; medical staff issues including disciplinary matters and all peer review related issues; corporate governance best practices; and risk and claims management, insurance coverage and fiduciary responsibilities. Prior to joining OberlKaler, Mr. Smith spent ten (10) years as Senior Vice-President and General Counsel for a large healthcare system in Maryland where he had both operational and legal responsibilities. He is a frequent speaker and author on health care legal issues at the national and local level.

In 2004, Mr. Smith was selected by Nightingale's for its ranking of "Outstanding Hospital Lawyers."

Mr. Smith is a member of the American College of Healthcare Executives; the American Health Lawyers Association; the Maryland and American Societies for Healthcare Risk Management; and the Maryland State, American and Prince George's County Bar Associations. He previously served on the Board of the Maryland Chamber of Commerce and is a current member of the Board of the Sickle Cell Disease Association of America.

He is a graduate of University of Maryland School of Law (J.D., with honors, Order of the Coif, 1980) and the University of Maryland (B.A., with honors, 1977).

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- 2) what issues must these organizations address to remain relevant?"**

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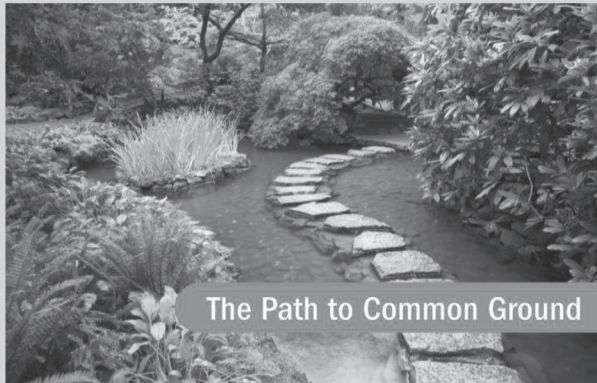
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2008 HOLIDAY PARTY



2008 HOLIDAY PARTY



As attorneys in the private practice of law, we all wish to build our practices to include more clients. The PGCBA is committed both to assisting our members build their practices and to assisting the public in obtaining legal representation. We hope to advance these objectives with a new and improved Lawyer Referral Service. Over the past several years, the PGCBA has been laying the groundwork for improving the benefits we provide to our members. The foci of these efforts have been the updating, improvement and safeguarding our computer systems, our association database, our website and our LRS program. These changes will become more apparent over the next year.

As for LRS, our goals were to increase the number of panel attorneys, refer more potential clients to our panel members and, in the process, improve our service to the public. To accomplish these goals, the LRS will be operated by our own dedicated staff using a new association dedicated software program. The LRS program maintains records, among other things, of all panel attorneys and their practice areas, the potential clients referred to them and the status of each retained client matter. Accounting and monthly notice functions are automated and will be strictly adhered to. Above all, our new system assures fairness and impartiality in the distribution of potential clients referred to our panel.

In order to participate in our new LRS to build your practice and benefit from becoming a panel attorney, all you need do is complete the registration form (a copy of which is included in this edition of the *NewsJournal*) and pay the modest fee. In return, you will receive contact information for potential clients who need legal services. It is important to note that our LRS is dependant, in part, on communication via email. The only way we can notify our panel attorneys quickly and efficiently of potential clients who need legal services is to communicate via email.

We believe that our new LRS will soon become the most sought after benefit offered by the PGCBA. Our new LRS, however, can only work for you if you register and become a panel attorney. We urge you to act now and become a member of our LRS.

APPLICATION FOR PANEL REGISTRATION

**Prince George's County Bar Association
LAWYER REFERRAL SERVICE**

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IN REGISTERING FOR THE LAWYER REFERRAL SERVICE, I HEREBY CERTIFY THAT:

