



February 2010

# PGCBA NEWSJOURNAL

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

## President's Message



As we are now in the cold dead of winter, on behalf of the Bar Association, I hope all of our members' practices are heating up. I can certainly inform the members that the number of foreclosures is heating up as the courthouse is averaging 1,000 to 1,200 filings a month. This has put an ever increasing burden on the Civil Clerk's Office to keep up with this onslaught. I can report that the Clerk's Office is working hard not to be swamped by the number of filings.

As a reminder, the LRS dues for the 2010-2011 year have just recently been mailed, so please, if you want to become a member and receive the benefits of being an LRS member, join now, as it is a yearly fee and not prorated. Over the last year, we have averaged 30 to 50 retained clients per month that are referred directly from the LRS at the Bar Association.

As for upcoming events, the Bankruptcy Law Committee is presenting Basic Bankruptcy 101 on February 24, 2010 and another Bankruptcy seminar is scheduled for April 21, 2010, on Non-bankruptcy and Title 1 remedies. For further information, please contact Georgia Perry at the Bar Association.

Additionally, keep June 1, 2010, open for the joint sponsorship between the Prince George's County Bar Association and the J. Franklyn Bourne Bar Association of the Golf Classic at Lake Presidential Golf Club. Anyone interested should contact Georgia Perry at the Bar Association. Keep in mind that the proceeds benefit the J. Franklyn Bourne Scholarship Fund and Operation Homefront.

The Criminal Law Committee is sponsoring its annual Alan Goldstein Seminar on Saturday, March 27, 2010 and the Family Law Committee will present its Family Law Seminar on May 1, 2010. Please keep these dates open as well.

Another early reminder that the annual elections for Secretary and for Board members for the Board of Directors of the Bar Association is in June and anyone wishing to apply should be mindful of the application, which is printed in this Newsletter.

Also in regard to the Bar Association, I want to thank the Honorable Leo E. Green, Jr., for his invaluable assistance to the Bar Association in revitalizing the "Brown Bag" lunches which the Bar sponsored a number of years ago. Stay tuned for dates and specifics as a number of judges have agreed to meeting with members of the Bar in an informal setting at lunch to discuss and talk about various topics of law.

In closing, I will once again say to please feel free to tell either myself, members of the Executive Committee, Board of Directors Committee, or Section Chairs of any concerns, comments or ideas you may have regarding our Association.

Sincerely,

,

Nicholas E. Rattal  
President

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# PGCBA NEWSJOURNAL

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## The Prince George's County Bar Association

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By way of introduction, I am the Co-Chairman with Gerald Baker of the Fee Conciliation & Disputes Committee, also known as the Fee Dispute Committee. My involvement with the Bar Association came about when 2 years ago I ran into Rob Silberman in a courtroom in Silver Spring. He asked if I was involved in the Prince George's County Bar. I told him my involvement consisted of paying my dues on time and going to the winter holiday party. He asked if I would be interested in taking over his position on the Fee Dispute Committee. I said "yes." Rob walked away with a smile on his face.

I want to illustrate the typical fee dispute and how it is processed when a complaint is received. Normally I receive a telephone call from a disgruntled claimant. After I listen to the complaint, I inform the claimant I need the complaint to be placed in writing, to include any and all supporting documentation and to mail me the complaint. I advise them that I do not handle grievances against attorneys. As you might imagine, many issues involving members of our Bar are intertwined. I further advise the claimant that my role is to determine

if the fee was fair, customary and reasonable. The committee does not review the tactical decisions or strategy of the matter. A cover letter and a copy of the complainant's documentation are mailed to the attorney with a request for a written response. The By-Laws state that attorney's must cooperate and furnish the requested documents.

At this point, some cases are resolved in a variety of ways. In some instances attorneys return a portion of the fee which was earned, and the complainant is satisfied. I am happy to facilitate mediation of these matters. However, in the event there is no resolution, he or she may elect to have the dispute arbitrated. Arbitration is binding and the procedures are followed utilizing Courts & Judicial Proceedings Article 3-201 et. seq. Members of PGCBA should know that he or she must consent to Arbitration pursuant to the By-Laws. The By-Laws confer jurisdiction to the committee for disputes less than \$30,000.00. The election to arbitrate is not mandatory for the non-attorney complainant.

