

PGCBA NewsJournal

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

November 2011

PRESIDENT'S MESSAGE



Dear Colleagues

In support of Pro Bono week October 23 through October 29, myself and several of your colleagues answered questions and assisted citizens at various locations throughout the county with legal issues in an “Ask the Lawyer” format. While most of us would agree that there is an overall benefit to society when all citizens have equal access to the courts, the question has resurfaced. How far should we go?

“The first thing we do, let’s kill all the lawyers.” This line from Shakespeare’s Henry the Sixth play quoted by the character Dick the Butcher is often misquoted and paraphrased in jest to speak to how some feel about lawyers. However close scrutiny of the context in which it is used supports the premise that if you want total anarchy you must first get rid of all the lawyers. In other words but for... lawyers and their active participation in our society there would be total anarchy. Lawyers from the beginning of our organized society have been charged with protecting the rule of law. It is an awesome responsibility in a Democratic Society. Are we protecting the rule of law when only people of means are able to afford counsel?

Over the last ten years or so there has been a “civil Gideon” movement in the United States. *Gideon v. Wainwright* affords legal representation to indigent criminal defendants as a right. The “civil Gideon” movement offers this same or similar benefit to civil litigants. The movement is moving closer to home and as a Bar association we need to at least be a part of the discussion. The American Bar Association has already taken a position by passing a resolution to expand the right for publicly-provided legal counsel in civil cases where low-income people’s basic needs would be adversely affected without having counsel. This was done five years ago.

In the first test case of this effort in Maryland, *Frase v. Barnhart*, the court did not reach the issue of the right to counsel. But three judges in a concurrence said that they would recognize a constitutional right to counsel in some cases. We will likely be called upon in the near future to weigh in on this issue. How will this affect small and solo practices firms? How will it be funded? It is truly a Constitutional issue? Look for more discussion of this topic in the future.



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PGCBA NewsJournal

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Reminder to join us on November 17th, in the Ceremonial Courtroom as we honor colleagues who have passed away in the past year. Judge Missouri is coordinating this effort and Judge Sheila R. Tillerson Adams will preside.

The holiday party, our last event of the calendar year, is fast approaching and is shaping up to be lots of fun. We are planning a live auction led

by Jeff Harding of Sasscer Claggett and Bucher, and Richard Jaklitsch of the Jaklitsch Law Group. The event will be held at the Newton White Mansion. We also support 3 charities at this event, the Waxter Center for Women, the Prince George's County Police Toy Collection and the Salvation Army of Prince George's County Food Pantry. So please plan to attend and come loaded with cheer for all those less fortunate.

We will also have the official debut of the film "History of the Prince George's County Courthouse," produced in collaboration with the Prince George's County Historical Society, the Maryland State Bar Foundation and the Prince George's County Bar Association.

Hope to see all of you there!

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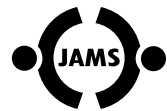
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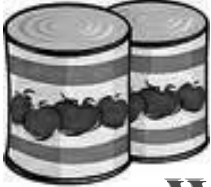
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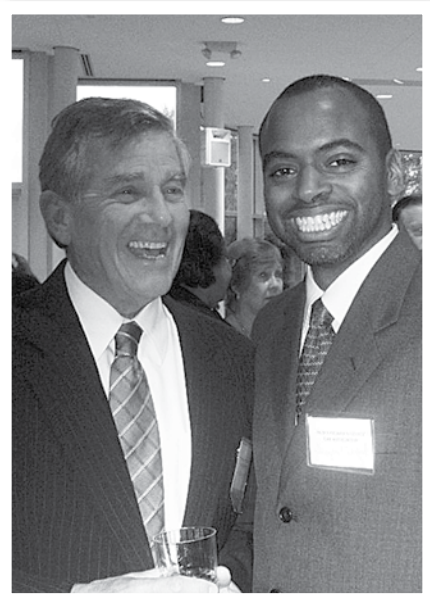


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