

PGCBA NewsJournal

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

February 2012

PRESIDENT'S MESSAGE



The month of February is recognized throughout our nation as Black History month. Events will be held from state to state highlighting the achievements of African Americans in this country. We will celebrate diversity and recognize the importance of diversity in every facet of American life. Our Bar Association will recognize this month as we have over the past years with a joint meeting between the J. Franklyn Bourne Bar Association. We have also invited the Montgomery County

Bar Association to join us at the Federal Courthouse in Greenbelt on February 7, 2012 to share in the event. The guest speaker will be Barbara Arnwine, Executive Director of the Lawyers Committee for Civil Rights Under the Law in Washington, DC.

Last month, the Prince George's County Bar Association Judicial Nominations Committee interviewed over twenty-six judicial candidates for the three open District Court judge positions. This is an arduous task at best but given the number of candidates in this recent pool I am sure it was more challenging. Hats off, to the committee for their work under the leadership of the Hon. William B. Spellbring, retired.

This brings up an interesting topic regarding the judicial selection process. Two years ago our Bar association amended our bylaws to update the powers and procedures of the judicial nominating committee. The new rules call for staggered terms and appointments by the Bar President and more. We also changed our membership rating system to an "on line" system. This allows members a chance to weigh in individually regarding the qualifications of the candidates. This is a prestigious Committee to sit on and one that we hold in high regard because of the trust we place in the members to be objective and to fairly represent the will of our membership when it comes to who should sit on the bench in our county. While this bar's input is one of many being submitted to the Governors Judicial Nominating Commission headed by member Gregory K. Wells, Esq. of Shadoan Michael and Wells, we are proud of the weight our committees' recommendations carry.



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PGCBA NewsJournal

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PGCBA Mission Statement

...to represent the legal profession and to serve its members
and the community by promoting justice, professional excellence,
collegiality and respect for the law.

Lawyers in Need

...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
Robin Shell 240-472-9919

Ethics Hotline

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

John R. Foran 301-441-2022
Steven Rosen 301-699-1400

Designated Conciliator Program

Martin G. Oliverio 301-513-0613
Gerald C. Baker 301-577-4600

This brings me to a topic regarding what do you think the bench should look like? Why with over 26 applicants did just 22% of our members take advantage of the on-line vote? What do you think are the qualifications that make a good judge? What is the judicial nominating process in our County and even the State of Maryland? How does one best navigate through the process? Judging from some of the applications we received in the last pool, I believe that this would be a great CLE for the future so... stay tuned for "So you want to be a Judge: Navigating the waters of the judicial selection process".

J. Franklyn Bourne Bar Association will also host its annual high school oratorical contest on February 25,

2012 at 10 a.m. The topic is "The Effects of Social Networking on Your Generation". This event is chaired by Circuit Court Judge the Hon. Hassan El-Amin.

Have a great Black History Month and be sure to make your reservation to attend our February

meeting. In addition, attend an event in your neighborhood to support your community.

Your President,
Debra M. Davis, Esq.

Kim S. Haskell, D.D.S., P.A.

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Retired Associate Judge, Prince
George's County Circuit Court

The McCammon Group
is pleased to announce our newest Neutral



Hon. Thomas P. Smith (Ret.)
Retired Associate Judge,
Prince George's County Circuit Court

After a career of service to Prince George's County and its citizens, Tom Smith has recently retired from the Circuit Court. His career included service for the Public Defender's Office as a Panel Attorney and as the County Attorney prior to his seventeen years of distinguished judicial service. Judge Smith was also a past Chair of the Trial Courts Judicial Nominating Commission and a former Director of the Washington Metropolitan Airports Authority. He now joins The McCammon Group and is available to serve the mediation and arbitration needs of lawyers and litigants throughout Prince George's County and across Maryland.



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MEMBER ANNOUNCEMENTS

Files of William Brooke

If anyone knows the whereabouts of the files of William Brooke who passed away March of 1995 could you please contact Kenneth Folstein at 301-982-3080. Mr. Brooke was a sole practitioner whose office was located in Greenbelt.