If arbitration is requested, a time and date that is convenient to the


attorney, the complainant and the arbitrator will be scheduled. Aside from Gerry Baker and me we utilize other volunteer arbitrators. Each party may have transcription performed at their own expense. After the hearing, the arbitrator will issue a written decision to both parties. Arbitration is binding on the parties, but the decision of the Fee Conciliation and Disputes Committee may be reviewed by the Circuit Court for Prince George's County.

The most important request to attorneys involved in a fee dispute is timeliness to the request for a response to the complaint and supporting documentation. There are many complainants that believe the committee work is a full time job. Most don't realize it is a volunteer position that is juggled between private practice and a personal life. Your cooperation greatly improves the committee's ability to resolve cases in an efficient and timely manner. If you have further questions for me, or you would like a copy of the fee dispute By-Laws, please feel free to e-mail me at moliverio@pickettllaw.net.


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The Jaklitsch Law Group is thankful for the opportunities we have had to serve our community. Attorneys **Rick Jaklitsch, Deborah Potter and Robert Zarbin**, voted Super Lawyers for the past three years, have all served on the Judicial Nominating Commissions. In addition, Rick Jaklitsch is currently serving as the University of Maryland's Terrapin Club President.

Deborah Potter is President of the University of Maryland Law School Alumni and serves on the University of Maryland College Park Board of Trustees. Robert Zarbin is President-Elect of the Maryland Association of Justice (formerly the Maryland Trial Lawyers Association).

We are honored to have the chance to give back to the community in

which we live and work in these leadership positions.

We are also pleased to announce that **Andrew Narrod** has joined The Jaklitsch Law Group. Andrew earned his undergraduate degree from the University of Maryland and his J.D. from American University Washington College of Law in 2009.

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# 2009 HOLIDAY PARTY







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

October 27, 2009

**PRESENT:** The Honorable Nicholas E. Rattal, Acting President, Debra Davis, Treasurer Bryon S. Bereano, Secretary, Robin D. Bright, Janet Hart, Denise Bowman, Erin Hebert, Elizabeth M. Hewlett, the Honorable Mark T. O'Brien, Alicia R. Lucero, Richard Allen Moore, II, Jennifer L. Muskus, William J. Parker, Jr., Joseph L. Wright, and Georgia Perry

**ABSENT:** Clayton A. Aarons, William Brennan, Linda Gantt, Nakia Gray, Jeffrey Harding, Isaac H. Marks, Erik H. Nyce, the Honorable Michael R. Pearson, Ryan Richie, Timothy Smith, C. Todd Steuart, and the Honorable Gerard F. Devlin

### The President's Report

Acting President Rattal discussed charging a different fee for meetings for bar members who do not RSVP prior to the general meetings and non members who attend general meetings. Additionally, it was discussed whether to give free bar membership to recent admittees to the Maryland State Bar. A motion was made by and seconded by Mr. Parker to allow for free membership to those recent admittees. For those

that take the bar exam in July and are sworn in December, they will receive a letter notifying them that they have free membership through June and must choose to join the PGCBA within sixty (60) days. For those that take the February Bar Exam and are sworn in June, they receive the same letter, however their membership runs for a whole year through the following June. The motion passed unanimously.

Additionally, it was proposed by Judge Rattal that rates would differ for those who attend general meetings and don't RSVP prior to the event and for non members. Non members would be charged \$10.00 for general meetings and those members or non members who attend meetings without RSVPing would pay an additional \$5.00 at the door. The purpose of this proposal was so that the PGCBA would not be stuck with either too little food or with food that was ordered but members did not attend. The motion passed unanimously.

Judge Rattal thanked everyone for a successful October General Meeting. A special thank you was

given to Isaac Marks and all those that helped to bring the new lawyers lounge from an idea to reality. As an additional thank you, the PGCBA will hold a coffee for Courthouse staff. Additionally, it was reported that a Labor Seminar and a Bankruptcy Seminar were being planned for future bar activities.

