

PGCBA NewsJournal

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

September 2012

PRESIDENT'S MESSAGE



Dear Colleagues

This year marks the 110th year of service for the Prince George's County Bar Association. One of my missions for my term as President of the Prince George's County Bar Association is to enhance the NewsJournal with information that is useful to practitioners, entertain attorneys as they read the NewsJournal while they wait for their case to be called, and to keep the membership updated on the ongoing events and programs that the Bar Association is providing. While doing this, I will try and keep in mind the cardinal rule of writing the President's Message for the Journal: No one reads past the

second paragraph. In this case, that would be a shame; at the end of this President's message I will reveal an easy way for your practice to make a lot of money!

First, I am very thankful to the members of the Bar Association in your faith in me to be your President for the upcoming bar year. I am humbled and honored and promise to work hard to ensure that the Bar Association works hard for you, the practicing attorney. I know that my leadership team feels the same way as well. Congratulations to President-Elect Jennifer Muskus, Treasurer Denise Bowman and our very own Secretary (yes, he does take notes during the meetings), Honorable Joseph Wright. Along with the leadership team, the Bar Association is fortunate to have a wonderful Board of Directors which includes Arnold Bruckner, Benjamin Rupert, Benjamin Woolery (no, you do not need to be named Benjamin to serve on the board, but it doesn't hurt), Clayton Aarons, our wonderful Past President Debra Davis, Erek Barron, Hon. Erik Nyce, Hon. Gerard Devlin, Janet Hart, Jeffrey Harding, Manuel Geraldo, Hon. Mark O'Brien, Martin Oliverio, Hon. Michael Pearson, Nakia Gray, and William Renahan. Rounding out our talented Board of Directors are Alyssa Chang, Hon. Robin Bright, Hon. Nicholas Rattal, Sabrina Richardson, William Snoddy and Lisa Robinson. These individuals all accepted the call to serve one year appointments to the Board, and for that I am grateful. Finally, let me thank each of you in advance for your help and dedication in the upcoming bar year. Now, please, keep reading past the second paragraph....

Anyone who knows me knows that my favorite television show of all time is The Wire. I have been known to drop a quote or two from the show in court and may occasionally yell, "Omar Coming" when I see Todd Stuart walking down the hall. Note: I promise that I will not make television show comparisons each month, but I can't promise there won't be a Game of Thrones reference in an upcoming President's Message. Although I can promise there will NOT be any references to any reality TV. In Season Five of the Wire, the fictional Executive Editor of the Baltimore Sun, James C. Whiting, III tells the newsroom after a new round of budget cuts have been revealed that, "We just have to do more with less." About five years ago, the Bar Association was faced with a similar challenge. Membership was down, fewer people wanted to join the Bar Association in a struggling economy, and everyone was asking



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PGCBA NewsJournal

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and the community by promoting justice, professional excellence,
collegiality and respect for the law.

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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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William Renahan..... 301-351-7531

Gerald C. Baker 301-577-4600

the same question, "What do I get for being a member of the bar association?"

Through a lot of hard work over the past five years, we've overcome some of those fiscal challenges and I am very proud to say that the 2012-2013 bar year will feature more programs and more free events than ever before. And we'll do this all without raising dues. Beginning in September, every first Thursday of the month will feature our free to members program, Law Practice 101, which gives helpful, useful and practical legal tips from various experienced attorneys and judges in Prince George's County. Every third Thursday of the month another program, again free to all members of the Bar Association, "Brown Bag Lunch" is held in the Lawyer's lounge featuring discussions and practice tips directly from the Bench. Also, coming up this bar year are five seminars discounted to members of the Bar Association. New additions to the fall lineup include a Bankruptcy Seminar on September 29, 2012 and a Tort Law Seminar on October 13, 2012.

Returning again this year is our Estates and Trust Seminar, the Goldstein Seminar and our Domestic Practice Seminar. This is on top of our two free Young Lawyer Happy Hour events and of course, our four general meetings throughout the year. Throw in free use of the Lawyer's Lounge (if you haven't been there, please make it a point to stop by) for members of the Bar Association, and I think it is safe to say that the Prince George's County Bar Association has certainly, "done more with less."

Now I promised in the first paragraph that at the end of this article I would reveal an easy way for your practice to make money. The answer is simple...join the Prince George's County Bar Association. I can only imagine that right now, the seven people who have read this far are rolling their eyes and saying, "I can't believe he just said that." But I feel that it is true. By joining the Bar Association you have free access to mini CLE's from experienced attorneys helping you improve your courtroom performance

and thus helping your practice. You have free access to judges at the Brown Bag lunch giving you practice tips and telling you what they look for in their courtrooms, which, again, can only improve your job performance. Plus you have discounted access to five programs a year in which you can learn about new developments in your area of law. It might sound corny, but joining the Bar Association and taking advantage of all that it has to offer really can make a difference in your professional life.