LRS CONTRACT
EXPIRES
JANUARY 31, 2012.

NAMES WILL
BE REMOVED
FEBRUARY 10, 2012
IF NOT RENEWED.

WEBSITE HITS
JANUARY 1, 2011 TO
DECEMBER 31, 2011

TOTAL HITS
57,222

UNIQUE HITS
40,997

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12,345

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2011 listing expired.
2012 Listing on
website
by 1/23/2012*

WELCOME NEW MEMBERS!

JUSTIN PATRICK WILKINSON
ATTORNEY AT LAW

SIMRET ZERU
OFFICE OF SIMRET ZERU

YVETTE KAREN WOOD BOURCICOT
SRIS LAW GROUP, P.C.

RASHID MAHDI
OFFICE OF THE STATE'S ATTORNEY

LISA DARLENE BUTLER
BUTLER LAW GROUP, LLC

AARON MICHAEL BLANK
ROSENBERG & FAYNE, L.L.P.

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



LEG 373 Mediator Ethics: Advertising and Mediator Fees: Sharpen your ability to recognize ethical and unethical conduct by discussing and examining various examples of advertisements. Review and discuss the criteria used in establishing an appropriate fee to be charged in mediation. *This course satisfies Title 17 continuing education requirements and MPME mandate for continuing education in ethics training.*

Speaker: Stephen Krohn, Esq.
Krohn & Krissoff, P.A.

When: Feb. 7, 2012, 5:30 – 7:45 pm

Cost: \$50.00

Where: Careers Building, Room 253
101 College Parkway
Arnold, Maryland 21012

LEG 374 The NEW District Court: Debt Collection and Electronic Filing: (In partnership with Anne Arundel Bar Association) Acquire vital information on the new debt collection rules which were effective January 1, 2012. Examine and discuss the challenging issues of the debt collection industry with industry leaders, including the requirements for affidavit judgments. Discuss the new electronic filing system scheduled to be implemented in the District Court in 2013.

Speakers: Hon. John P. McKenna,
Ron Canter, Esq., & Peter Holland, Esq.

When: Feb. 28, 2012 6:00 – 9:00 p.m.

Cost: \$35.00

Where: Center for Applied Learning
Technologies (CALT) Building
Room 100
101 College Parkway
Arnold, Maryland 21012

COMING SOON IN MARCH & APRIL

Registration will be available soon for these new CLE topics:

Mediation and Conflict Resolution

40 Hours Basic Skills Training

Evelyn Cook, Esq., Pam Morris

February 21st – March 29th 4:00 to 8:30 pm

Introduction to Conflict Coaching as an ADR Process

Ed Modell, JD, PCC, Merle Rockwell, ACC

April 10, 2012; 6:00 – 9:00 p.m.

Bankruptcy Nightmares for the Non-Bankruptcy Attorney (*In Partnership with Anne Arundel Bar Association*)

Carolyn Krohn, Esq., Sean Logan, Esq., Lisa Stevens, Esq.

March 27, 2012; 5:30 to 7:45 pm

Advanced Best Interest Attorney Training (*In Partnership with Anne Arundel Bar Association*)

Master Timothy Thurtle, Mike Malone, Esq., Richard Trunnell, Esq., Jennifer Merrill, Esq.

April 17, 2012; 5:30 – 7:45 p.m.

For easy and fast registration, print out a registration form from our website and fax it to (410) 777-4325 or email a PDF to edgable@aacc.edu

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FIVE THINGS I WANT YOU TO KNOW ABOUT FAMILY LAW A BROWN BAG LUNCH WITH JUDGE JULIA B. WEATHERLY AND THE PGCBA YOUNG LAWYERS' SECTION



1. Why are Divorce Cases Hard?

Clients are emotional and you do not have the training to handle it. So: Educate yourself on the psychological issues involving divorce and custody by reading a book or taking a class.

Recognize and respect your client's grief, anger and emotional reaction to the trauma in their lives at this time. Develop a network of mental health counselors and therapists to whom you can refer clients. Discover the resources for counseling in your community. Become knowledgeable about health insurance coverage for marital or family counseling. Seek out programs for kids who parents are separated or hostile.