The PGCBA was fortunate enough to gain two new sponsors for the General Meetings, Dr. Charles J. Thorne, President of Advanced Medical Management and Trena Brown who runs Alternative Sentencing, Inc.

The Board was then presented with the proposed changes to the recommendation of the PGCBA for the Judicial Selection process. Currently, the Bar holds a vote by the general members. The new proposal is to create a new 9 member judicial selection committee that would be a standing committee. Currently, under the proposal, the committee would make a recommendation to the Governor along with a report of the popular vote among the general membership. A discussion was held as to whether to keep the popular vote as a factor in the recommendation

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process. The proposal was given to the Board members to review and to receive comments before discussing with the general members. A note of thanks and gratitude was extended to those who worked on creating the new Judicial Section bylaws.

**The Secretary's Report**

The minutes from the September 15, 2009 Bar Board Meeting were reviewed and accepted. Motion was made by Mr. Parker and seconded by Mrs. Bowman. The Motion was approved unanimously.

**The Treasurer's Report**

Motion to approve the Treasurer's report was made by Mr. Parker and seconded by Elizabeth Hewlett. The Motion was approved unanimously.

**Executive Director's Report**

The numbers for the LRS program, find a lawyer section of the website and the Traffic School were shared with the Board. There was also a discussion as to music at the PGCBA Holiday Party. Mr. Wright indicated that he would investigate the cost of having a DJ who would play holiday music.

A Motion was proposed by Mr.

Parker to accept new members and was seconded by Mrs. Bowman. The Motion was approved unanimously. The new members are:

- Mark Kotlarsky
- Mark A. Kohl
- Moges Abebe
- Frederic S. Lucas
- Stuart M. Skok
- Gillian A. Flynn
- Jason W. Fernandez
- Jeffry C. Seaman
- Sharon L. Primus-Theodore
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Meeting adjourned at 7:00 pm.

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Usually, people aim for weight loss goals and their perceived ideal body weight as part of their New Year's Resolutions

or as part of a specific fitness goal they have to get in shape for a special event. Until recently, many individuals were not aware of the concept of "ideal bodyfat percentage". But with more and more people frequenting gyms, receiving personal training, and being conscious of the benefits of lean body mass, the importance of low bodyfat as opposed to low body weight is increasingly becoming an embraced and understood concept.

So now that people realize it's more important and more beneficial health-wise to lose body fat as opposed to bodyweight, the common concern is how much bodyfat to lose and at what rate should bodyfat be lost. Unlike guidelines for weight loss where most health professionals recommend 1-2 pounds per week, there really is no standard or guideline for an acceptable rate of bodyfat loss. Realistically, one could lose anywhere between 1% and 4% of bodyfat per month and do so safely. Elite athletes who know more than the average person about nutrition and body composition manipulation can safely and effectively lose even more than that. As a rule of thumb, I would say expect to lose at least 1% of bodyfat per month if you have structured your nutrition and exercise regimen for optimal fat loss. Structuring a program for optimal fat loss as opposed to

optimal weight loss means that you are eating in a way that preserves lean muscle mass and exercising in a manner that effectively burns more fat.

There have been numerous articles written on how to burn more fat (as opposed to burning lean body mass) and preserve muscle. I have personally found through trial and error over many years that increasing your protein intake and decreasing your carbohydrate intake optimizes the sparing of lean body mass so that when you lose weight, more of it comes from bodyfat as opposed to coming from your lean mass. Similarly, I have found that doing certain types of exercises help promote fat loss over weight loss. For example, combining strength training with interval type cardiovascular exercise has been proven to burn more calories from fat than doing cardiovascular exercise alone or doing steady state cardio (i.e. doing intervals of sprinting with walking/jogging burns more fat than just jogging). Now I don't want anyone to be confused that loss of bodyfat doesn't also mean weight loss. Loss of bodyfat should also mean weight loss although you may not lose as much weight as you would if you were simply dieting. And this is because you can easily

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lose lean body tissue in addition to fat when dieting alone. Anyone who has lost 10 pounds by dieting alone, only to look in the mirror and realize that they still look essentially the same - only smaller, is an example of the person who has also lost lean body mass while losing weight. This is not what you want.

