

PGCBA NewsJournal

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

December 2011

PRESIDENT'S MESSAGE



Dear Colleagues

As we enter into the holiday season and close out the calendar year it is a good time to recap. The Board of Directors has been actively pursuing the goals set forth for this Bar Year. We are well on our way to achieving our goal of refueling our membership with young lawyers. We hosted the 2nd annual young lawyers happy hour on October 20, 2011. It was well attended by judges and lawyers young and not so young. And if you can't tell by the photos we all had a great time. Special thanks to Judge Harrell and all the other judges who attended. Special thanks to our neighbors from the south, President of the Charles County Bar Association, Michael Schreyer, Donnell Long proprietor of the Old Town Inn for his continued support and hats off to Board members Denise Bowman managing partner of Alexander and Cleaver and Todd Steuart for a job well done. We are already planning a repeat performance in March for March Madness. Stay tuned.

I am excited that membership is up from this same time last year. Membership dues are the lifeblood of any organization. Maintaining our membership is key to the success of the organization. In these difficult times, we appreciate all those who chose to rejoin the Bar Association.

Thanks to the work of Benjamin Rupert "Brown Bag" lunches are back. Judge Julie Weatherly will be our first guest on December 15, 2011 at 12:30 in the lawyers lounge in the Upper Marlboro Courthouse. It's free and guaranteed to be informative and entertaining. Judge Leo Green will host our second "Brown Bag" lunch on January 18, same time and same place. We urge our members to take advantage of this chance to sit down with the judges in a small group and discuss current legal issues.

Law Practice 101, headed by Eric Nyce, will start up again in the New Year with the first class sometime January. This program was very successful in the past and we are hoping that success will continue. It focuses on providing training on specific areas of the law.

We are moving forward with our plan to offer continuing legal education classes to our members. Board member Joseph Wright



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John R. Foran 301-441-2022
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Martin G. Oliverio 301-513-0613
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is leading that project. He is currently negotiating a partnership with Prince George's Community College for space and management of the classes. Of course, we will offer the talent. Plans are to have the first CLE on Ethics in October or September 2012.

The Prince George's County Bar Association has a driver improvement course sanctioned by the National Regional Safety Council. This course has been in existence for 17 years. Please support the Association by referring your clients to this course. The profits are used to support local charities in our community. Board member Manuel Geraldo will head the committee to review the applications for grants for the coming year.

The Governor recently announced that there are three new openings for District Court Judges in Prince George's County. The Bar Associations Judicial Nominating Committee led by retired Judge William Spellbring will be interviewing candidates shortly after the closing date for applications. As always members will get an opportunity to cast their votes on line. We will notify you by email once the complete list has been set and the ballot is ready.

Did you know that you can pay your dues and register for events via telephone? Just call Georgia or Becky at 301-952-1442, they will be happy to take your payments over the telephone.

We will close out the year with a festive Holiday Party at the Newton

White Mansion on December 13, 2011. There will music, food, drinks, silent and live auction and a few surprises. We encourage you to attend this really fun event. It is a great start to the holiday season. More information is available in our newsjournal, in the weekly emails and on our website. Have a happy and safe holiday season. See you next year.

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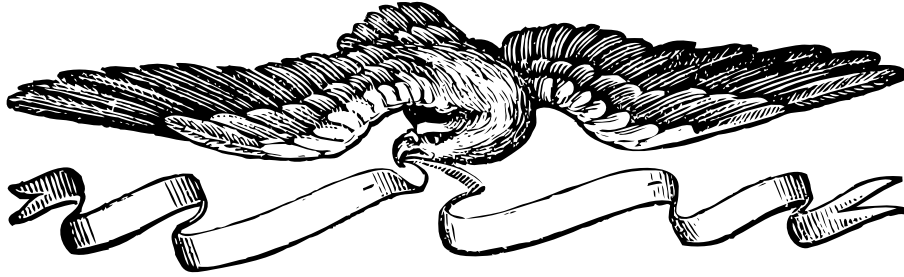
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REINTRODUCING THE ALTER EGO PROGRAM | *by Bryon S. Bereano*

One of the missions of the Prince George's County Bar Association is to provide services and support to its many members. To that end, the Bar Association helps to support the Alter Ego Program in conjunction with the Circuit Court, District Court, Orphan's Court and Domestic Masters.

