



June 2009

PGCBA NEWS JOURNAL

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

President's Message



As I close out my year as President of the Prince George's County Bar Association, I think of how lucky I have been to have held this honored position and how very privileged I have felt to represent so many fine attorneys.

As I have mentioned in prior messages, the Prince George's County Bar Association has not been immune from the financial struggles that have inundated all aspects of our society today. It is with heartfelt thanks that I congratulate the efforts and hard work by the members of the Executive Committee and the Board of Directors who have given an enormous amount of time at meetings and telephonic communications in order to render decisions regarding the Bar Association which will assure that next year and, for years to come, that this Bar Association will remain a very viable entity.

Due to the economic situation that exists today, it was necessary for the Board to, at least temporarily, curtail certain grants that in the past the Bar Association was able to award. I am extremely pleased by the cooperative acceptance of those groups that had received grants in the past, in understanding the necessity for a temporary abatement of these grants and joining with the Bar in a very unified approach to financial stability.

As I have mentioned in prior messages, the Prince George's County Bar Association is very fortunate to not only have very dedicated members, but to have a very cooperative and supportive Circuit Court and District Court Bench. In all aspects of Bar activity there has always been full cooperation and support from Chief Judge William D. Missouri, and the Associate Judges in the Circuit Court for Prince George's County and Chief Judge Thomas J. Love and the Associate Judges for the District Court of Maryland for Prince George's County. Many members of our Bar Association who are not on the Board of Directors still came forward and gave untold hours to assist us in bettering the Bar Association. In particular, I would like to single out Jay Creech, who after retiring as a Prince George's County attorney received a position as a full-time State's Attorney in Anne Arundel County and yet, had such allegiance and loyalty to the Prince George's County Bar Association that he took on the full-time task of overseeing the organization and implementation of the Prince George's County Bar Association's new Web site.

If I were to thank everyone who assisted me this year in my role as President, I would have probably written fifty pages, so to all those who have been so supportive I give my heartfelt thanks, and a special thank you to our Director, Georgia, and to Becky and Ryan for a job well done.

Being President of the Prince George's County Bar Association has been the most honored position, save for that of father, that I have ever had the pleasure of occupying. In any profession, it is the lucky man or woman who has the privilege to serve his fellow practitioners in such an honored office. Thank you all for allowing me to be your President and I pledge to you in years to come that I will work with future Presidents in any capacity they deem appropriate to try to implement any changes and new ideas which will enhance the quality of service to the members of the Prince George's County Bar Association.

Respectfully submitted,

William J. Parker, Jr.
President

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Upper Marlboro, MD 20772

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

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

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Georgia J. Perry 301-627-9017

Assistant Editor

Becky Tippet 301-952-1442

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2. Real Property
3. Torts
4. Criminal
5. Financial



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We start this month's column by thanking **Barbara A. Jorgenson** for organizing a successful training, "How to Handle a Family Case: Start to Finish" held on Wednesday, April 22, 2009. The seminar was sponsored by CLS and the Pro Bono Family Law Clinic, managed by Barbara Jorgenson from Joseph, Greenwald & Laake, P.A. We also recognize the following attorneys who took cases from Clinic's training: **Samonna Watts, Sonja Allen, Shawnda Atkins, Marilyn Pierre, Jay Williams, Kelli Neptune, Maya Bangudi, Sidney Reid, Peter Spann, Melanie Mfume, Ari Stern, Dontrice Hamilton, Charles Walton, Janell Bell, K. Dione Bartee, and Keisha Garner.**

Its also an opportune time to recognize Barbara for another special reason! We are pleased to announce that Barbara Jorgenson and Joseph, Greenwald & Laake, P.A., have been awarded the *2009 Herbert S. Garten*



Maryland Pro Bono Service Award for a special project for their involvement with the Pro Bono Family Law Clinic. The award will be made during the Business Meeting of the MSBA on June 13. The following is an excerpt of

Barbara's announcement regarding this recognition: *"I would like to express my special thanks to the scores of volunteer attorneys who have participated in the Clinic since its reincarnation in 2000 and to Community Legal Services of Prince George's County for its continuing support of this collaborative effort. (Neal Conway, this award belongs to you and those volunteers too!)"*

In the August issue of this Journal, we will report the names of all the wonderful volunteer attorneys who take cases from CLS in FY 2009 (July 1, 2008 to June 30, 2009). We will also recognize all our volunteer interpreters, without whom communication between our clients and volunteer attorneys would not have been possible!