Distinguish your role as the attorney from a therapist or friend, and hold yourself to it.

Keep Kleenex in your office.

2. Why are family cases rewarding?

Most clients are not murderers. They are us, and our families, and our friends – people worth helping.

You can assist with their problems: get the divorce, develop a parenting plan; establish child support; improve their financial plan or get them to the professionals who can, like Consumer Credit Counseling.

There is a lot of family work out there for attorneys, even with the increased numbers of self-represented litigants.

3. Assess the Case early.

Determine what issues need to be resolved.

What issues will be contested? Hotly or mildly?

What concessions or agreements is your client amenable to? This is the time to start educating your client so they can make reasonable and well reasoned decisions.

Determine if there are domestic violence issues. Learn what options and protections are available for your client.

Get a handle on the financial issues: assets, cash, income, expenses.

4. Discuss with your client how they will pay for the litigation.

Learn to give reasonable assessments on how much time this type of litigation will require. Talk candidly with your client how much your representation will cost.

How much do average cases costs? At \$250 per hour a case that takes

- 20 hours will cost \$5,000
- 40 hours will cost \$10,000
- 60 hours will cost \$15,000

How will the client pay you? Are there savings? Plenty of income? Rich aunt? New boyfriend?

The question is not just if they can pay a retainer fee. Inquire with the client whether they can pay for the entire litigation process.

If you require payment for your time and services in this case and the client is clearly unable to fund the cost of the litigation consider whether you will take the case on reduced fee basis or as a pro bono case. But be very cautious about entering the case,

spending the client's retainer, and bailing out before the end is in sight. You have not provided much assistance to the client, the client is disgruntled, and the court just might not let you out of the case, which brings us back to pro bono.

5. Know your own financial needs – essential for solo practitioners and small firms and darn useful for everyone else.

How much are your average monthly expenses incurred to run your business? We used to call this your "nut" and it includes rent, phones, computers, employees, bookkeepers, paper, business cards, photocopier machine, the cost for the man who repairs the photocopier machine, taxes, periodic or yearly expenses amortized

to a monthly amount. How much do you need to earn per month before you have any money to take home and feed yourself?

How much do you need to pay yourself? Complete your own financial statement. You make your clients do them so take the time and do one for yourself. Know how much you need to earn to maintain your household.

Have a plan how you are going to earn the amount of income you need to run your business and feed yourself. Then spending some effort planning how you will get clients, and be prepared to put your time and energy into marketing your practice. Remember that practicing law is a profession, but it is also a business. Be successful.



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Do your clients need to sell their property for less than they owe?

My first short sale was completed in 2009 while I was as a buyer looking for a bargain home. The bank thought I handled the transaction so well it strongly urged me to get a real estate license, so I became a full time realtor!

My primary focus is residential and commercial short sale transactions. I use secure web based tracking to keep all parties informed of the transaction status. If your client requires a short sale, I would urge you to refer them to me TODAY to see if they qualify. As you know, time is not your friend.