In summary, the Alter Ego program is a mechanism by which lawyers who may have an issue with a particular judge in the County's judicial system can discuss and resolve that issue. For example, if an attorney believes that he or she has an issue with a specific judge, then that person can contact the Judge's alter ego, who is typically a fellow member of the bar, and discuss that issue with the alter ego. By participating in this program, lawyers can avoid potentially difficult and stressful contact with the Judge in question or ease any feelings of intimidation or fear of speaking directly to the Judge. Upon discussing the issue with the fellow member of the bar, the attorney can either ask for advice as to how to resolve any issue that may be present with the Judge or can hopefully clear up any misunderstandings that may have developed either through a hard fought trial or a perceived slight.

The Alter Ego program has been around for several years, however, very few if any, lawyers take advantage of the program because they erroneously believe that it is not helpful. Even more attorneys do not know about the program. Thus, the Bar Association is renewing its efforts to educate members of the Bar Association about the benefits of the Alter Ego Program.

One of the many misconceptions about the Alter Ego program is that talking to the Judge's alter ego is not useful because typically the attorney who is the alter ego is the Judge's friend. This is simply not true. While it is true that a Judge and their alter ego have known each other professionally for some time, the alter ego is chosen because of their integrity and because of their ability to be honest and forthright with their judge as well as the ability to show discretion when it is needed. Additionally, the Attorney General's Office

came out with an ethics opinion several years ago whereby a Judge's alter ego may not appear before that Judge. The purpose of this decision was to demonstrate that there is a separation between a Judge and their alter ego and that they are in fact, not just "Buddies."

Over the past several years, the Alter Ego program has been rarely used in Prince George's County. Now a large part of that is because of the quality of the bench on all levels in Prince George's County, but also too many lawyers do not even know that the

Alter Ego program exists. While we hope that lawyers will not have occasion to need the Alter Ego program, we do encourage attorneys to take advantage of the service. Especially young attorneys and attorneys who are solo practitioners or in small firms that might not have the resources or other attorneys to help guide them through these difficult questions. The alter ego list printed below will be updated on a regular basis and printed in the Bar Journal and available on our website www.pgcbacom. Please, if the need arises, make use of this valuable resource!

Alter Ego List

Judge

Attorney Alter-Ego

Sheila R. Tillerson Adams.....	Elizabeth Hewlett (301) 925-1800
Toni E. Clarke	Elizabeth Hewlett (301) 925-1800
Herman C. Dawson.....	William Snoddy (240) 777-6722
Melanie Shaw Geter.....	Theresa L. Moore (301) 316-1877
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2011 MARINE CORPS MARATHON | *by Russel Arlotta*

What a difference a day makes! Saturday gave the area a taste of February with rain, sleet, snow and bone chilling cold. Fortunately, Sunday metamorphosed from a nasty wintry nightmare, into a beautiful fall day ... a little chilly first thing in the morning but absolutely perfect weather for running a marathon.

Those first few miles through Roslynn were packed with the throng of 30,000 runners and thousands of spectators, all full of unbridled energy and excitement. There were lots of smiles and conversations among the runners as a brilliant morning sun bathed all in its new daylight. Turning the corner from Lee Highway to Spout Run as we headed towards Key Bridge, we passed that little shopping center off to the left that houses a Starbucks. I secretly longed for a cup of Joe to fire the synapses. All those spectators, cheering us on ... holding their lattes in gloved hands Alas! At least what followed was a nice bit of downhill glide as we headed towards the Potomac River where we turned right onto the Memorial Parkway, before heading up the hill to Key Bridge.

Crossing Key Bridge, heading towards Georgetown on a Sunday morning, traversing the big, broad, beautiful Potomac River under a clear blue sky and seeing the University of Georgetown shining, golden in the morning rays on the other side of the bridge is its own religious experience! With the body having found a comfortable stride, the spirit is joyously buoyed. Life at times is good :)

Crossing Key Bridge and turning down Canal road with the Canal and the Potomac to our left, conversations among the runners began to subside. We slower runners couldn't help but notice the faster runners (who were already striding back up Canal Road, having already made the loop around the Reservoir, on Reservoir Road, MacArthur Boulevard, and Foxhole Road) looking well, a bit sweaty and focused ... hmmm ... a harbinger?