FUNDING TO PAY FOR ATTORNEYS FEES

CLS continues to refer cases under our Judicare and Contested Custody funding projects made available by Maryland Legal Services Corporation. Attorneys receive \$80.00 per hour up to \$1,600.00 per case. Cases referred involve family law matters including guardianship. We also refer domestic violence cases, except we will reimburse the attorney for a maximum of five (5) hours only. Attorneys accepting cases under this program are required to participate in our pro bono program as well. For more information

please contact Neal T. Conway at 301-864-4907, ext. 10.

Our *Free Legal Interpreter Training* was a complete success. The training was held in our main CLS offices on Tuesday, May 12, 2009. Spanish-

major students from University of Maryland received the training. Nine students made commitments to assist our Spanish-speaking client population by serving as volunteer interpreters for our clients and their attorneys. We thank CLS attorney **Karin Dalichow** for organizing this training. On May 14, 2009, CLS held a free seminar on Workers' Compensation at our Workers' Rights Clinic in Langley Park. We express our gratitude to **Neil Fagan, Esq.**, for conducting this free training and to CLS attorney, **Edith Coral Johnson** for organizing it! CLS participated as well at the *2009 Langley Park Day* on May 3. CLS staff Karin Dalichow, Esq., Edith Coral Johnson, Esq., and Nora Eidelman provided information about our services available to the community members who attended the event.

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 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

WELCOME TO OUR NEW MEMBERS

Ibrahim A. Moiz..... Garbia, Macgregory & Plocki

Sharon R. Harvey.....Law Offices of Milton Kaplan

Edith Okoroigbo.....Law Offices of Edith & Associates

Jennifer Alonso.....Law Firm of Jennifer M. Alonzo

Camilla J. Rogers.....Law Office of Camilla Rogers

Sidney Reid.....The Reid Law Firm

John Walker-Turner.....Law Offices of Walker Turner

Anitha W. Johnson.....Odelugo & Johnson, LLC

Irvin DeAndrei Drummond.....United State's Army

*“The PGCBA is glad to have
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Annual Meeting/Election

June 9, 2009



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MEMBER ANNOUNCEMENTS

John Bielec, Assistant General Counsel for Litigation in Legal Services, has been officially notified that he will be receiving the prestigious Arthur S. Flemming Award in the area of Legal Achievement this coming June. John has been with GAO for more than six years. During John's tenure with GAO, he has successfully litigated numerous cases, established significant legal precedents, and saved GAO millions of tax dollars. John has represented GAO in many high profile matters, including those cases dealing with the restructuring of GAO's pay banding system and the closing of certain field offices. John has also contributed significantly to the success of GAO's mission by working with representatives of multiple federal agencies to ensure appropriate safeguarding of information provided to GAO from other agencies, continued transparency through public access to GAO's work, and increased cooperation of federal agencies with GAO.

John's legal achievement and leadership has not been confined just to GAO. He has been, and continues to be, a leader in the area of legal ethics. In 2001, John was appointed by the highest court in Maryland to serve as a Commissioner on the Attorney Grievance Commission. He has been reappointed twice and continues to serve on the Commission. The Attorney Grievance Commission oversees the conduct of more than 40,000 state and federal attorneys licensed by the State of Maryland. John is further a member of the Character Committee for the Seventh Judicial Circuit of Maryland. As a long-standing member of the Character Committee and as an accomplished federal attorney, John has been specifically assigned to evaluate the character and fitness of many federal employees desiring to practice law. John is also the State of Maryland Liaison for the American Inns of Court.

Further, John has been an adjunct professor of legal studies at the University of Maryland for more than a decade where he has taught the Rules of Evidence, Advanced Legal Writing, Investigative Techniques, and Ethics. He has also served as a speaker on Professionalism and Ethics for the Maryland State Bar Association.

"The trust and responsibilities placed upon Mr. Bielec both within and outside of the federal government speak volumes to his legal achievements and managerial abilities," Acting Comptroller General Gene Dodaro said in nominating Bielec for the award.

