



September 2009

PGCBA NEWS JOURNAL

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

President's Message



I am very honored and humbled to serve as your President. I plan to continue the successes of our two past Presidents, William Parker and John Fredrickson. However, I do not face the upcoming challenges alone. I am very honored to be assisted by the Executive Committee and members of the Board of Directors.

As incoming President, several members of the Bar have inquired about my upcoming goals and visions for the Bar Association. I have set two goals for the agenda for the upcoming year: (1) Making the Bar more meaningful and attractive to our members; and, (2) growing and making our Bar more influential on both the state and federal level.

Many younger attorneys ask me, "Why should I join the Bar Association?" You always hear the common responses of the social aspects, the CLE aspects and mentoring with our older and more distinguished members. All of those remain true. However, I want to point out one new perk of membership this year is the use of our Bar Association website. Our new website is light years ahead of the website that we have been operating with in the past. This is in no small part due to Jay Creech who has done a yeoman's job in helping getting our website up and running. On this website we have a new link which will soon be member protected for essential forms. Currently the forms that are on this link are the civil DCM request for automatic continuance of pretrials; the civil DCM automatic request to schedule a one day trial; the civil DCM 5-T Order; and the District Court Notice of Appeal. Each of these forms are the standard forms that are used in the Circuit and District Courts. We will add more forms for civil, domestic and criminal law, which will be available to be downloaded and submitted.

The past year has also seen a remarkable growth in our Lawyer Referral Service where our members of getting more and more case referrals than ever in the past. This is providing paying clients to our members in these times of economic trouble. Also on the website, there will be a "Find a Lawyer" link. This link will allow, for a charge, lawyers to be listed under our Bar Association website in their areas of expertise. Therefore, if a prospective client is searching for a lawyer and searches the PGCBA website, and, for instance, wants a domestic lawyer, anyone who participates will be able to have their name, address, phone numbers and also a connecting link to their firm's website under their specialty. This program has been undertaken in Montgomery County and has been highly successful. Please stay tuned for more information coming.

The Board of Directors is also pushing to have our committees more active and play a more vital role in our association. The Bar Association has currently over 40 committees, many of which are active in the Association. I am asking all members of the Association to look at the committee list and determine if they want to participate and join any committee.

As President of the Bar, I will value any of your input to ensure that we are providing any services that the members need or request. Please feel free to telephone myself, members of the Executive Committee, Board of Directors, Committee or Section Chairs. I promise we will listen to your concerns and comments. I am looking forward to a great and successful year.

Respectfully submitted,

Nicholas E. Rattal
President

INSIDE THIS ISSUE

October Meeting
Page 5

Community Legal
Page 6

**Welcome New
Members**
Page 8

**Member
Announcements**
Page 9-10

Board Minutes
Page 12-13

Annual Meeting
Page 14-15

Golf Tournament
Page 16

Find A Lawyer
Page 17

Court Orders
Page 18

Get Healthy
Page 22

Classifieds Ads
Page 26-27

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...an ad hoc program for members under some form of distress or disability which will assist in keeping files productive while help is obtained and assist with professional referrals. For help, call

James Flynn..... 301-932-0700
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Ethics Hotline

Any member wishing to obtain an informal ethics opinion may call the Ethics Hotline

John R. Foran 301-441-2022
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An accomplished litigator, educator, and ADR Professional, Dan Toomey's distinguished career has focused on construction, surety, and general commercial matters. He is ranked by *Chambers USA*, listed in *Super Lawyers*, and is a Fellow of the American College of Trial Lawyers. Dan is a former Assistant U.S. Attorney and was also an adjunct professor of law at Georgetown Law Center, where he founded the NITA Trial Advocacy program and is currently the Director of the NITA Advanced Trial Advocacy program. For more than a decade, he has successfully mediated various cases referred by the United States District Court in DC. Dan will continue his law practice with Duane Morris, LLP, but now also joins The McCammon Group to serve the mediation, arbitration, and special master needs of lawyers and litigants throughout the United States and abroad.