The Canal Road, Reservoir Road, MacArthur Boulevard, Foxhole portion of the run is a contemplative, picturesque

stretch of the marathon, especially on a sunny Sunday morning, with the Reservoir glistening clean and jewel-like but there is a hilly stretch or two as you make your way past the Reservoir back towards Key Bridge and Georgetown. As I was heading back up Canal Road returning towards Key Bridge again, I found myself shedding a T shirt, a stocking cap and a pair of gloves. Guess it was indeed time to start getting a bit sweaty and focused!

Georgetown! What a great place to run through!! Streets of boutiquey, hip restaurants and clothing stores with sidewalks on both sides lined with hundreds of enthusiastic spectators. In Georgetown I found myself running next to a guy I've seen run this race several times before. The reason why he is able to stand out in a crowd of 30,000 runners is the fact that he is running it - barefoot! And he makes it look easy. I'd guess he's in his mid-fifties but the run seems effortless to him as he smiles, talks, and jokes with people. Later in the race, at mile 25, I spotted who I am sure was his wife or girlfriend holding a sign that read something like "My barefoot Todd - running his 290th Marathon!!! I was astounded and called out "You're kidding, right? She smiled and called "Not kidding, that's right - 290!!!"

Out of Georgetown under a brilliant sun, past the Kennedy Center and Mile 10 with the river on our right, we headed down towards Haines Point. It was a quiet contemplative run by this stage with some runners beginning to break stride for an occasional walking stretch. The miles began to flow like the broad river we followed - slowly, almost imperceptibly. Peeling back from the tip of Haines Point, we were graced with the tidal basin on our right and a quiet golf course on our left. At this stage around Mile 15 or so we had been thoroughly immersed in a marathon brimming with beautiful scenery, exquisite monuments, and lovely architecture, and the icing on the cake this year was catching a very nice view of the impressive, new Martin Luther King, Jr., Memorial.

All in all - an intensely beautiful experience ... however by Mile 16 or so, the lovely

scenery of the Marine Corp Marathon begins to share space in the minds of the runners with other pesky things such as pain and fatigue both of which had begun to wedge their way into the body!

Curling back into the heart of the City, we found ourselves running down the Mall, past all the museums and around the reflecting pool by the Capitol, with thousands of spectators cheering us on and waving signs such as:

Run like you stole something!!!

Run like they're chasing you!

If it were easy -I'd be doing it!!!

Your feet are sore ... 'cause you've been kicking butt!

Pain is just weakness leaving the body!

Pain is temporary, pride is forever!

I thought it was 2.62 miles!!

Worst parade ever!

If you drove, you'd be there already!!

And here's one of my favorites:

It's 26.2 because 26.3 would be, well, ... just crazy!!!

From the Mall, we tired runners prepared for the final push - hitting "the wall" at Mile 20, crossing the desert of the George Mason Bridge and heading down to not so crystal, Crystal City. By this time in the race, this runner began depending on the kindness of strangers for some energy boosts. Bless those spectators that gave me the lollipop, the Jolly Rogers, the handful of candy corn (instant energy boost!), the tiny Three Musketeers bar, the little roll of candy PEZ ... oh yes, and can't forget the three cookies! That little universe of All American Junk Food actually fueled my legs the last 5 or 6 miles!

By the time Mile 23 was reached down in Crystal City, there was no denying it. The marathon had morphed into something just flat out challenging. The timeless, beautiful scenery was behind us. The knee pain, the shoulder pain, the leg fatigue were all jostling each other for attention on the front burners of the mind. I had been listening to

my ipod during this marathon as I am want to do on longer runs, and just after crossing Mile 23, Cheryl Crow's, "No One Said It would be Easy" came on with its Chorus refrain:

"No one said it would be easy. But no one said it'd be this hard. No one said it would be easy. But no one thought we'd come this far."

Kinda fitting I thought.