Thanks for indulging me in my first President's message. We are proud of this issue of the NewsJournal and the articles contained herein. I look forward to serving you throughout the year and know that my door is always open to any suggestions and/or complaints that you may have.

Thanks,
Bryon S. Bereano
President, Prince George's County
Bar Association

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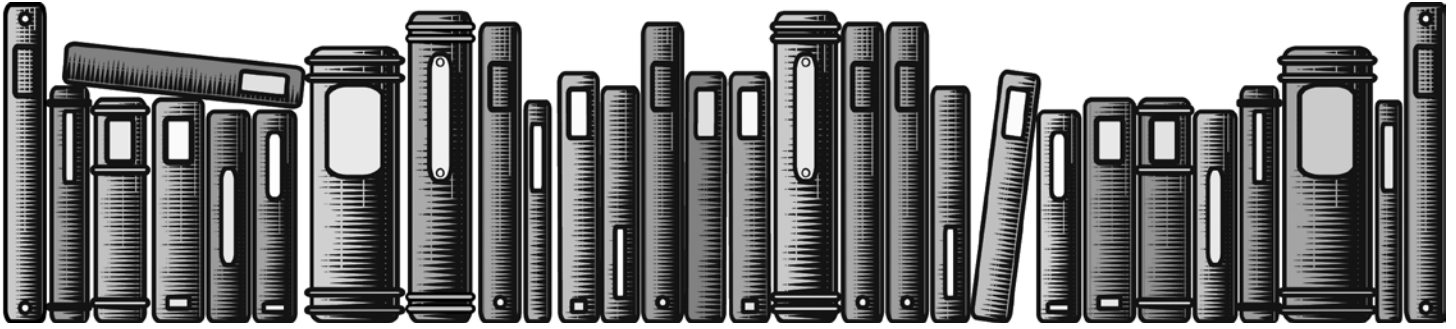
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The Prince George's County Circuit Court Law Library presents a list of new materials acquired this past summer. Feel free to visit the Library and review any materials, new or old.

BOOKS

Criminal Procedure Handbook, 2012 ed.
KF 9619 .C37 2012 RESERVE

Maryland Evidence: Courtroom Manual, 2012 ed.
KFM 1740 .H67 2011 RESERVE

Search and Seizure Checklists, 2012 ed.
KF 9630 .Z9 S42 2012 RESERVE
Includes CD-ROM available at the reference desk

Trial Handbook for District of Columbia Lawyers, 2012 ed.
KFD 1738 .A1 T75 2012 RESERVE

MARYLAND STATE BAR ASSOCIATION CLE COURSES

Advanced Estate Planning Institute, 2012 ed.
KF 750 .Z9 A25 2011

Includes proposed and enacted legislative changes made in the 2012 General Assembly session with regards to estate planning, overviews of life insurance products and insurance transfer-for-value rules, a discussion on funding small business buy/sell agreements with life insurance, and how to draft and administer irrevocable life insurance trusts.

Business Law Institute, 2012 ed.
KFM 1352 .M39 2012

Includes information on buying and selling environmentally "dirty" businesses, buying and selling goods across international borders, updates to the Maryland Limited Liability Company Act, loans and financing in commercial real estate, the top Maryland business law cases of the past year, compliance programs for the newly international business, derivative actions in limited liability entities in

Maryland, and good practices guidance for lawyers to detect money laundering and terrorist financing.

Hot Tips in Workers' Compensation, 2012 ed.
KFM 1542 .H83 2012 RESERVE

Includes an update on the Workers' Compensation Commission rules and procedures, a discussion of Potomac Abatement, Inc. v. Sanchez, information on Uninsured Employers' Fund cases, the current requirements for settlements and Medicare set-asides, hot tips for both claimants' and defense attorneys, a survey of recent appellant decisions, information on handling death claims and benefits, information on evaluating permanent impairment, a discussion on appeals by a sitting judge (with pattern jury instructions), a brief overview of subsequent injury fund cases, and a discussion of third party claims.