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Prince George's County Bar Association General Membership Meeting Meet and Greet Newer Judges

October 20, 2009



**Upper Marlboro Courthouse Atrium
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Please RSVP by October 16, 2009

Enclosed is a check in the amount of \$ _____ Firm/Address: _____

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Please reserve _____ spots _____

Return this form with check made payable to "PGCBA" and mail to
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We hope each of you had a great summer and continue to enjoy what remains of it! We at CLS had a busy summer re-

organizing and re-focusing on our mission to improve our quality of the work, and to become more efficient in our delivery of services. Our Board of Directors participated in a board development training and staff met frequently to re-access our progress. Taking a realist approach, our staff discussed the following question: why are we here? It is unfortunate that some people find themselves with legal problems and a financial inability to afford their own legal counsel, which makes our existence as an organization necessary. We are humbled by this thought. It may sound clichéd but it is a reality that must have an effect on our approach to providing services to our clients. Currently, we have increased the number of new clients, the number of clients qualifying for pro bono representation, as well as the number of referrals to attorneys for legal representation. We are proud of the progress we have made and think this is a good way to start this new fiscal year 2010!

Attorneys Who Provided Legal Representation to Our Clients in FY09 –Thank you!

We are grateful and pleased to announce the names of the volunteer attorneys who provided legal representation to our clients in Fiscal Year 2009 (July 1, 2008-June 30, 2009)-if we mistakenly failed to mention your name, please report it to us so that we may give you proper credit in our next column):

Lester Adams, Eleanor Adcock, Sonja Allen, Kimberly Arn, Josephine Arnold, Shawnda Atkins, Monifa

Bailey, Maya Bangudi, Orlando Barnes, K. Dione Bartee, Sheron Barton, Christopher Belcher, Janell Bell, Denise Bellamy, Lauren Bogart, Harold Boyd, Aisha Braveboy, Eugene Brennan, John Brennan, Bennie Brooks, Eilene Brown, James Brown, Eilene Brown, Amber Bryant, Alan Burke, Joseph Carroll, Sharon Christmas-DeBerry, Johnine Clark, Eric Clark, Julia Cohen, Bernard Coleman, Adrienne Corley, David Cross, Jean Cyrille, Christopher Daniels, Kerry Davidson, Deborah Davis, Anthony Davis, II, Angela Dawkins, Denese Dominguez, Christal Edwards, Lawrence Elliott, Harry Ezratty, Oluwole Falodun, John Gabel, Robin Gaillard, Linda Gantt, Keisha Garner, Chanekqua Geddis, Brian Gilmore, Edward Gonzalez, Bruce Goodman, Nakia Gray, John Green, Lauren Greenberg, Carter Hall, Dontrice Hamilton, Marilyn Harris, Alphonso Hearn, Kelly Hebron, James Hitaffer, Amy Hwang-Edwards, Leonard Jones, Aidan Jones, Barbara Jorgenson, Rachel Kanner, Bert Kapinus, Darryl Kelley, Anu Kernet, Cherie King, Tyler King, Adriana Kissel, Letoria Knight, Edith Lawson-Jackson, Ronna Lazarus, Michael Lyons, Shanee Major, Maria Martinez, Camille McBride, Linda McClellan, Mary McGrail, Karen Meister, Melanie Mfume, Daniel Miller, David Moore, Grant Murchison, Eugene Muskus, Larissa Naylor, Kelli Neptune, Cynthia Norris, Kwaku Ofori, Jacqueline, Ogonye-Raphael, Marc Ominsky, Emeka Onwezi, Sylvia Onyensoh, Vicky Orem, Monzella Owings, Ara Parker, Lynell Peace-Trent, Tamara Peters, Marylin Pierre, Jill Pogach Michaels, Mark Polk, Darlene Powell, Farley Price, Sharon Primus, Chandra Quaye, Sidney Reid, Byron Richardson, Angela Richardson Green, Cynthia Robinson, Shuan Rose, Hsin-I Russell, Ann Sablosky, Lynda Sangmore, Bill Shelton, Camille Shepherd, Raj Singh, Sherrie Smith, M.L. Smith, Rosa

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We also like to thank the following volunteer attorneys who provided legal representation to our clients in this new fiscal year thus far (July 1, 2009 to Mid-August): Stephany Anderson, K. Dione Bartee, Sheron Barton, Janell Bell, Ellen Bigham, Tabitha Brown, Kerry Davidson, Anthony Davis, III, Robin Gaillard, Dianne Goodman, John Green, Barbara Jorgenson, Chandra Quaye, Angela Richardson Green, Bill Shelton, Camille Shepherd Ifeatu Sofela, Donya Zimmerman

“How to Handle a Family Law Case: Start to Finish”

The Pro Bono Family Law Clinic, sponsored by CLS and managed by Barbara Jorgenson, Esq., of Joseph, Greenwald & Laake is pleased to present the second in a series of seminars based on its Manual: “How to Handle a Family Law Case: Start to Finish,” on Wednesday, September 30, 2009, 6:30 p.m. to 8:30 p.m. This seminar is for attorneys only. It is free but pre-registration is required. To register contact Karin Dalichow of CLS at dalichow@clspgc.org Each registrant will receive a complimentary copy of the new manual in CD-Rom and one pro bono family law case.