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2. I agree to the following terms and conditions for my participation in the Prince George's County Bar Association's Lawyer Referral Service ("LRS"):
 - A. I will pay a yearly fee of \$150.00 for three (3) fields of law, plus \$15.00 for each additional field (subcategories and special panels excluded).
 - B. I will promptly schedule (no later than 48 hours after date of initial referral via email) an initial conference with any referred client, the length of which need be no longer than one-half hour. If retained by the referred client, the engagement shall be memorialized in a written attorney fee agreement. Said attorney fee agreement shall in no way contradict the terms and conditions contained in this registration.
 - C. I will remit a fee of \$40.00 to the Prince George's County Bar Association upon retaining such client, and on cases taken on a contingency fee basis, will remit a contribution equal to 10% of the total legal fees earned on the case, along with a copy of the settlement statement signed by the client, to the Prince George's County Bar Association Lawyer Referral Service.
 - D. I will maintain a professional liability insurance policy in the amount of at least \$100,000/\$300,000 as long as I am a Panel member and agree to indemnify and hold harmless the Prince George's County Bar Association and its agents, servants and/or employees from any claim of negligence that may arise as a result of my actions or omissions with respect to any referred client.
 - E. I am competent and experienced in each of the categories for which I have applied; and I will not represent or advise any client contrary to the Maryland Code of Professional Responsibility.
 - F. I further certify that there are no felonies/misdemeanor charges (not including traffic violations) or any disciplinary proceedings pending against me in this State or elsewhere. (If so, please fully explain on a separate sheet.)
 - G. I will comply with all rules and procedures promulgated by the Prince George's County Bar Association in regard to its LRS.
3. Attached is a copy of the Declaration Page from my Malpractice Insurance Policy. An updated Page will be provided each year at the renewal.

I understand that the information herein contained may be furnished to applicants for legal services, and the Lawyer Referral Service in so doing will be relying on the representations that I have made.

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|---|--|---|

If you are willing to accept clients whose case may be located in other jurisdictions, please indicate those areas where you are admitted to practice and/or willing to accept referrals. List any category limitations for these jurisdictions below.

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NEW YEAR'S RESOLUTION IN BABY STEPS

The number one New Year's resolution every year is to lose weight and become healthier. Yet, Americans are becoming more and more overweight every year and we are seeing unprecedented increases in health problems, many of which are related to our lack of exercise and proper diets. Keeping your New Year's resolution can seem a daunting chore. But it doesn't have to be. Often, we have unrealistic expectations and goals. Like everything else, achieving optimal health takes time, commitment, and consistency. Even when it seems you're seeing no progress, you must keep to the course in order to obtain the results you want. And most importantly, you have to remember to take baby steps. For the next few months, we're going to break down getting healthy into baby steps and focus on one objective at a time. The first baby step - eliminating (or minimizing) sugar from your diet.

People often cringe at the thought of eliminating sugar from their diets. They imagine dining on asparagus spears and broccoli florets for every meal. But severely minimizing sugar isn't as bad or as hard as you might think. Why did I choose to start with sugar? Simple. In addition to ending up on your belly and hips most easily, sugar affects your mood, your energy levels, and in excess, can lead to many severe health ailments. Now, when I say that we want to focus on eliminating sugar, I don't mean that in the strictest sense. You'll still be able to have fruits and vegetables that contain sugar, as well as some sugar derivatives. Mostly, we want to avoid high fructose syrups, white cane sugar, store bought


undiluted juices, and products made with these ingredients.

It's easier to specify which foods you should try to avoid than it is to tell you which foods you can have. But I'll give you a mixture of both. To start, you want to get rid of any white sugar you have in your home. Replace it with either Splenda or stevia, a natural sweetener which can be purchased at any health food store. If you drink tea, coffee, or other beverages which require sweetening, use one of these sugar substitutes in place of white granulated sugar. Next, don't drink any soft drinks. It's really best if you eliminate soft-drinks altogether, but if that's too challenging for you, switch over to sugar-free soft-drinks and try to cut your consumption of these to half of what you normally drink in a given week. Avoid juices unless you squeeze the fruits yourself with a juicer. However, it's really best to get your fruit juice from simply eating the fruit itself. So instead of drinking orange juice in the morning, slice an orange into quarters and eat that. It's fresher, better for you, and contains less sugar than processed juices. So what should you drink, you ask? Try Propel, Vitamin Water, plain old water, sugar-free iced tea, and beverages such as coffee or tea sweetened with Splenda or stevia.