The Flemming Awards recognize outstanding men and women in the federal government. Each year, the Flemming Awards Commission and the George Washington University present awards in three categories: Applied Science, Engineering and Mathematics; Basic Science; and Managerial or Legal Achievement. The awards were established in 1948 and named in honor of Dr. Arthur S. Flemming, whose seven-decade career began in 1939. Dr. Flemming held many prominent posts, including as the Secretary of the U.S. Department of Health, Education and Welfare and as Chairman of both the U.S. Commission of Aging and the U.S. Commission on Civil Rights.

There are a number of notable individuals among the recipients of the Flemming Award, including the late Daniel Patrick Moynihan, astronaut Neil Armstrong, medical researcher Anthony Fauci, and Senator Elizabeth Hanford Dole. John, along with the other winners of this year's award will be honored at a June 1 program on the campus of the George Washington University, which sponsors the awards program.



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Ashcraft & Gerel is pleased to announce the following:

David Layton, in the Baltimore office, has been elevated to equity partner. Mr. Layton, with over thirty (30) years experience, is involved in the practice of asbestos claims.

Joseph T. Musso, a cum laude graduate of James Madison University and an Honors graduate of Rutgers University Law School, has joined the firm in its D.C. office. Mr. Musso gained vast experience in nursing home abuse and litigation with a prestigious New Jersey law firm where he chaired the litigation department. The legal community in New Jersey twice acknowledged him as a Super Lawyer Rising Star under age 40. He will join Sidney Schupak and staff in nursing home litigation. He is a member of the Maryland, D.C., Virginia and Pennsylvania bar.

Sherri Dennis, a nurse in practice for 15 years, subsequently obtained a law degree. Ms. Dennis, while a nurse, was active in elder care and continued in this specialty with a leading national law firm where she litigated nursing home cases involving bed sores, hip fractures and dehydration, etc. At Ashcraft & Gerel, she will continue to apply this experience and expertise in the firm's nursing home litigation.

Nathan Peak has become an associate with the Landover office, practicing in the field of workers' compensation and negligence.

**ELECTION BALLOTS
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AVAILABLE IN THE BAR
OFFICE AS OF MAY 1,
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MEETING ONLY**

Millstone Necklace by Frank Bishop
Frank Bishop, a retired Prince George's County detective, has written a book about the murder of a young girl in Queenswood Manor in Prince George's County. The book is interspersed with anecdotal stories of men and women he worked with during this time period. Many of these people were members of the Prince George's County Bar Association. It is available from Authorhouse, 1-800-839-8640.

LAW DAY CELEBRATION CONCLUDES MOCK TRIAL COMPETITION

On Monday, May 4, 2009, the Prince George's County Bar Association held its annual Law Day celebration at the Newton White Mansion. To note this year's Law Day theme--Lincoln's Legacy of Liberty--historian Leslie Rowland, Ph.D. addressed the assembled diners on the political context of the Emancipation Proclamation, including its genesis in the actions of slaves seeking refuge with the Union Army.

Circuit Court Judge Sherrie Krauser, joined by co-chairs Judge Nicholas Rattal and Alicia Lucero, presented awards and gifts to the Championship Team from St. Mary's Ryken High School (coaches Leeanne Carr and attorney Samuel Baldwin, Jr.), and Finalist Team from Bowie High School (coaches Anne Masoni and attorney Jonathan Keiler). In addition, the trio, together with school coordinator Susan Strickland, presented awards for outstanding achievement to the "All Stars" of the mock trial competition:

Best Overall Attorney:.....Reyna Gilbert, Oxon Hill High School
Best Prosecution Attorney:.....Andreas Jackson, Frederick Douglass High School
Best Defense Attorney:Caitlin Bozman, Bowie High School
Best Overall Witness:.....Daniel Burke, St. Mary's Ryken High School
Best Prosecution Witness:.....Amy Gilligan, Leonardtown High School
Best Defense Witness:.....Matt Brown, Eleanor Roosevelt High School

More than 300 students competed in this year's Seventh Circuit competition, representing more than 30 high school teams. Each team included both a teacher-coach and an attorney-coach. These attorneys dedicated many hours to guiding their teams through direct and cross-examination, opening and closing arguments, and courtroom decorum. Their contributions help young people understand the principles of our judicial system, and the non-violent resolution of disputes. We wish to thank:

Tiffany Alston, Central	Shelley Johnson, Gwynn Park
Bryon Bereano, Eleanor Roosevelt	John Keiler, Bowie
Joseph Campofelice, Suitland	Charles Kenny, DeMatha
Joe Chazen, High Point	Elveta Martin, Bishop McNamara
Carol Corderro, Jericho Christian	Turner McManus, Oxon Hill
Maureen Epps-Webb, Surrattsville	Jennifer Muskus, Crossland
Manuel Geraldo, Potomac	Carolyn Saxon, Frederick Douglass
Megan Green, Suitland	Wendy Short, Fairmont Heights
Monica Haley-Pierson, Gwynn Park	Gina Smith, High Point
Linda Hamilton, Dr. Henry A. Wise, Jr.	Todd Stewart, Jericho Christian
Marcia Harman, Laurel	Stephen Thibodeau, Charles Flowers

After weeks of practicing, the teams met in four preliminary rounds before attorney-judges. The teams with the highest scores after four matches go on to the elimination rounds in the courtrooms of our Circuit Court. Kudos to the following attorneys who judged those preliminary rounds:

Richard Arnold	Jeanne Garner	Eun Park
Jayson Amster	Nakia Gray	Todd Pounds
Gerald Baker	Thomas Griffin	Sam Rensin
Tonia Belton-Gofreed	Thomas Hendershot	Steven Sunday

Arnold Bruckner
Robert Carson Cain, II
George Cintron
Katherine Cronin
Jason Deloach
Matthew Dyer
Joseph F. Gaffigan
Linda Gantt

James Hopewell
Aretha Jones-Arrington
Anu Kmt
Timothy Leahy
Leonard Lucchi
John P. Lynch
Patrick McAndrew
Andrew Nussbaum

Harold Tabb
Michelle Talbert
Linda Hitt Thatcher
Belinda Marie Tilley
Eric Wexler
Josh Winger
Douglas Wood
Susan Zuhowski

Finally, the top teams reach the courthouse Sweet Sixteen elimination tournament. After months of hard work, the students tried their case in a real courtroom before the following judges and masters, to whom we are immensely grateful:

Judge James P. Salmon, Court of Special Appeals
Judge Michele Hotten, Circuit Court for Prince George's County
Judge Larnzell Martin, Jr., Circuit Court for Prince George's County
Judge Crystal Mittelstaedt, Circuit Court for Prince George's County
Judge Thomas P. Smith, Circuit Court for Prince George's County
Judge Julia Weatherly, Circuit Court for Prince George's County
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Judge Jean Baron, District Court for Prince George's County
Judge Richard Collins, District Court for Prince George's County
Judge Hassan El-Amin, District Court for Prince George's County
Judge Lawrence Hill, District Court for Prince George's County
Judge John Morrissey, District Court for Prince George's County
Judge Mark O'Brien, District Court for Prince George's County
Judge Thurman Rhodes, District Court for Prince George's County
Judge Gregory Wells, District Court for Calvert County
Master Paul Bauer Eason, Circuit Court for Prince George's County
Master Paul Wright, Circuit Court for Prince George's County

We are extremely proud of the work of our high school students, and of the contribution of the judges and lawyers of our Bar Association. Many thanks to all who participated, and who supported this effort through your contributions to the awards banquet.

Mock Trial & Law Day Committee:
Judge Sherrie L. Krauser
Judge Nicholas Rattal
Alicia Lucero

Save the Date!

Wednesday, September 30, 2009, 6:30 p.m. to 8:30 p.m.

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SUMMARY OF APRIL 21ST BOARD MEETING

PRINCE GEORGE'S COUNTY BAR ASSOCIATION BOARD OF DIRECTORS MEETING APRIL 21, 2009 ROOM 024I COURTHOUSE

Meeting commenced at 6:10 p.m.

Members Present: William J. Parker, Jr., President; Garland H. Stillwell, President-elect; Hon. Nicholas E. Rattal; Treasurer; Debra M. Davis, Secretary; Clayton A. Aarons, Bryon S. Bereano, Denise M. Bowman, Richard A. Moore, II, Jennifer L. Muskus; Linda M. Gantt; Hon. Mark T. O'Brien.