Maryland Criminal Pattern Jury Instructions, 2nd ed.
KFM 1783 .M39 2012 RESERVE
Includes CD-ROM available at the reference desk

ELECTRONIC RESOURCES

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CD-ROMS

Williston on Contracts – Forms, 2012 update
Kept at Reserve Desk



We are pleased to announce that the **2012 Maryland Pro Bono Service Lee A. Caplan Award** went to one of our best volunteer attorneys, **Anthony Hayes Davis II** in appreciation for

his extraordinary commitment of time, generosity of spirit, and dedication to providing equal access to justice. The award was presented by **Chief Judge Robert M. Bell** at the Maryland State Bar Association 2012 Annual Meeting held in Ocean city, Maryland.



Anthony Hayes Davis II, Esq.

The Hon. Paul B. Eason, in support for the nomination of **Anthony** wrote: *“Anthony Davis represents the best of our profession by leveling the playing field and making the rule of law a reality for the working poor,*

the immigrant, and the disenfranchised. I commend him to you without hesitation.”

We nominated **Anthony** for the **Lee A. Caplan Award** with great enthusiasm. At the office, he is known for being the attorney that we can always ‘count’ on, the one that always ‘saves’ us when it becomes very difficult to secure an attorney for legal representation. He takes the cases that are very ‘difficult’ to place with volunteer attorneys because of the complexity of the case, the close proximity to a court date or because the client does not speak English. He is always willing to work through an interpreter!

The Hon. Eason further wrote *“Anthony is an outstanding exemplar of what pro bono*

public service to the citizens of Prince George’s County means--- Simply put, Mr. Davis is competent, committed and caring!! His altruism is infectious.”

Anthony is an advocate for equal access to justice. He recently wrote *“All lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who, because of economic or social barriers, cannot afford or secure adequate legal counsel.”*



Staff attorney Karin Dalichow (left) receives Lee A. Caplan Award on behalf of Mr. Davis from Chief Judge Robert L. Bell (center) and Sharon Goldsmith from the Pro Bono Resource Center of Maryland

Awards Gala for Community Legal Services – Mark your calendars!

Guest Speaker: **The Honorable Lynne A. Battaglia**

Date: October 11, 2012
Time: 6p.m to 8:00 .pm.
United States District Court
6500 Cherrywood Lane
Greenbelt, MD 20770.

Our Summer Interns

We are grateful to our summer interns **Massa Kanneh** and **Julie Diaz** who provided very valuable assistance to us during the summer. **Massa** interned with us through the *Prince George’s County Law Links Student Internship Program* co-chaired by Judge Sheila R. Tillerson Adams. **Julie** came via the *Maryland*



Intern Massa Kanneh (left) shows Certificate of Achievement presented by Judge Sheila R. Tillerson Adams (right)



Our summer interns, Julie Diaz and Massa Kanneh (center), staff attorney Karin Dalichow (left) and our executive director Neal T. Conway (right)

Multicultural Youth Center. Both interns plan to pursue a career in law.

CLS New Telephone Numbers

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Fax line: (240) 391-6356

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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OCTOBER 13, 2012

9:00 a.m.-1:00 p.m.

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GET HEALTHY TODAY | *by Edith Lawson-Jackson*



Healthy Foods: Fact Vs. Fiction

I've recently discovered that a product I was eating and thought was healthy, really wasn't. I was so shocked. And then I realized that I had been tricked! It's my own fault that I had been "tricked" since I just read the label of the product and didn't scrutinize the ingredients. However, that's what many food manufacturers want us to do in hopes that they can make certain food products sound healthy and trick us into consuming them. So, having been fooled in this way, I thought I'd discuss foods that sound healthy versus those that really are and what to look for to make sure you're making the right choices when trying to make healthy food selections.

Multigrain bread is a favorite of many people, and is actually the product I had been purchasing regularly, thinking that it was my healthiest selection in terms of bread. I was aware that whole grains helped reduce the risk of heart disease and cancer, and that it was a good source of vitamin E, iron, and fiber. What I didn't realize was that multi-grain and seven grain breads were something entirely different from "whole grain" breads and did not have any of the same benefits. The key here is the phrase "whole grain". Only whole grain breads have these benefits, and most often, multi-grain and seven grain breads contain no "whole grain" at all. Rather, they are made from refined white flour with a sprinkling of other grains added. Thus, they are as processed as white bread and are often devoid of fiber. To make matters worse, they spike blood sugar levels quickly and then create the same crash that a sugar high does when the sugar high wears off. So, as I've learned, reading the nutrition label is important in determining what is really in a product, even when you think you know what the product is. Make sure that when you buy bread products, the nutrition label specifies that 100% whole grain or 100% whole wheat flour is the primary ingredient. If you see the word

"enriched" or "refined" anywhere in the ingredients list, that's a giveaway – avoid the product.