Best regards,
Chuck Perry, BSEE,
MSE, CDRS, CIAS,
Realtor®



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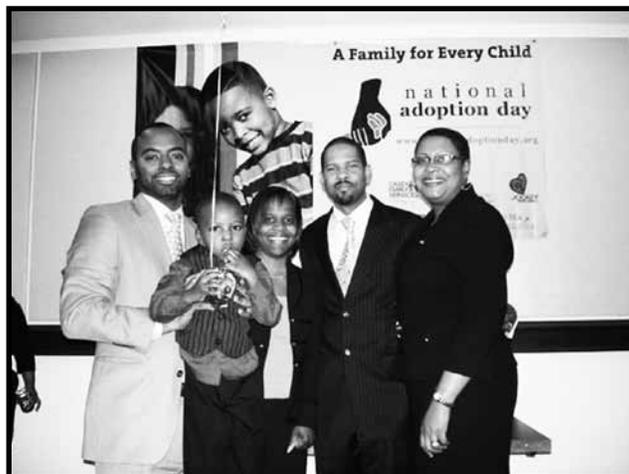
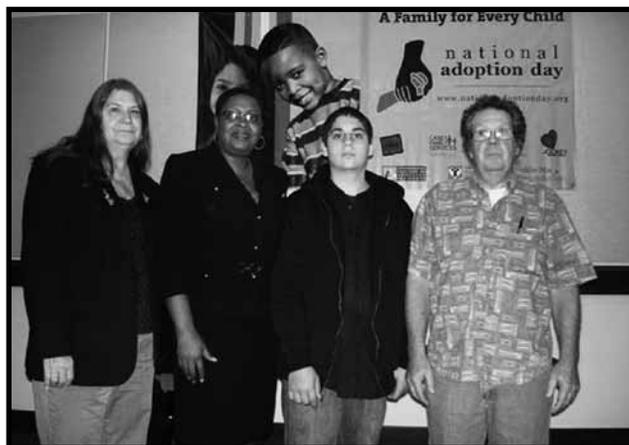
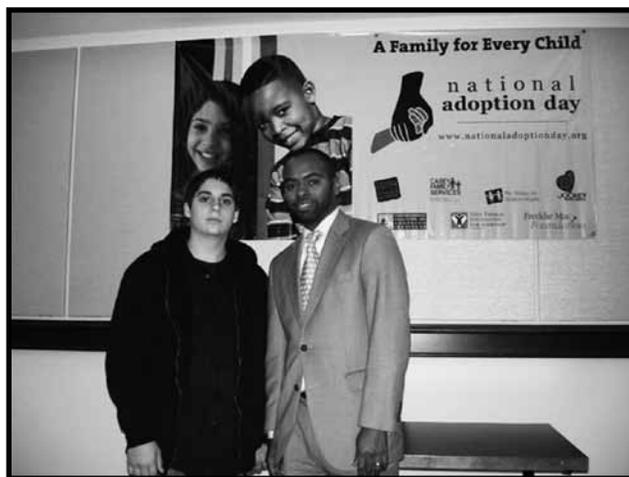
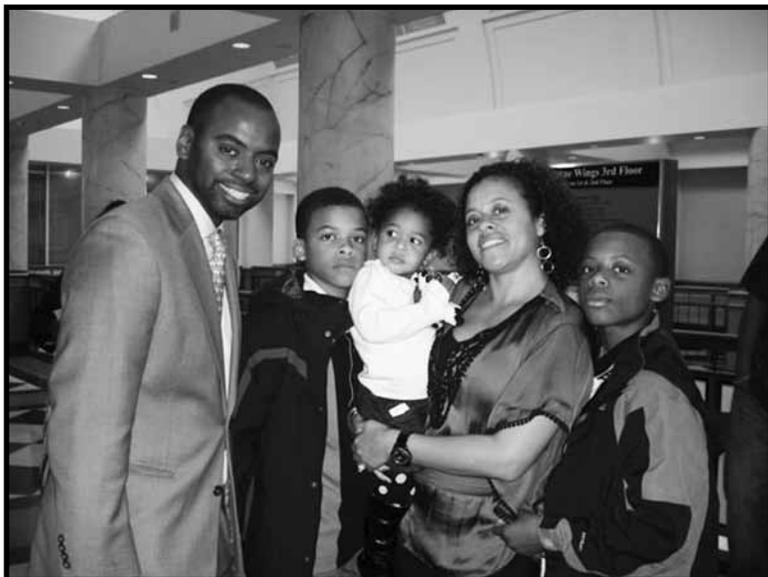
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ANNUAL ADOPTION CEREMONY

NOVEMBER 17, 2011



Prince George's County Bar Association participated in the annual adoption ceremony held at the Courthouse in Upper Marlboro. The President, Debra Davis, and board member, Joseph Wright, participated in the program by handing out Target gift certificates to all the new families. It was a heart-warming event and one the Bar is delighted to sponsor.