Members not present: John C. Fredrickson, Immediate Past President; Hon. Krystal Q. Alves; Robin D. Bright; Arnold D. Bruckner; Michael Glynn; Alicia R. Lucero; Doyle Niemann; Erik H. Nyce; Michael R. Pearson; Ryan Richie; C. Todd Steuart; Joseph L. Wright, John Burns, Joseph L. Gibson, Jr., Gerard Devlin, Parliamentarian; John McKenna, Isaac Marks.

SPECIAL PRESENTATION BY JAY CREECH REGARDING THE NEW WEBSITE

Jay Creech gave a presentation of the new web site. He answered questions and took recommendations from the Board. The site will be up and running within the month.

PRESIDENT'S REPORT

Golf Tournament

Joint project between PGCBA and the J. Franklyn Bourne Bar Association. Judge Clarke is the chair. The location and food have been determined. Still need foursomes. Only one foursome had committed at the time of the meeting.

Board Elections

Bryon Bereano has submitted his name for the position of Secretary. There are still several Director positions open.

President-Elect Stillwell spoke briefly of issues he plans to present at the retreat for the new administration.

Law Day - May 4, 2009. The caterers will be Main Street Catering. The event will be held at Newton

White Mansion. Response has not been good from the membership.

May Day - May 1, 2009

We will continue with the association's annual Law Day program the "Free Legal Advice" day. Geri Baker has organized attorneys to answer the telephones on that day.

New Members

Madelaine dePottre-Smith, Michele Gutrick, Christopher Daniels, Wayne Curry, Michael McGraw, Keith A. Lotridge, Gregory Kennedy and Paul Batchelor were voted in as new members unanimously.

SECRETARY'S REPORT- Minutes from the February 17, 2009 Board meeting were reviewed and adopted.

TREASURER'S REPORT - Judge Rattal gave a full presentation to the Board of the state of the Budget and recommendations for immediate adjustments which would total a savings of \$37,425.60. The Board approved the adjustments recognizing the need to work towards a balanced budget.

The Board approved the dues increase to \$150 and the designation of a special assessment of \$25.00 on the dues invoice to the Bar Association. The Board also approved the removal of the request for donations to CLS from the dues invoice.

LRS membership has increased to 132 members.

OLD BUSINESS

none.

Meeting adjourned at 7:38 p.m.

ATTORNEY'S FEES FOR NON-PROFIT LEGAL SERVICES

JOSE HENRIQUEZ v. ANA S. HENRIQUEZ COURT OF SPECIAL APPEALS, NO. 1774 SEPTEMBER TERM, 2007

Most domestic attorneys are familiar with statutes permitting a domestic court to award attorney's fees in custody, visitation and child support (FL § 12-103), divorce (FL § 7-107), property disposition (FL § 8-214), and alimony (FL § 11-110) cases. But can a family law court award attorney's fees to a non-profit legal services organization when the client was represented for free and never charged a fee? On May 8, 2009, the Court of Special Appeals answered that question in the affirmative in a reported opinion that opens the door for all non-profit legal services and pro bono attorneys to seek and receive statutorily authorized attorney's fee awards.

In Henriquez v. Henriquez, lawyers from the House of Ruth Marjorie Cook Foundation Domestic Violence Legal Clinic represented Ms. Henriquez in her Montgomery County divorce and custody case against Mr. Henriquez. At the end of the custody portion of the case, the trial court awarded the House of Ruth \$5,000 in attorney's fees even though Ms. Henriquez had never paid any attorney's fees to the House of Ruth and had never been billed by the House of Ruth for its legal services. Mr. Henriquez appealed, arguing that because the House of Ruth represented Ms. Henriquez for free and did not charge her a fee, no legal fees were incurred and the House of Ruth should not be entitled to an attorney's fee award.

The Court of Special Appeals heard oral arguments in Henriquez v. Henriquez on September 11, 2008 and issued its reported opinion on May 8, 2009, stating that, "[a] court may award attorney's fees, pursuant to FL § 12-103, in a case where a party is represented by a non-profit legal services organization, or a pro bono attorney, irrespective of whether a fee agreement exists between the a client and the attorney." This decision clears the way for

non-profit legal services organizations and pro bono attorneys to recover attorney's fees from the opposing party in family law cases. The Court's holding is tremendously important for all public interest legal clinics and pro bono attorneys because it will help increase the availability of legal services to financially indigent clients where attorney's fees might be awarded even if their clients were not charged a fee.