Finally, there we were wrapping up the last mile of the Marine Corp Marathon on Jefferson Davis Highway, before turning left and heading up the steep Iwo Jima access road to the Iwo Jima Memorial finish line - me and thousands of other fellow runners, all worn-out and exhausted but happy or in many cases, at least, relieved. As Van Morrison's "St. Dominic's Preview" played through my ipod, I headed towards the finish line and it all felt good, very good, despite the pain and the fatigue - just to be alive :)

The Marine Corp Marathon is a unique and amazing marathon aside from the fact

that it's in the Nation's Capitol and has 30,000 runners. It is also known as "The People's Marathon" and for good reason - all types of people run this marathon, with many individual runners and many groups of runners sponsoring many, many good social causes. It's all inclusive nature creates a very upbeat, even joyous and playful marathon. This marathon, is of course, hosted and run by the U. S. Marine Corp. They do an outstanding job, of course, and I have never run in a marathon that is nearly as well organized or well run.

But the fact that the Marine Corp hosts this marathon creates an added dimension to the experience. One can not help but be cognizant of and humbled and saddened by the losses suffered by so many military families in recent years. Many, many runners, hundreds of them, in fact, were running this race in memory of someone killed in one of our country's ongoing conflicts abroad. Unless we have friends or family in the armed services, it's difficult to imagine the trials and tribulations that these families in the military are experiencing, and in some cases, the ultimate, terrible pain they've had to endure with the loss or severe wounding of a father or mother, son or daughter.

Many holes in peoples' hearts. And you could see this, too, at Sunday's marathon.

I mention this as I think about the young lady, named Jenny, with whom I was talking as we trekked from the Pentagon Metro to the starting area for the race on Sunday morning. She was here from Colorado, running her first marathon. As it turns out, Jenny was running this race in memory of her late husband, who was a helicopter pilot in the military. She mentioned that her husband used to fly his helicopter over the roof of their house to the utter delight of their 3 kids, which as the conversation unfolded - were all under the age of 9.

I was bit overwhelmed and at a loss for words at hearing of her loss and Jenny must have sensed as much for she picked up the fallen conversation as she said to me with clear eyes and a genuine smile before we parted ways, "But that is life ... and it brings with it lots of blessings as well as pain."

Thank you Jenny, for your perspective, strength, and resiliency.



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Have Your Turkey and Stuffing Too: Eating Smart Through the Holidays

The average American will gain between three and seven pounds during the holiday season. Having fallen victim to this statistic in prior years, many think that gaining pounds during the holiday season is unavoidable. And when you consider the typical holiday menu - turkey, stuffing, casseroles, pies, and cakes - can anyone really expect to indulge without gaining at least a few pounds? The answer to that question is an unequivocal yes! You can have your stuffing and eat it too, all without gaining more than perhaps a pound. How to do it? Easy...first off, you can't tell anyone who'll be eating your cooking that you will be "modifying" the traditional recipes. What they don't know won't hurt them, and they'll never know if you don't tell them.... promise. If you're doing the cooking, this is what you need to do to prepare scrumptious AND healthy holiday dinners that no one will suspect is "healthy cuisine".

Turkey

If you typically slather your turkey in tons of butter or deep fry it, that's not only the recipe for a spare tire, but it will also likely clog a few arteries. So let's revamp the cooking of the bird. It is possible to prepare a beautiful juicy and golden turkey while slashing calories at the same time. Typically, I'll massage three tablespoons of pure olive oil into my turkey after pricking the skin all over with a fork. That way, the oil and your seasonings will sink into the turkey and the turkey will stay juicy and moist. Add two cups of water to your roasting pan and you can baste the turkey with the juice created from the water, olive oil, and seasonings. I've prepared my bird in this heart-healthy fashion for years and no one has ever accused the turkey of being dry or bland. Just be sure to massage in plenty of your favorite seasonings during your rub down of the turkey.

If you want other new healthy turkey recipes, Eating Well publishes new recipes

every year including one for an herb-roasted turkey and a lemon garlic roasted turkey with white wine gravy. Just log onto www.Eatingwell.com. These healthy recipes provide delicious turkey dishes at only 155-180 calories and no more than 6 grams of fat per serving.

Some additional tips for cutting calories and fat include removing/avoiding visible fat, limiting dark meat, and most important - watching your portion size. One portion should be about 4-5 ounces. That means that the serving should be the size of your hand while balled into a fist or the size of a deck of cards. Have turkey as your source of meat for the holidays and skip ham and/or prime rib. Turkey is a great source of protein, iron, zinc, potassium, and B vitamins.