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The Maryland State Bar Association and the Maryland Legal Services Corporation acknowledge with special appreciation Honor Roll Members.

These financial institutions pay premium interest rates on IOLTA in support of civil legal services for low-income Marylanders: American Bank (Montgomery & Prince George's Counties & Washington, DC), Revere Bank (Prince George's County), Sandy Spring Bank (Anne Arundel, Frederick, Howard, Montgomery & Prince George's Counties), TD Bank (Anne Arundel, Baltimore, Harford & Prince George's County).

Funding to Pay for Attorneys Fees

CLS continues to refer cases under our Judicare funding project 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 Darielys Pinto at 301-864-4907, ext. 11.

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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

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*“The PGCBA is glad to have
you as our new members!!”*

MEMBER ANNOUNCEMENTS

Houlon, Berman, Bergman, Finci, Levenstein & Skok, LLC is pleased to announce that **Stuart Skok** has joined the firm as partner. She will continue her practice in the area of divorce and family law, including divorce and custody litigation, mediation and collaborative law. She will be located in the firm's new Rockville office at One Church Street, Suite 800, Rockville, Maryland 20850, (301) 444-4432. Houlon Berman's office in Prince George's County will remain at 7850 Walker Drive, Suite 160, Greenbelt, Maryland 20770, (301) 459-8200. The firm's practice areas include criminal and traffic, personal injury, business and civil litigation, divorce and family law. For more information, visit our newly updated website at: www.houlonberman.com.

Washington, D.C. malpractice attorney Jack Olender was recently honored with the "Good Scout" Lawyer of the Year Award by the National Capitol Area Boy Scouts at a luncheon held at the Capitol Hilton. The award was presented by Chief Judge Paul Michel of the United States Court of Appeals for the Federal Circuit. The Boy Scouts annually honor lawyers who have done noteworthy things on behalf of the legal system and the community.

Jack Olender has served as President of the Bar Association of the District of Columbia, the Trial Lawyers Association, D.C., and the American Board of Trial Advocates, D.C., The Legal Times named him as one of "The 90 Greatest Washington Lawyers of the Last 30 Years" and all five of the attorneys with his firm are listed in Best Lawyers in America 2009.

PROBATE, ESTATES & TRUSTS COMMITTEE MEETING

**SEPTEMBER 10, 2009
3:00 P.M.**

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The Judges of the United States District Court for the District of Maryland, the MSBA Litigation Section Council, and the Federal Bar Association – MD Chapter will be sponsoring the 6th Biennial Bench-Bar Conference in the United States Courthouse, Southern Division, Greenbelt, MD, on October 30, 2009, at 1:30 p.m.

Look for details in our next issue!

JOSEPH GREENWALD & LAAKE WINS AWARDS

Joseph Greenwald & Lake was presented with the 2009 Beacon of Justice Award by the National Legal Aid and Defender Association for the firm's Thousand Hour Project, representing families facing foreclosure.

The firm also was presented with the Herbert S. Garten Citizen Award by the Maryland Legal Services Corporation for its ten-year sponsorship of the Pro Bono Law Clinic in collaboration with Community Legal Services of Prince George's County.

**CONGRATULATIONS FROM
THE BAR ASSOCIATION!**



JOSEPH, GREENWALD & LAAKE ATTORNEYS AT LAW

IS PLEASED TO ANNOUNCE THE FALL, 2009 OPENING
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From Client Interview to Complaint

CLSPGC Pro Bono Family Law Clinic

Presents the Second in a Series of Seminars Based on its New Manual

How to Handle a Family Law Case: Start to Finish

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

6404 Ivy Lane, Suite 400, Greenbelt, Maryland

Learn how to translate the information from the client interview into a Complaint. A mock client interview will be followed by analysis by Clinic alums Hughie Hunt II, Esq., Orlando Barnes, Esq., and Cherie King, Esq. Clinic Mentor Barbara Jorgenson, Esq., will moderate. Here are just some of the topics to be covered:

- Does Maryland have jurisdiction?
- What county do I file in?
- Is this really an alimony case?
- Is custody really an issue?
- Can I get a monetary award if there is no marital property?
- Can I get attorney's fees if I am a pro bono attorney?