In today's society, competent legal service is both essential and quite expensive. This is especially evident in domestic relations' cases where the court's decision usually alters the parties' personal relationships, particularly where children are involved. In its decision, the Court of Special Appeals noted that the complexities of family law coupled with a party's emotions in a domestic case make it extremely difficult for a litigant who cannot afford to hire competent counsel. The principle of providing equal access of justice to all warrants the award of attorney's fees to persons represented by non-profit legal services organizations or pro bono attorneys.

Henriquez is an extremely important decision for non-profit legal services organizations, pro bono attorneys, and indigent clients. In upholding awards for attorney's fees for non-profit legal services organizations and pro bono attorneys in family law cases, the Court of Special Appeals created greater access to free legal services for litigants who would not have had access to free legal services prior to Henriquez.

Ashley Sikora, Esq.
House of Ruth

PGCBA DUES INVOICE SAMPLE

DEAR MEMBERS,

THIS IS A SAMPLE

OF THE NEW DUES

STATEMENT THAT

WILL BE MAILED OUT

ON THE 15TH OF JUNE.

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WE WILL NO LONGER BE

USING THE POSTCARDS AS THE INVOICE. ALL

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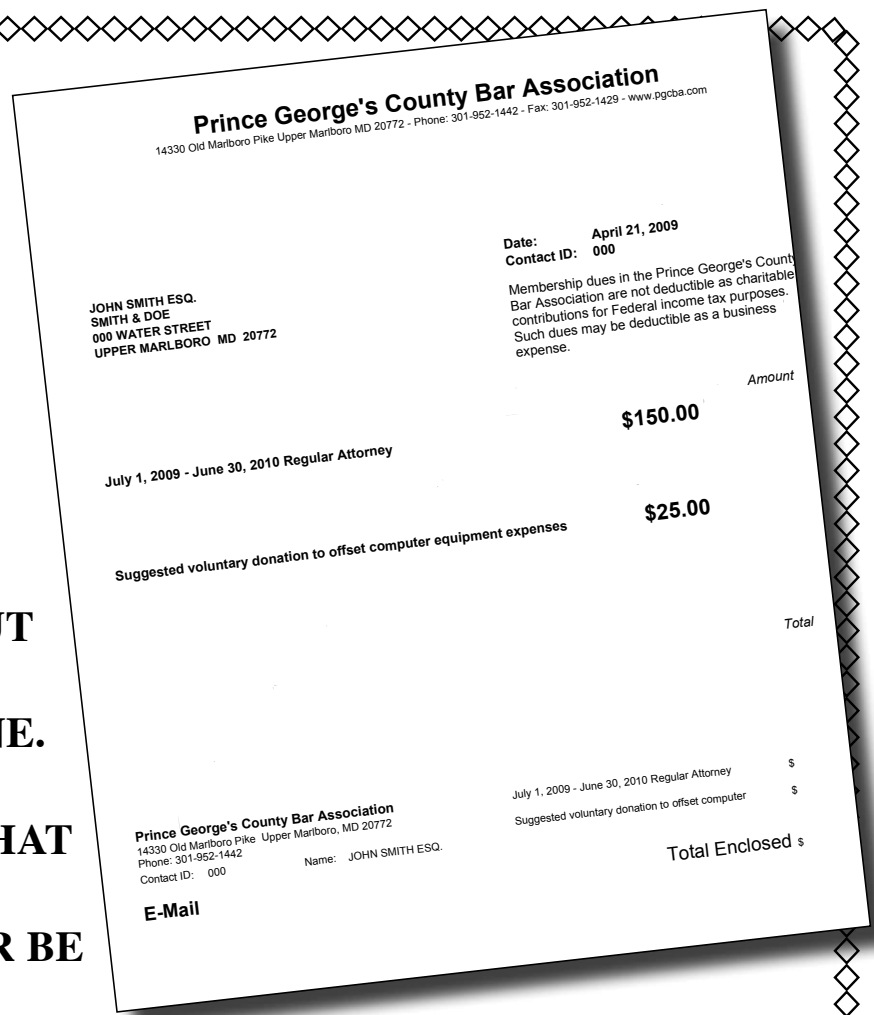
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