Stuffing

If you want to be able to eat stuffing on Thanksgiving and Christmas, without feeling like you're the one who's been stuffed, you'll have to substitute your traditional recipe made with butter and fatty sausage for a healthier version using chopped veggies, broth, and lean chicken or turkey sausage. Additionally, it will be key to replace white bread as the main ingredient with whole wheat bread or brown rice. Eating Well also has posted a cornbread and sausage stuffing recipe made with sweet Italian sausage, onion, celery, cornbread, and chicken broth which boasts only 237 calories and 9 grams of fat per serving. This is a substantial reduction from the traditional stuffing recipe which typically contains 260 calories and fifteen whopping grams of fat.

Side Dishes

Your side dishes don't have to be macaroni and cheese, lasagna, creamy mashed potatoes, and the like. Healthy side dishes that everyone will enjoy include steamed fresh green beans sprinkled with garlic and sprayed with non-fat butter flavored spray, wild and brown rice, and baked sweet potatoes. Sweet potatoes are a much better choice than mashed white potatoes since sweet potatoes are naturally creamy and sweet,

needing no whipping agents or butter to be added. Baked sweet potatoes can be topped with cinnamon, Healthy Balance butter flavored spread, and just a pinch of brown sugar.

Desserts and Beverages

The holidays just wouldn't be the holidays without dessert, and having said that, dessert is undeniably the finishing ingredient to any holiday meal. The key to your success will be in choosing which dessert to partake of. There is pecan pie, apple pie, pumpkin pie, sweet potato pie, chocolate cake, cheesecake, brownies, and of course, those cute little cookies. Just keep this in mind: desserts with natural ingredients like fruit are always better than those made primarily from flour ingredients. That means go for the apple pie and sweet potato pie instead of the heavily frosted cakes and sugar sprinkled-cookies. Pumpkin pie is typically only about 180 calories per serving (without eating the back crust portion) while pecan pie will cost you a whopping 480 calories! Lastly, watch what you consume during dinner. Avoid high sugar drinks like pure fruit juices AND alcoholic beverages. Try to drink water with your meal or unsweetened iced tea (sweetened with Splenda), and save your alcoholic beverage for a single dinner toast or simply have an aperitif. If you need more than water or iced tea during dinner, try to limit your alcohol consumption to wine, rather than hard liquor or mixed drinks.

Final Tips for a No Gain Holiday Meal

Following the suggestions above for preparing healthy recipes and opting to choose healthier desserts will slash calories dramatically and help you in your quest to wake up the next morning weighing the same thing you weighed the morning prior (well...at least no more than a pound or so heavier). In total these modifications can save you as much as 600 calories, bringing your total consumption of calories down to about 1700 calories for your entire meal. But there are other things that you should do earlier in the day to "prepare" for your holiday meal. First, don't think

that you'll "save" calories by skipping breakfast and lunch. This will only cause you to be super hungry at dinner and more likely to over-eat. Instead, have a light breakfast of oatmeal (try Quaker Weight Control packaged oatmeal) and an orange or small banana, with scrambled eggs made of egg substitute. A breakfast like this will ensure that you feel satiated, control your blood sugar levels so you aren't tired early in the day, and the fiber in the oatmeal will help move food through your system more quickly. Drink lots of water throughout the day prior to your big holiday meal - aim for half a gallon or 8 glasses of water. Though this may seem like an enormous amount of water, think of it as drinking one glass of water every other hour...that's easy enough to do. Because dinner is only a couple hours away, for lunch, try to have something light like a serving of low-fat yogurt or a small meatless salad. This will be just enough to keep your metabolism revving without really adding a substantial number of calories to your day.

Try to find an hour prior to dinner time where you can squeeze in some exercise. Go for a 30 minute walk or jog while your pie is baking, or get the family members together for a Wii Dance off. Anything you do to get your metabolism elevated right before your meal will keep your calorie burning mechanism revved during dinner so that more of what you eat is burned up. Even going up and down the stairs to clean and decorate will burn some calories as long as you keep moving continuously for a good 20-30 minutes. And after dinner, it's a great idea to slip out for a quick 20 minute walk around the neighborhood with a friend or relative you'd like to chat a bit more with. In twenty short minutes when you've returned, no one will ever notice you were gone, and you'll feel refreshed and energized from the crisp evening air. Follow these tips and you'll wake up after the holidays feeling healthy and happy that you won't have to go up a size when looking for New Year's Eve outfits.