Products made with "sea salt" are also very popular lately and are promoted as a healthy alternative to foods seasoned with regular table salt. Many of us are confused about the difference between the two and believe that sea salt is a more natural alternative to regular salt. In actuality, buying foods seasoned with sea salt really offers no substantive benefit over using regular salt. The fact is that both are fairly identical nutritionally. The only real difference is that sea salt crystals are larger and therefore, the same volume of sea salt doesn't take up as much room as table salt, resulting in slightly less sodium. In practical terms, the difference is negligible.

Fruit juice is a favorite among everyone in my household, except me. My family members won't give up the belief that if the juice is 100% it has to be healthy and good for you. I stay away from fruit juice and consume it only very rarely. Because I'm cautious about the amount of sugar I consume, I avoid fruit juice. Anyone who is attempting to reduce their sugar intake should avoid fruit juices, even if they are labeled "100% fruit juice" or "only contains fruit juice". This is because even though the product may be "natural" fruit juice, often there is "added" sugar. The sugar that is added is in the form of "fructose" which is sugar that comes from fruit. So extra sugar is added to the juice, but it doesn't say "sugar added" because the type of additional sugar that is added comes from fruit. But make no mistake, these store bought juices do not contain the same amount of sugar as home-made juice would. If you want fruit juice that doesn't have sugar added, then buy a juicer and make your own juice. It will have substantially less sugar than the store bought versions.

Finally, "low fat" versions of products which contain good fats like peanut butter are another item that confuses many people. Foods that contain natural, healthy fats are foods that should be eaten as they are, rather than in a "low fat" version. The reason being is that when the fat content of these

foods is reduced, some of the healthy fat is taken out and a substitute ingredient is added to replace the taste and texture of the fat which is removed. Typically, sugar and salt is added. So, the calorie content of the low-fat version will usually end up being the same as the regular version; however, the nutritional profile of the reduced fat version will be less healthy since it contains more sugar and salt and less "good fats". So with peanut butter and related products, less fat is not healthier. Opt for the regular version or the "all natural" version.

The key to avoiding foods that look healthy but really aren't, is to take a minute once to read the nutrition label. Often this will give away the healthy food imposters. Be on the lookout for sugar levels that appear higher in "reduced fat" foods than in their regular counterparts. Also look out for words like "refined", "processed", and other ingredients that sound like they belong in a chemistry lab. Beware of anything that says it has added "fructose". Frozen fruit juices or concentrated versions always have extra sugar added, so never buy these versions. And try to buy food products from the store that have fewer ingredients. When you see ten or more ingredients in something like bread or processed meat products, beware! Don't believe the description the manufacturers include in the description of their products like "healthy", "good for you" and "calorie reduced". These descriptions don't necessarily mean the products are healthy. Food manufacturers want you to think that foods are healthy when they really aren't, so you'll need to arm yourself with knowledge to know what to avoid.

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 "A View from
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PRACTICE POINTERS AND PROCEDURE IN PRINCE GEORGE'S COUNTY: A PRIMER FOR THE UNINITIATED | *by Master Paul Bauer Eason*

So you want to know how we do things in our “neck of the woods?” The quick answer is, “not much differently than anywhere else.” But we do have our idiosyncrasies that Family Law practitioners need to acquaint themselves with to eliminate unnecessary delay and expense in the prosecution of their cases. We all know the maxim, “Time is money,” so; the inefficiencies that flow from unfamiliarity with local practice affect the bottom line.

First, some statistical context served with a dollop of hometown pride: Prince George's County is the second most populous county in the State of Maryland with over 800,000 citizens. It is also the wealthiest majority African-American county in the United States. We have twenty-three Circuit Court Judges (eight of whom are specially assigned to the Family Division), and seven full-time Domestic and Juvenile Masters.

We are also operating the busiest Family Court in the State of Maryland. For the five year period from 2005 to 2009 - the latest period for which we have reported statistics-- there were 71,792 domestic case filings in our Circuit Court. Consistent with national trends, many of these parties are partially pro se-- or as they are now referred to ---“Self Represented Litigants” (SRL's). Not surprisingly, the combination of our poor economy, along with the introduction of standardized forms, Paralegal Units, and Courthouse Clinics, has caused the percentage of SRL filings to explode. Here in Upper Marlboro, an astounding ninety per cent of all Family Law cases have no lawyer or only one lawyer! Simply stated, there are incredible opportunities in Prince George's County for competent and affordable lawyers to expand their practices.