For Attorneys Only. Free, but pre-registration is required.

To register, contact Lynn at 240-553-1136. Each registrant will receive a complimentary copy of the new manual in CD-Rom and one pro bono family law case.

Community Legal Services of Prince George's County *In Action*

MINUTES

MINUTES FOR PRINCE GEORGE'S COUNTY BAR ASSOCIATION BOARD OF DIRECTORS' MEETING – SUMMER RETREAT COURTHOUSE, ROOM M0421 5:30 PM

JULY 14, 2009

PRESENT: The Honorable Nicholas E. Rattal, Acting President, Debra Davis, Treasurer, Bryon S. Bereano, Secretary, Clayton A. Aarons, Denise Bowman, William Brennan, Linda Gantt, Nakia Gray, Jeffrey Harding, Janet Hart, Erin Hebert, Elizabeth Hewlett, Alicia R. Lucero, Isaac H. Marks, Richard Allen Moore, II, Jennifer L. Muskus, Erik H. Nyce, the Honorable Mark T. O'Brien, the Honorable Michael R. Pearson, Ryan Richie, Timothy Smith, C. Todd Steuart, Joseph L. Wright and Georgia Perry

ABSENT: William J. Parker, Jr., Robin D. Bright, and the Honorable Gerard F. Devlin.

THE PRESIDENT'S REPORT

Acting President Rattal called the meeting to order and gave the President's Report. He thanked everyone for their participation and gave a brief talk on the state of the Prince George's County Bar Association.

Jay Creech, who is head of the Bar's Technology Committee gave an extensive presentation on the updated Bar website. As a result, a discussion took place as to how the website could be used to benefit the Bar Association members, including, bar member's access to Court forms and whether to charge attorneys and law firms to be listed on the site under the heading "Find a Lawyer," and if so, how much.

After further discussion about the price structure of being listed on the "Find a Lawyer" section of the website, Judge Rattal made a Motion that the term of the first year of listing would be 15 months. The Motion was seconded by Ms. Bowman and was passed unanimously. Further, Judge Rattal made a Motion that lawyers would be charged \$120.00 for the first listing and \$20.00 each additional listing. This motion was seconded by Mr. Marks and was also passed, unanimously.

The Bar Association's Bylaws were then discussed. A motion was made by Mr. Moore, seconded by Mr. Harding to appoint a committee chaired by Jeff Harding to review the bylaws and present a proposal to the Board regarding amendments to the Bar Association's judicial selection process. The committee is to report to the board by September.

President Rattal emphasized the need for committed board members to attend board meetings, to act as liaisons to committees and Committee Chairs that will be responsible for one newsletter article per year. The President wants a more active young lawyers committee.

A Motion by Betty Hewlett was put forward and seconded by Erik Nyce to grant an extension to the Law Links program to use the 6K grant from last fiscal year. The motion was approved unanimously.

A Motion by Betty Hewlett was put forward and seconded by Erik Nyce to grant an extension to the Drug Court from June 30, 2009 to July 16, 2009 to use the 3K grant funds from last fiscal year. The motion was approved unanimously.

President Rattal noted the importance of having at least one event with a high profile speaker to raise money. He offered that perhaps we should join with another Bar Association. He asked members of the Board to use their connections to solicit a known speaker. The Bar Association will invite the first lady to speak. Mr. Harding mentioned Cal Ripken, Jr.

THE TREASURERS REPORT

The treasurer presented the proposed 2009-2010 budget. Noting that it was a bare bones budget. The proposed budget is balanced with a difference of projected income and projected expenses of \$5367.60. The budget reflects the cuts approved at the end of the last bar year, which included: No salary increases or bonuses for staff, elimination of convention attendance for the Executive Director and President-Elect, elimination of our sponsorship of a hospitality suite at the Maryland State Bar conference, elimination of the annual bar luncheon, and reduction of the number of general membership meetings.