When we talk about foods, it's really not hard to avoid sugar unless you like to indulge in sweets and baked goods. Most lunch and dinner items don't include tons of sugar unless you're having cinnamon buns for lunch. So here's the solution to reducing sugar from your meals - as often as possible, prepare your own meals. But even if you can't do this, it's easy to spot, and avoid, sugar traps. Always choose meats like chicken, fish, and lean beef with some sort of vegetable for your main meals. You can even have sandwiches (try whole grain bread). Skip muffins, cookies, cake, pies, and candy. If you feel like you want something

sweet, try portable apple sauce cups or a piece of fruit, or even a sweet potato sprinkled with cinnamon and a half pack of Splenda. And for breakfast, there are many great low-sugar cereals and oatmeals (like Quaker Weight Control) that you can pick up right from your local grocery store. And sliced bananas can be added for additional natural sweetness.

You won't believe the difference these simple steps will make in helping you achieve your New Year's resolution. Something as simple as restricting sugar from your diet can result in the loss of up to 10 pounds in one month, not to mention stabilizing your blood sugar levels. But what about sugar withdrawal you might ask? People who are accustomed to consuming large amounts of sugar often suffer symptoms of withdrawal when they attempt to give up sugar all of a sudden. Symptoms of withdrawal can include headaches, irritability, fatigue, depression, and cravings for sweets and starchy foods. Well, the best way to avoid sugar withdrawal is to avoid skipping meals and to consume adequate amounts of water. Eating regularly, or every three hours, will help to moderate blood sugar levels so that you don't experience as many cravings and so that you enjoy more stable energy levels. Eating every three hours doesn't mean having a four course meal. It can mean having a half of a turkey sandwich with an apple or a chicken breast salad with a banana or even a couple cups of yogurt and an orange. Many of these food items can be kept in your briefcase, desk drawer or your car. And if you drink plenty of water, that will stave off "false" feelings of hunger. You see, often we are really thirsty when we think that we're hungry. So aim for a minimum of half a gallon of water a day, or 64 ounces. That's only four sixteen-ounce cups. Guzzle one sixteen ounce cup with every meal, and that way you'll be sure to get in sufficient amounts of water.



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There are also some supplements which are aimed at battling the symptoms of sugar withdrawal. If you can, you should add these aids to your arsenal. Stock up on Vitamin C (I take two grams a day and swear by it), B-complex vitamins (these can give you enough energy to get you through a workout even when you thought you were dead tired), fiber (pills or powder), and L-glutamine. All of these supplements help stabilize blood sugar levels and will keep your mind off of sweets. When you combine these supplements with your regimen of eating every three hours, choosing alternatives to "sweets" and sugars which I've already mentioned, and drinking plenty of water, your hunger cravings and desire for sweets will be substantially minimized. And fortunately, sugar withdrawal is only temporary. Your cravings will decrease after the first few days and will practically subside altogether after about three weeks. If you can stick to this reduced-sugar eating plan for that long, you'll already be seeing a difference in your clothing, which will make you want to continue on this positive trend. And remember....it's only sugar that you're giving up in this first baby step. You can still have a cheeseburger or fries (but don't try to compensate for sweets with

additional fatty foods). Before you know it, fruits and other naturally sweet foods will taste sweeter to you and your taste buds will change so that super sugary foods taste too sweet to you (I can't even drink straight juice).

Just keep in mind that starting this process is the most difficult part. Once you get started though, it will become easier each day. So keep in mind that the mild withdrawal you may experience is only temporary and stick to the plan outlined herein. We're taking baby steps and only working on one aspect of your fitness and nutrition plan at a time. And if you fall off the wagon and have a cookie when you know you're not supposed to, just commit to getting right back on track and starting anew with the very next meal. You can do this and it's much easier than just saying "I'm going to lose 10 or 20 pounds". This way you have a plan that really is doable. This month commit to taking your first step towards achieving a realistic New Year's resolution by avoiding sugar. This year we're going to get healthier, and we'll achieve this goal by taking baby steps.