BROWN BAG LUNCH

February 16, 2012
12:30 PM

Lawyer's Lounge
3rd Floor
Duvall Wing

.....

Speaker:
Judge C. Philip
Nichols, Jr.

.....

Topics:
Handling the High
Profile Case

How the Practice of
Law has Changed

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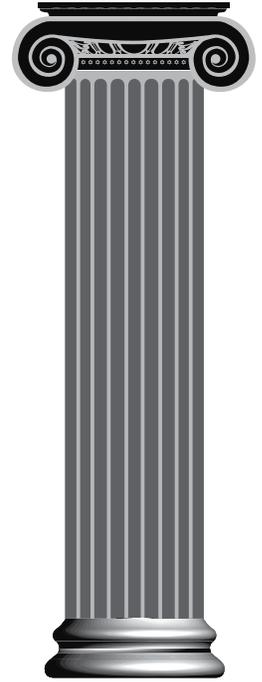
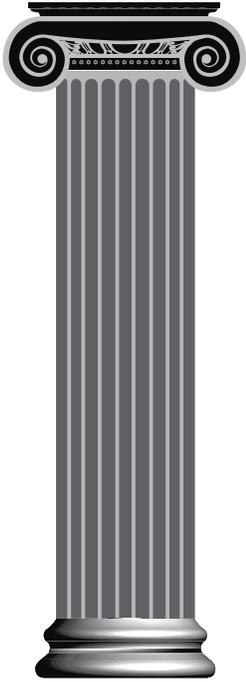
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Thursday, March 1, 2012

4 p.m.

LAW PRACTICE 101

1st Session

TOPIC:

Evidentiary Matters

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The 27th Annual Alan J. Goldstein Memorial Criminal Practice Seminar

*Sponsored by the Prince George's County Bar Association's
Criminal Law Committee*

Saturday, March 31, 2012
8:30 a.m. to 1:00 p.m.
Jury Assembly Room, Courthouse
Upper Marlboro

TOPIC I

Nuts and Bolts of Maryland's Confession Laws

**Speakers: John Maloney, Deputy State's Attorney Montgomery County
Andrew Jezic, Esq.**

TOPIC II

Hearsay and Confrontation

Speaker: Professor Lynn McLain, University of Baltimore School of Law

TOPIC III

Advanced Cross-Examination

Speaker: Leonard Stamm, Esq.

TOPIC IV

To Be Announced

Cost for Seminar and Materials

\$45.00 for members by March 23, 2012, -\$55.00 After
\$55.00 for non-members by March 23, 2012, -\$65.00 After

Presented by:

C. Todd Steuart and Alan Wolfe

To register call the Bar Office at 301-952-1442 or email gerry@pgcba.com



Our January article focused largely on the foreclosure problem in our county, and we will continue to do so since it does not seem this crisis will end any time soon. According

to the Maryland Department of Housing and Community Development over 27 percent of all foreclosures statewide occurred in Prince George County in the third quarter of this year (the largest share among all Maryland jurisdictions), and an estimated 18,000 notices of intent are slated to be delivered soon to the residents in this jurisdiction.

We will continue to bring attention to free available trainings for attorneys who would like to help stem this crisis, share some of our success stories, and publicly thank the attorneys who assist our clients.

Free Foreclosure Prevention Training for Lawyers

The Pro Bono Resources Center (PBRC) provides training to attorneys who would like to help but lack knowledge and training. The training is in exchange for a pro bono commitment. PBRC also provides a listserv for attorneys to actively communicate with each other and discuss various foreclosure issues in real-time!

PBRC's next training is scheduled for March 9 in Columbia, Maryland. PBRC will provide further details when it becomes available. You can visit their website for further details at www.probonomd.org

CLS provides advice and mentoring for volunteer attorneys on foreclosure law, defense and modification strategies. Please contact Angela Richardson Green at (301) 864-4907; extension 16, or email her at richardson@clspgc.org

If you need to refer a client facing foreclosure to CLS, please direct them to

our Foreclosure Prevention line at (301) 864-8186. Spanish speakers may ask for our bilingual legal assistant Oswaldo Perez at this same number.