Additions to the proposed budget from last bar year include \$500.00 for the young lawyers committee, improvements to the bar office \$3,500.00 (\$2,000.00 for electrical repairs and \$1500 for painting). The budget reflects the raising of annual dues to \$150.00 and projected income for dues based upon 900 paid members at \$150.00 per member.

Motion to approve 2009-2010 proposed budget by Judge Rattal, seconded by Bill Brennan. The Motion was approved unanimously.

Mr. Marks will be soliciting a \$100.00 contribution from each Board member to be recognized on a Board of Directors plaque to be placed in the lounge.

OLD BUSINESS

EXECUTIVE DIRECTOR'S REPORT

Isaac Marks discussed the details of the lawyers lounge located on the third floor of the courthouse. Mr. Marks has collected \$5,100.00 for the lounge and is still soliciting funds. He established a tier sponsor level for contributions. \$1000.00 or more for Platinum membership, which includes your name on a plaque to be hung in the lawyers lounge and 12 days or one day per month free use of the conference room. \$999-\$500 contribution is a gold membership and \$499 and below is a bronze membership. Only Platinum members get free use of the conference room. There will not be a fax machine in the lounge because it is not cost effective and the Bar Association will rent out the conference room, however, a fee has not been decided. Entrance to the lawyers lounge will be by cipher lock with a code available to Bar Association members only. The conference room will be accessed by a key that will be available at the bar office or in Judge Rattal's chambers or the law library.

Honorary membership status can be granted upon request and approval of the Board. The attorney must be at least 65 years of age and have 25 years of membership with the Bar Association. The following members have requested honorary membership and were approved unanimously by motion of Betty Hewlett and seconded by Bill Brennan: Patricia Trivers, John Waller, Michael DiMario, Judge Perry-Camus and Salvatore Daniello.

Proposed 2009-2010 calendar was approved, unanimously by motion of Alicia Lucero and seconded by Bill Brennan.

Meeting adjourned at 8:35 pm.



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2009 ANNUAL MEETING





GOLF TOURNAMENT

Golf Tournament is A HOLE IN ONE !!!!!

The Prince George's County Bar and J. Franklyn Bourne Bar Association teamed up for charity in their annual golf tournament. It was a beautiful partnership as both sides "eagled" for their respective charities. The PG Bar raised funds for Operation Homefront and Bourne collected monies for the Bourne Scholarship Foundation. Thanks owed to our sponsors Outback Steakhouse, Oxon Hill and State Farm Insurance.



The winning team, from the firm of Chasen & Boscolo, was Ben Boscolo, Tom Teodori, Bruce Laird, and Dr. Charles Thorne. The second place team consisted of Bob Kim, Judge Herman Dawson, Chuck Bishop and Brent Ahalt. In the women's division, the winners were Debbie Potter, Judge Toni Clarke, Jeanne Tirado-Morris, and Mavis Kleso. The winning mixed team included LaVerne Wiley, Judge Hassan El-Amin, Vince Sarmiento, and Richard Goodman.

With over \$3000 raised, many thanks must go to our hosts/co-chairs Judge Toni Clarke, Joseph L. Wright, PG Bar staff, and the whole golf committee.

Mark your calendars for next year -- June 1, 2010.



A SPECIAL THANK YOU TO ALEX L. TRAVIS, JR.

VICE PRESIDENT/ GOVERNMENT LOAN SERVICES, BENEFIT FUNDING CORPORATION FOR HIS TIMELY CONTRIBUTION TO THE HOSPITALITY SUITE AT THE MARYLAND STATE BAR ASSOCIATION ANNUAL MEETING IN OCEAN CITY IN JUNE. WITHOUT HIS GENEROSITY, OUR ABILITY TO CONTINUE THE TRADITION OF A HOSPITALITY SUITE WOULD HAVE BEEN IN JEOPARDY. MR. TRAVIS CAN BE CONTACTED AT 301-595-7880, EXT. 231



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Criminal	Intellectual Property	Workers Compensation

I understand that listing on these pages is available to individual attorneys only (not law firms) who are current on all PGCBA obligations including dues. The fee for listing is \$120 and \$20 for each category annually.

Failure to remain current in all obligations or to pay the listing fee when notified will result in removal from the site without further notice.