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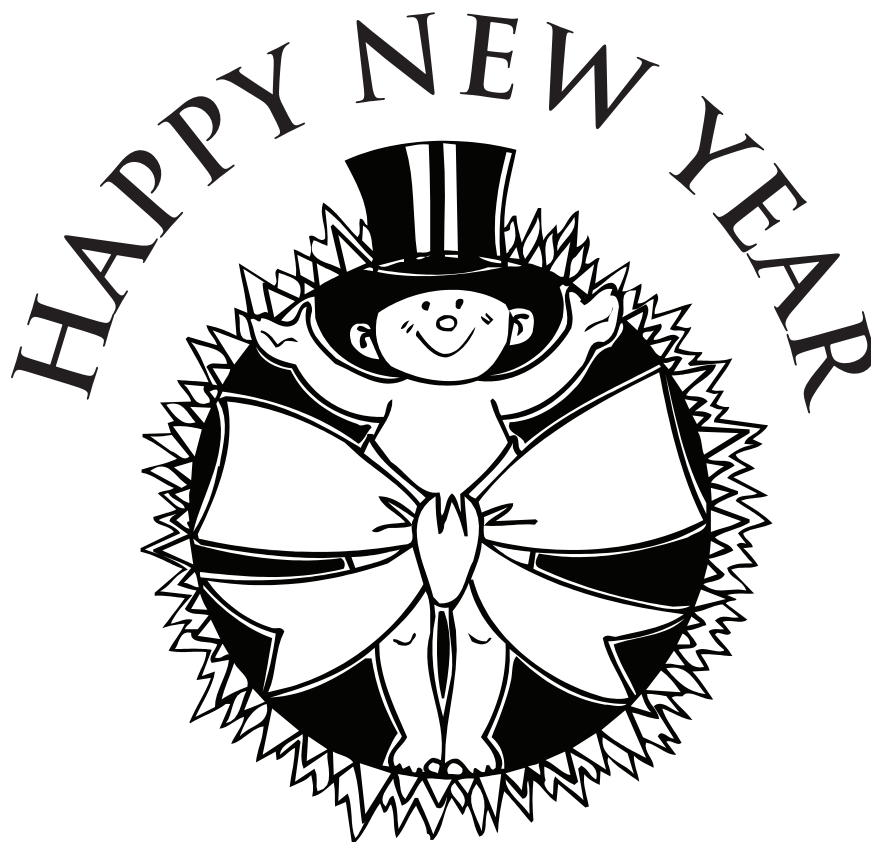
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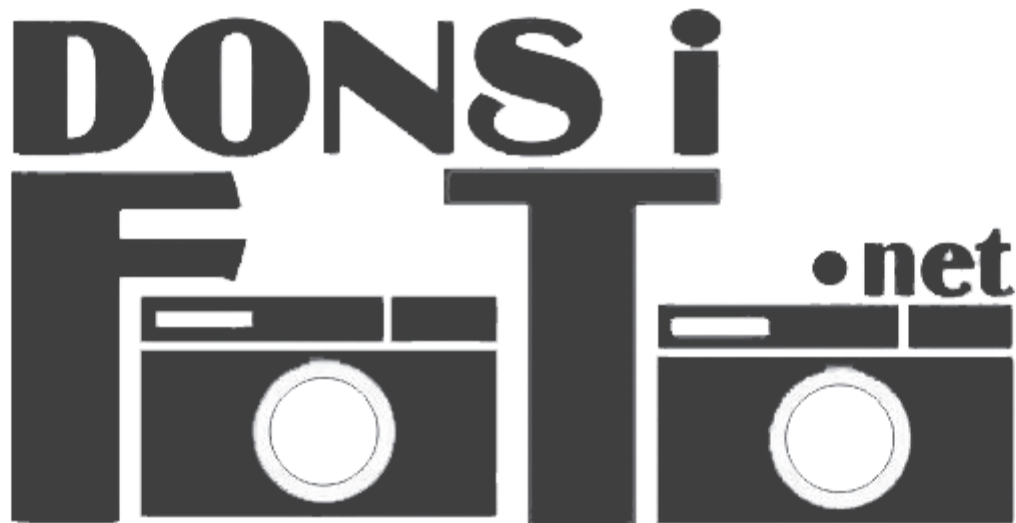
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