In the past years CLS has made great strides to combat the problem thanks to you the volunteer attorneys. Through your professional assistance and countless donated hours we assisted homeowners navigate a myriad of circumstances. We extend our sincerest gratitude to: **Tyler King, Harry Ezratty, Angela Dawkins, Kwaku Ofori, Bennie Brooks, Keith Asher, Mark Hunt, Bernard Coleman, Misty Wilks, Richard Williams, Matthew Killoran, Barry Tapp, Phillip Diamond, Tyler King, John Brennan, Shuan Rose, Cristal Edwards, and Latasha Cooper.**

Foreclosure Success Story

A disabled homeowner fell behind on mortgage payments due to hospitalization. The homeowner requested a loan modification from Wachovia but was denied because the lender claimed they did not receive the required paperwork. The homeowner claims all paperwork requested was submitted. An Order to Docket was filed and the homeowner sought the assistance of a CLS pro bono attorney, to negotiate payment of arrears and stop the foreclosure. With the help of our volunteer attorney **John Gable**, the homeowner received a finalized modification. The homeowner is very pleased that the matter could be resolved and she was able to remain in her home. Thank you John!

Family Law Training

The Family Law Clinic meets the first Tuesday of every month and is hosted by **Nakia Gray, Esq. of Joseph, Greenwald, & Laake, P.A.** These free monthly trainings are for attorneys who have accepted/or will accept a pro bono case from CLS. Attorneys meet at her office and discuss their particular cases. The trainings are scheduled on the second Tuesday of every month, from 6:00 pm to 8:00 pm. To register for the trainings,

please email Karin Dalichow, Esq. at dalichow@clspgc.org

We Have Funding Available to Pay for Attorneys Fees!

CLS continues to refer cases under our Family Law Judicare funding project made available by *Maryland Legal Services Corporation*. Attorneys receive \$80.00 per hour up to \$1,600.00 per case. Payment is made after the case is concluded. Due to increased funding from Maryland Legal Services Corporation, CLS is temporarily able to suspend our requirement of accepting one pro bono case for each Judicare case. This is temporary, so please contact Michael Udejiofor or Angela Wright at (301) 864-4907 to get on the list!

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 free legal clinics in the County. They are located in the in Circuit Court House and Langley Park. For more information about our services, please contact Nora C. Eidelman, at 301-864-4907, ext. 12.

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Michael McGowan, J.Robb Cecil and Clint Rosso have in excess of forty five years combined experience advocating for our clients in thousands of personal injury matters.

AN ACT OF KINDNESS | *by William Parker, Esq.*

Having just gone through the holiday season and joy and happiness being the order of the day, I had something occur here in Upper Marlboro that was the true spirit of Christmas.

There is a homeless man living in Upper Marlboro who is truly down-and-out homeless and who I occasionally try to assist. The other day when I stopped him as he walked along slowly in 20 degree weather and asked him if I could help him other than the small monetary assistance I try to give him, he asked me if I had an extra blanket. I told the gentleman

that I thought I might be able to find one and that I would bring it to him. As I walked into my office and looked around at all the things I think all of us take for granted, I realized what a simplistic request this was from a fellow human being. I relayed what had happened to Joan Thomas, my Administrative Assistant, who immediately responded by telling me she had a sleeping bag in a box in the office which she would be happy to donate to this gentleman.

When I took the sleeping bag to the man, you would have

thought I was Santa bringing him a bag full of toys by the smile that crossed his face. It was obvious that the kindness of Joan would make a major difference in the quality of life this man would have.

This act of kindness was symbolic of what the holiday season is truly meant to be and I only hope that each of us can perpetuate these acts of kindness not just during the Christmas season but throughout the year. To Joan, I say thank you for setting an example in kindness for all of us to follow.



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3151 Presidential Golf Drive, Upper Marlboro, MD 20774

MONDAY, MAY 7, 2012

8:30 a.m. Tournament Shotgun Start

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*For questions, please contact Georgia Perry, 301-952-1442 or gperry@pgcba.com
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