This information is being provided as a service to the public and our members. The Prince George's County Bar Association does not screen the qualifications of the attorneys appearing in this listing, if they maintain certain levels of malpractice insurance or whether they hold a level of experience in the category presented.

I am enclosing/providing payment for the following to the PGCBA

LISTING FEE	\$120.00
CATEGORIES	_____ X \$20.00 = \$
TOTAL	\$

Check for the payment, payable to the Prince George's County Bar Association, may be mailed to 14330 Old Marlboro Pike, Upper Marlboro, Maryland 20772 or the fee may be charged on a major credit card by calling 301-952-1442. This form can be mailed with the payment, faxed to 301-952-1429 or sent by email by clicking the button.

ORDER FROM CIRCUIT COURT

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

**AMENDED ORDER REGARDING THE LOCATION OF
PUBLIC SALE OF AN INTEREST IN REAL PROPERTY**

On May 4, 2009, the undersigned signed the Order Regarding the Location of Public Sale of an Interest in Real Property; however it has come to the court's attention that there is a typographical error in that order. As a result the order is being amended to address the redundancy in the second paragraph of the order. It is therefore, on this ___29th___ day of May, 2009, by the Circuit Court for Prince George's County, Maryland,

ORDERED, that effective June 1, 2009, a public sale of an interest in real property conducted pursuant to Title 14 of the Maryland Rules, shall be conducted in front of the Main Street entrance to the Duval Wing of the Prince George's County courthouse complex, and it is further,

ORDERED, that a public sale of an interest in real property shall occur at a point greater than twenty (20) feet to the East of the Main Street entrance to the Duval Wing of the courthouse complex, and it is further,

ORDERED, that those in charge of the sale are permitted to stand behind the rail of the courthouse porch extended on the East side of the Main Street entrance to the Duval Wing at a point greater than twenty (20) feet from the East of the door, and it is further,

ORDERED, that for the purpose of a landmark, the East side of the door is that side in which a Monument to World War One Veterans is situated, and it is further,

ORDERED, that the Sheriff for Prince George's County is directed to enforce this Order Regarding the Location of a Sale of an Interest in Real Property, and it is further,

ORDERED, that the purpose of having the sale greater than twenty (20) feet to the East of the Main Street entrance of the Duvall Wing, is to allow egress and ingress by citizens visiting the courthouse, and it is further,

ORDERED, that if the courthouse is closed due to inclement weather or some other emergency, the sale of an interest in real property shall occur on the next day that the court sits.

WILLIAM D. MISSOURI
Chief Judge, 7th Circuit

IN THE DISTRICT COURT OF MARYLAND
FOR PRINCE GEORGE'S COUNTY

ADMINISTRATIVE ORDER

WHEREAS, Sections 10-104 and 10-105 Md. Code Ann., Courts and Judicial Proceedings Article ("Cts. & Jud. Proc.") require the filing with the clerk of the court of a notice of service of the writings or records and a list identifying each writing or record; and

WHEREAS, practitioners are unnecessarily filing the actual medical records and bills with the clerk in advance of trial; and

WHEREAS, the maintenance of these filings cause unnecessary administrative work for the clerk of the court; it is therefore

ORDERED, effective July 1, 2009, any records submitted pursuant to Cts. & Jud. Proc. §§10-104 and 10-105, other than the notice of service and the list identifying the records or writings, shall be discarded by the clerk.

_____/s/_____

Thomas J. Love
Administrative Judge
Fifth District

DISTRICT POSTPONEMENT POLICY *By Thomas J. Love, Administrative Judge*

By Administrative Orders previously adopted by the Court of Appeals, procedures have been established for the resolution of conflicts in case assignments among the various courts, and the responsibilities of counsel and the court have been enumerated when a postponement has been requested. Pertinent provisions of those Administrative Orders provide:

- 1. If counsel accepts a case knowing that there is a conflict with the scheduled hearing date, counsel should not expect to be granted a continuance.*
- 2. If a conflict arises after counsel enters an appearance, counsel shall make every effort to obtain coverage by a partner or associate before requesting a continuance. A request for continuance shall include a statement of compliance with this rule.*
- 3. When counsel accepts a case which creates a conflict, a continuance may be granted only in the judge's discretion and under extraordinary circumstances. In the exercise of that discretion, the judge shall first assure that all parties, witnesses, and counsel in the case can be notified of the continuance sufficiently in advance of the trial date to avoid undue inconvenience; that the case has not been continued an unreasonable number of times; and that the continuance would not otherwise impede the proper administration of justice.*
- 4. Except in certain enumerated circumstances, when there is a conflict between hearing or trial dates, priority shall be given in accordance with the earliest date on which assignment for hearing or trial was made.*