So you are probably asking what should your ideal bodyfat be and how does that correlate to what you believe your ideal weight should be. Well, this is how you determine your desired body weight based on bodyfat. First determine how much you think you should weigh at the proper bodyfat level, or in other words, your desired body weight. Next, determine what your lean body weight is currently. To do this, you can have a fitness professional measure your bodyfat with either calipers, or bioelectrical impedance (some scales have this feature). Your lean bodyweight is all that you weigh minus your fat. Next, you decide what you feel is an acceptable bodyfat percentage for you. Most average individuals fall between 25-31% for women and 18-24% for men. People who look the way you'd like to look on the beach probably are between 20-24% for women and 14-17% for men. Many female athletes can maintain between 13-20% while their male counterparts maintain between 6-13%. I'd say that 20% is good for the average woman and 15% for the average man who wants to feel and look fit. Using these figures, you can calculate how much you should weigh and how much bodyfat you need to lose to achieve our desired fitness goal.

**Here's an example of the calculation: Lisa weighs 150 pounds and has 30% bodyfat (45 pounds of fat v. 105 pounds of lean tissue). She wants to be at 20 % bodyfat to achieve a fit look. How much weight will she need to lose, assuming she follows the principals herein to lose only fat? The equation is lean bodyweight/ 1.0minus desired bodyfat percentage (bodyfat percentage using decimal form). In other words, 105 pounds which is her lean bodyweight divided by 1 minus .20 which is her desired bodyfat percentage. That means that Lisa's desired bodyweight at 20% bodyfat would be 131.25 pounds.**

**You should now be equipped with the information to determine**

**what you should weigh at your desired bodyfat percentage, and you should have a pretty good idea of how to achieve this goal through a combination of proper nutrition, as discussed above, and exercise, including interval type and resistance training. Although results will probably actually occur within the first month, visible results may take two to three months to see and to register in your bodyfat measurements. So get measured at the onset, and then again on a monthly basis. You'll be amazed at the difference body composition makes in the way you look when you strive to lose bodyfat as opposed to just losing bodyweight. So get going and good luck!**

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**PRINCE GEORGE'S COUNTY BAR ASSOCIATION'S**  
**BANKRUPTCY LAW COMMITTEE PRESENTS**

**Basic Bankruptcy 101**  
**For New Practitioners**



**February 24, 2010**

**3:00p.m.-6:00p.m.**

**Courthouse Room M0421**

**John D. Burns: Moderator**

**John D. Burns- consumer and business debtor issues**

**Gene Jung- secured creditors and remedies for creditors**

**Mary Park Mclean- issues and practice arising in Chapter 13 cases**

**Larry Block- Chapter 7 Trustee remedies and strategic avenues to recover assets against estate**

**Maggie Ferrere- Court filing issues ECF & the court as a resource**

**-Materials Provided**

**\$25.00 Members by Feb. 17, 2010- \$35.00 after and at the door.**

**\$35.00 Non-Members by Feb 17, 2010- \$45.00 after and at the door.**

**Contact: PGCBA to make your reservations. 301-952-1442**

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

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Please reserve \_\_\_\_\_ spots

Return this form with check made payable to "PGCBA" and mail to  
Prince George's County Bar Association, 14330 Old Marlboro Pike, Upper Marlboro, Maryland

# WELCOME TO OUR NEW MEMBERS

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Okie C. Whiteru.....The Whiteru Firm, PLLC  
OlaDipo A. Akin-Deko.....Akin-Deko & Puig, PLLC  
Joshua David Borean..... Law Office of Steven Kupferberg  
Joseph E. Hainline.....Law Office of Steven Kupferberg  
Matthew Youssef.....Alexander & Cleaver  
Joy A. Ceesay.....Law Office of Joy Ceesay, LLC  
Caeb M. Colravy.....Colravy Law Firm, LLC  
Rene Esteban Bliss Tywang.....Maryland Legal Aid  
Sloane Lisa Fish.....Gilman & Fish, LLC  
Gregory R. Singleton.....Firm of Gregory Singleton  
Kevin Butler Mattingly.....Chambers of Hon. Glenn T. Harrell, Jr.  
Michael A. Ostroff.....Montero Law Group  
Kjrsten Marie Tendall.....The Tornatore Law Firm  
Matthew H. Welsh.....Law Office of Thoms V. Mike Miller, Jr.  
Christina L. Caron.....Pr. Geo. Co. State’s Attorney’s Office  
Jennifer Lynn Cook.....DeCaro, Doran, Siciliano, Gallagher & DeBlasis