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YOUNG LAWYERS MEET THE JUDGES

OCTOBER 20, 2011





The History Corner is a new feature of the Prince George's County Bar Association's newsletter. It will contain information related to the history of Prince George's County.

“Histories make men wise...”¹

The contributor for this installment of the History Corner is the Honorable Judge Gerard F. Devlin. Judge Devlin served as an Associate Judge, District Court of Maryland, Prince George's County, from May 19, 1986 to September 1, 2001. He was a member of the Maryland House of Delegates, 1975-86. He served in the U.S. Marine Corps, 1955-57. He graduated from Boston College; Suffolk University, A.B., cum laude, 1959; University of Baltimore School of Law, J.D., 1969; University of Maryland, M.A., 1970. Admitted to Maryland Bar, 1971. Prince George's County Bar Association (Board of Directors, 2004-05, 2007-08; Parliamentarian, 2008-Present. Freshman Legislator of the Year, Maryland Young Democrats, 1975. Legislator of the Year, Prince George's Municipal Association, 1983. Veteran of the Year, Joint Veterans Committee of Maryland, 2007

Appointing Judges in the 1970's and 1980's in Prince George's County

Currently, people get appointed to the Maryland trial and appellate courts, and those who care marvel at the process. Obviously someone had some kind of influence with the Governor, but just who has the ear of the State's Chief Executive is a mystery to most individuals. In the 1970's and early 1980's there was a different protocol in place for the identification and selection of judicial candidates. Through the magic of the Internet I came across an article written by my friend C. Fraser Smith, then of the Baltimore Sun and one of Maryland's authorities on things political then and now which was published on January 24, 1978. It was entitled "The Making of the Judiciary-III Prince George's party has unique influence". (I wish there were space to reprint it in the Journal because it is both well written and comprehensive. Alas, space and staff limitations for the most part preclude such journalistic efforts these days.) C. Fraser Smith interviewed scores of people for this series. In Part III, he described how the Prince George's County's then unified

Democratic Party and the Prince George's County Bar Association (PGCBA) worked together on the selection of judges. He said, "More than in any other county or in Baltimore the local Democratic Party working in tandem with the bar association determined who gets to be a judge and when." The Breakfast Club was a component of this process. The membership of the Breakfast Club consisted of the Prince George's County elected leadership. The meetings were on Monday morning at the Sheraton Ramada in New Carrollton. The members met to discuss patronage issues and appointments. The meetings were open to the public, but only members could vote. Mr. Smith said, "The Prince George's version of the nominating system had three main working parts: the official Judicial Nominating Committee, the Breakfast Club and the vote of the bar association lawyers. " In those days a majority of the Judicial Nominating Commission were chosen by the PGCBA. It was the task of the PGCBA vote to weed out unqualified judicial applicants.

By agreement with then Governor Marvin Mandel and later Acting Governor Blair Lee, the judicial applicant sent up by the Breakfast Club would be the choice of the governor. Mr. Smith mentioned that, "One inside observer of the system offered the view that the bench in Prince George's has been elevated out of the status of political patronage for reasons that are even more fundamentally political. The negative reaction from the voters can be so severe that the greatest political advantage lies in making sure that relatively qualified, relatively non political judges are chosen."

Was it a perfect system? Of course not! Still, in my opinion, the records of the judges who came out of that system were for the most part outstanding. In addition, it opened the door to the appointment of minorities and women to the bench which in the past had largely been reserved for white Anglo-Saxon males.

¹ Essay. Of Studies by Francis Bacon (1625)

**REQUEST FOR CONTRIBUTORS TO
"THE HISTORY CORNER"**

Please contact Carolyn Starks Saxon at 301-952-3020 if you wish to contribute an article to "The History Corner".

PRO BONO WEEK

OCTOBER 23 - 29



Debra Davis, PGCBA President and Manuel Geraldo, Board Member, helping out during Pro Bono Week at the Fort Washington YMCA - they assisted over 18 citizens with legal issues.

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