In order to implement the above Orders, and in an effort to promote the prompt and efficient scheduling and disposition of cases filed in the District Court of Maryland for Prince George's County, the following guidelines will also apply, **effective October 1, 2008:**

All requests for postponements must be in writing and signed by a party or, if represented, by his or her attorney, and contain a certificate of service on opposing parties and/or counsel. To be assured of prompt consideration of a motion for postponement, counsel should include a proposed order when submitting the motion.

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

Generally, priority among conflicting hearing or trial dates will be given to the date first set. Court hearings will take priority over administrative hearings.

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

When a request for postponement is based upon any other conflict, the party seeking a postponement

shall, to the extent possible, attach supporting documentation evidencing the conflict (e.g. travel itinerary, doctor's note, etc.) Unless good cause exists, a case shall not be postponed if the party's scheduling conflict arose after the trial date was set by this Court.

The party requesting a postponement shall notify the opposing party or counsel, and to the extent practicable, seek their consent, and shall advise the court of the opposing party's position regarding the postponement. [If a motion for postponement is granted a new trial date will be set by the court, unless at least three proposed new trial dates, agreed upon by all counsel or parties, are submitted with the motion or response to the motion.]

A party requesting a postponement may not assume that it will be granted, even if the opposing party does not object, and all parties must appear on the scheduled trial date unless the court instructs otherwise.

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

Specially set cases and cases set by agreement of counsel will not be postponed unless extraordinary cause exists for a postponement.

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

Trial dates will be assigned by the clerk of the court in accordance with Maryland Rule 3-102. All parties and counsel are expected to be cognizant of this rule when filing a case, pursuant to subsection (c) of Rule 3-102. A postponement of the case may not be granted if some, but not all of the defendants in the case have been served, if the request for postponement is made less than ten (10) days prior to the trial date.

Postponements will be considered on a case-by-case basis, and in light of the exigency which exists at the time of the request. Further, the time management standards implemented by the Administrative Office of the Courts will affect consideration of the request. The following types of cases are to be concluded within the time frame indicated: small claims civil - 90 days from the date of service; large claims civil - 250 days from the date of service; payable

traffic cases - 120 days from [entry of the case into the scheduling system] the date of service; DUI, must-appear traffic and criminal cases - 180 days from [entry of the case into the scheduling system] the date of service. Counsel are to be cognizant of the time standards when preparing the case for trial and are to be mindful of those standards when requesting a postponement.

To: All practitioners in the District Court for Prince George's County

From: Thomas J. Love, Administrative Judge

Date: June 26, 2009

Re: Amended postponement policy

In an effort to simplify the process of re-scheduling cases continued by the District Court of Maryland for Prince George's County, the postponement policy (effective date: October 1, 2008) has been amended. In the past, cases continued by the Court were routinely assigned a new trial date without regard to the trial calendar of the attorneys involved. The newly-assigned trial date would often conflict with counsel's trial schedule, resulting in the filing of a second motion to continue. Moreover, due to the volume of continuance requests received each month, the Court has not had the resources to "clear" new trial dates with counsel.

Accordingly, the postponement policy has been changed to permit counsel or the parties to provide the Court with at least 3 proposed new trial dates -agreed upon by counsel or parties- when the motion, or response to the motion, is filed. The Court will endeavor to re-schedule the case on one of the proposed dates provided, so long as the proposed dates are within the time standards established by the Administrative Office of the Courts.

In circumstances where no proposed trial dates are supplied, the Court will assign a new trial date. In that instance, counsel should not expect that the trial date selected by the Court will be continued if the new date creates a conflict.

This change in policy will reduce the number of postponement requests that are required to be filed and should make it easier for counsel to manage their trial schedules. The changes in the policy have been underlined and bracketed in the attached document. The policy will take effect on September 3, 2009 and apply to all cases filed in this Court.