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



**PRINCE GEORGE'S COUNTY STATE'S ATTORNEY OFFICE PRESENTS**  
**MEDIATION AS AN ALTERNATIVE**

The Prince Georges County State's Attorney Office received funding to support the hiring of a mediation coordinator. Since December, Jeanine Telfer has been part of the District Court Division to assist in identifying minor criminal matters that are appropriate to be diverted and resolved through mediation. Participants in the mediation process develop solutions that are amenable to both parties, in a confidential and informal manner. The types of cases that are recommended for mediation are those involving interpersonal relationships where there is an interest in preserving the relationship. Examples include neighborhood conflicts; roommate/acquaintance conflicts; community/inter-group conflict; parent-child difficulties; monetary disputes; property neglect, defacement, or boundary concerns.

Cases are referred to mediation after being screened by the District Court Screening Unit or after being diverted from the courtroom by an Assistant State's Attorney. We are inviting private attorneys to contact Jeanine Telfer office if they believe they have minor criminal matter in District Court that may be appropriate for mediation (one caveat-mediation is NOT an alternative in domestic violence cases).

Once a case is referred to mediation it is a relatively quick process. Mediation is scheduled according to the availability the participants, at a time and location that is convenient to both parties. All agreements are put in writing and the Assistant State's Attorney is notified of the successful outcome. When an agreement is not reached, the case will usually proceed to trial.

This program is sponsored by and affiliated with the Maryland Judiciary's Mediation and Conflict Resolution Office (MACRO). MACRO is a small office within the judicial branch of government committed to providing alternative dispute resolution (ADR) as a resource for the state. MACRO supports innovative dispute resolution programs, and promotes the appropriate use of ADR in every field. MACRO works collaboratively with our program at the State's Attorney Office, as well as with many others across the state to support efforts to advance effective conflict resolution practices in Maryland's courts, communities, schools, state and local government agencies, criminal and juvenile justice programs and businesses. MACRO provides additional support to Maryland mediators through the Maryland Program for Mediator Excellence (MPME).

For any further questions regarding mediation through the Prince George's County State's Attorney Office contact: Jeanine Telfer, 301-952-2899, [jmtelfer@co.pg.md.us](mailto:jmtelfer@co.pg.md.us), 14735 Main Street, Suite M3406, Upper Marlboro, Maryland 20772

Further information regarding MACRO may be researched on their website: <http://www.courts.state.md.us/macro/>





Classified Advertising Rates  
Per Month

PGCBA Members:

2 lines (minimum) \$15, 3 lines \$19,  
4 lines \$23, each additional line \$4

Non-Members:

2 lines (minimum) \$17, 3 lines \$21,  
4 lines \$25, each additional line \$5

Internal Box Responses \$5 add'l.

Post-publication billing;  
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notification of cancellation.

Deadline for Submission: 15th of  
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## CONFERENCE ROOM RENTALS

**UPPER MARLBORO: CLOSE TO COURTHOUSE - PGCBA's Conference Room is available for Hourly Rentals** - Schedule your next committee meeting, deposition, arbitration, mediation or client/attorney conference by calling (301) 952-1442. **Members: \$15 per hour; Non-Members \$30 per hour.** In addition the Lawyer's Lounge Conference Room is available for **members** to rent at \$15 per hour. Call 301-952-1442 to schedule.

## POSITION - AVAILABLE

**LAW FIRM REQ. ATTY.** w/exper. in WC or PI or CR. Must be bilingual Eng./Span. Fax Resume to 301-434-4708

## OFFICE SPACE - AVAILABLE

**GREENBELT/LAUREL/BOWIE:** Several office condos available for sale or lease from 1,000 SF. G.L. Shannon Realty, Inc. (301)431-5525.