FIGHTING FATIGUE

With all the rainy days of this summer and more lazy summer days ahead, you may feel as though you've been dragging lately, and it's a rut you're not likely to emerge from. But that's nonsense! The cure for feeling tired and fatigued is as simple as having a mere twenty minutes to spare three to four days a week. Yes, twenty minutes a day can make the difference between dragging yourself in from work each day, and coming home energized. In fact, researches at the University of Georgia determined that when healthy adults engaged in as little as twenty minutes of low to moderate level aerobic exercise at least three times a week over a six week period, they reported feeling less fatigued and more energized. This no surprise to exercise physiologists, athletes, and those who engage in regular cardiovascular activity. Though they may not be able to explain to you exactly why, any average Joe from the gym will tell you that if he drags himself into the gym even when he doesn't feel quite up to it, he leaves feeling more energized and that feeling of increased energy carries over to the next day. What the average Joe doesn't know is that beginning an exercise program enhances blood flow, carrying oxygen and nutrients to muscle tissues improving their ability to produce more energy.

Fatigue is not uncommon and doesn't necessarily result from poor health, not getting enough rest or "overdoing it" during one's daily activities. Although fatigue can be a symptom of various health problems, research has shown that one in four people suffer from general fatigue that is not due to

a known medical condition. In any case, research showed that both moderate and low intensity cardiovascular exercise resulted in a 20 percent increase in energy levels when the study participants exercised for 20 minutes a day, three days a week. Even if it's the last thing you feel like doing, force yourself to take that walk around the neighborhood after dinner or go to the gym after work before you go home. Even if you are dog tired, just tell yourself that you'll feel so much better afterwards, and it's true - you really will.

The U.S. Department of Health recommends 2-1/2 hours each week of moderate intensity exercise to gain both health and wellness benefits. This is something you can work up to once you've experienced the benefit of increased energy from your thrice weekly 20 minute sessions. And remember, the study participants realized this decrease in fatigue even when engaging in low intensity cardiovascular exercise. So that means you can just walk on the treadmill or bike on the recumbent bike, you don't have to jog or take a kickboxing class. Working out with co-workers or friends, or engaging in organized recreational activities is the best way to jump start your fatigue busting exercise routine. And twenty minutes is as easy as using half of your lunch break to go for a walk. Even if you don't have time every day to work out during lunch hour, there are ways to fit it in. Take the stairs every time you need to travel between floors and make a few extra trips each day just because. When you arrive at work, park in a spot further away from the building so that you'll have more walking.

Soon, you won't be needing that third cup of coffee or that 2nd coke. Your energy levels will naturally increase as you continue

your campaign of getting in at least 20 minutes of cardio at least three times a week. But the benefits don't stop at fighting fatigue. Considering that two-thirds of Americans are overweight and obese, starting a regular program of cardiovascular activity, combined with a healthy eating regimen, can fight heart disease, diabetes, high blood pressure, and potentially save your life. So get started. Remember, the best way to make your exercise plan work is to have a plan for your exercise. For example, establish and write down the days that you will exercise each week. Writing your goals down will help you to commit to your program. If you can choose just two days during the week and one weekend day, you can easily manage to squeeze in your three days. Every week, make sure you exercise on the first day you've scheduled yourself to do so, no matter how tired you feel. If you can get through twenty minutes, and twenty minutes isn't very long, you'll do yourself a world of good and you'll have more energy to help you to face workout number two for the week. Just get in your two workweek sessions (making Monday a regular workout day is an excellent way to jump start your week), and you'll see that finding time for the one weekend session will be a snap.

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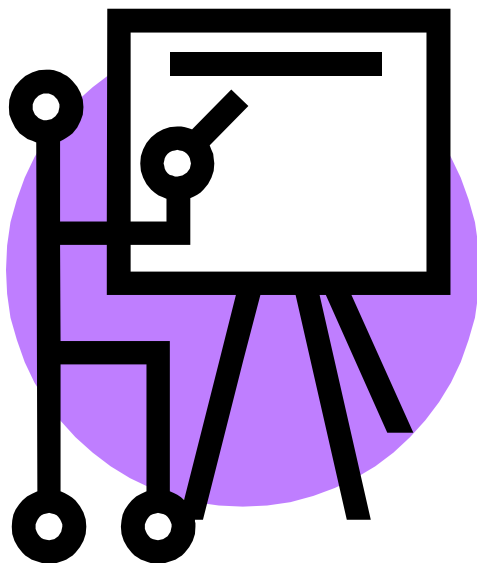
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