**BOWIE:** Condo unit in North Oak Professional Park, Mitchellville Road, Bowie. For lease or sale. Furnished or unfurnished. Handicapped ramp and ample parking. Please contact David

Wills, NAI Michael Companies, 301-459-4400 Office dwills@naimichael.com

**BOWIE:** Law Office in Bowie has furnished or non-furnished office with conference rooms, kitchen, fax, internet, copier and receptionist. Call Bob Law (301) 390-6600.

**GREENBELT OFFICE SUBLET** Sublet 1-3 offices and accompanying secretarial stations in class A building. Offices located on the first floor of a very nice 4 year old building. Well located directly off of the Beltway at Kenilworth Avenue, near U. S. Courthouse. Ideal for sole practitioner, small firm or satellite office. Includes services of receptionist, internet connection and use of 2 large, well appointed conference rooms. Contact Julie at (301) 459-8200.

**GREENBELT** Two medium-sized offices available in a premium three-office suite to be shared with another attorney. Conveniently located near Greenbelt Metro Station and the Beltway. Plenty of free parking. Both offices have large windows, high speed internet and phone connections. There is a receptionist, a fax machine, printer/copier/scanner, a conference room and a full-size kitchen in the suite, and a gym/exercise room in the building. All utilities and amenities are included. Competitively priced and available on a month-to-month basis. Call Emily at 301-345-9555 or Emily@maryland-lawyer.com.

**ROCKVILLE** - Two windowed offices on second floor of two-level office building that has a reception area, conference room, kitchen, copier, FAX machine and free parking. Walking distance to Circuit/District Courts and Metro. Reasonable rent. Contact Benjamin A. Klopman at 301-

424-0677.

**UPPER MARLBORO:** Office suite available for rent. Approximately 950 sq. ft. Great location on Main Street. Ideal for small practice or satellite office. Free parking and private entrance on Main Street. Call Cindy@301-952-1311 for details.

**UPPER MARLBORO:** Furnished office with parking, library, phone, fax. Walking distance to courthouse. Call Ed O'Connell 301-627-7700

**OFFICE SPACE- CAMP SPRINGS, MD** Space available to rent with two other attorneys. Large conference room, kitchen and storage area. Free parking. Minutes from Upper Marlboro and DC courts. Call Michelle at 301 899-9435

**UPPER MARLBORO: For Lease** Approximately 2729 sq. ft. of office space at 14803 Pratt Street, the one story portion of an attractive brick building almost adjacent to the courthouse and very near the County Administration Building.

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Contact owner, Lansdale Sasscer, at 301-627-2584 or by mail at 14507 Elm Street, Upper Marlboro, MD 20772, for details.

## SERVICES

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<p><b><u>FEBRUARY 24, 2010</u></b></p> <p>BASIC BANKRUPTCY 101        FOR NEW PRACTITIONERS        COURTHOUSE, M0421</p> <p>SEE INSIDE FLYER</p>	<p>LOOK FOR UPCOMING        BROWN BAG LUNCHES        WITH JUDGES</p>	<p><b><u>MARCH 27, 2010</u></b></p> <p>GOLDSTEIN SEMINAR        SATURDAY 8:30 - 1:30        JURY SELECTION ROOM        COURTHOUSE</p>
<p><b><u>APRIL 21, 2010</u></b></p> <p>BANKRUPTCY        COURTHOUSE, M0421</p>	<p><b><u>APRIL 6, 2010</u></b></p> <p>LEGAL ADVICE LINE BEGINS        1ST TUESDAY OF EACH        MONTH 5-7 P.M.        CALL TO VOLUNTEER</p>	<p><b><u>MAY 1, 2010</u></b></p> <p>FAMILY LAW SEMINAR        JURY SELECTION ROOM        COURTHOUSE</p>

**LAWYER REFERRAL SERVICE REPORT:12/15/09-01/15/10**

**Number of Calls: 564**

**Number of Referrals: 404**

**Top 5 Areas of Law:**

1. Family
2. Real Property
3. Criminal
4. Torts
5. Employment