Consider this scenario: Your client, the Wife, has hired you to prepare a Complaint for Divorce, Custody and Child Support—standard fare in all Family Courts. The first rule is to never mail anything to the Courthouse; always walk your pleadings into the Clerk's Office. You will need an original Complaint, Information Report, a Financial Statement, along with a preferably typed—

not handwritten—Summons and a check for \$145.00 (which includes the \$10.00 attorney appearance fee). You will want to bring two copies, one for your file and one for service. The reason to walk everything in personally, besides the chance that your papers may get lost in the mail, is easy rectification of any problems. For instance, if your Summons or check is incorrect, it can be fixed immediately. You will also begin to become acquainted with the Courthouse staff and hopefully develop a reputation for having your pleadings in order. Clerks notice your organizational skills and attention to detail and begin to form an opinion as to your competence. (Believe me, the clerks know who the good lawyers are, and the clerks are a great source for referrals.) And, always treat the clerks with respect and patience as they are inundated with paper and underpaid.

In addition, family law clients are typically stressed and impatient. Imagine how impressed your client will be when she returns to your office on Monday evening after hiring you on Saturday and you have her paperwork ready to retrieve for service. Now, contrast that situation with the lawyer who has mailed in the pleadings to the Clerk's Office and by doing so effectively ceded control and/ or knowledge of when the Writ of Summons and Complaint will be processed and mailed back.

Now, on to “service issues” –

If your client can afford to hire a private process server, that is the preferred way to go. I do not recommend service by certified mail. Think about it, does “good news” ever come certified? More importantly, the lawyer loses control as to when and if the defendant will pick up the pleadings. Remember that certified mail must be by restricted delivery, which requires the defendant's signature. Sheriff's Service is much better than certified mail, but shares the same problem of a lack of control over the timing of service.

If the client elects to have an acquaintance eighteen or older serve the pleadings, make sure that you provide the client with an affidavit of service with specific instructions

as to how to fill it out. It is absolutely inexcusable for a lawyer to file an incomplete or deficient proof of service. Then, after service, file the original affidavit personally (never by mail) and bring along with you a copy to be date and time stamped for your file. A smart lawyer maintains a calendar software or a, “tickler file” system to remind themselves when a default can be filed.

After service is accomplished, there are four potential outcomes:

1. No answer is filed — Request an order of default and hearing. Make your request in person by retrieving the file and walking the pleadings through to the Paralegal Unit.
2. Uncontested Answer is filed--- A hearing will be set.
3. Contested Answer---The Paralegal Unit reviews all answers and stamps them as either “Uncontested” or “Contested.” If the answer is contested as to custody and/ or visitation, a Scheduling Conference is set. If property is contested and there is at least one lawyer in the case, a Scheduling Conference is set.
4. A preliminary motion pursuant to Maryland Rule 2-322 is filed. The best example of this occurs when a Motion to Dismiss is filed for a failure to attach a Financial Statement in a case requesting child support or alimony. The Motion will be forwarded to the appropriate Judge for a ruling. If a mandatory motion and a contested answer are filed at the same time, a Scheduling Conference is set.

The Scheduling Conference

Scheduling Conferences in Prince George's County are unique. First of all, the Assignment Office calls attorneys to clear dates, as opposed to other large jurisdictions that do not. The conferences themselves are conducted by Case Managers (CM's), as opposed to the Masters. Scheduling Conferences are set in on Tuesdays and Thursdays at 8:30, 9:30 and 10:30 a.m.

The Notice setting the Scheduling Conference instructs parties to bring with them a number of documents including paystubs, tax returns, proof of work related daycare and other written materials relevant to calculating child support. The Notice also advises that a pendente lite hearing may be held at 1:00 p.m., if not sooner, to determine, "temporary support, custody and access. . . , if the request for temporary relief can be heard in 30 minutes or less." Based on my observations, first as a practicing attorney and now as a Master, the ability to address a denial of access and set temporary child support on the day of the Scheduling Conference is a huge benefit. Lengthier pendente lite matters, such as custody, alimony, requests for suit money and use and possession that are not capable of being resolved in thirty minutes or less are scheduled at a later date. More importantly, in Prince George's County, there is only one Scheduling Conference, and when the parties leave the Courthouse at the conclusion of the conference, ALL of their dates will have been set--- discovery deadlines, P.L. hearings, Parenting Classes, Settlement Conferences and a final merits hearing.

On the morning of the Scheduling Conference, your client will check in at the Family Information and Referral Center Rm.M-0415 (aka,"the Front Counter") and will then be instructed to fill out a Mediation Intake Form. If the answer to any of the below listed questions/ statements is, "Yes", both parties will be referred to Family Support Services for an interview with a clinician and your Scheduling Conference will be passed until the interview is completed. The parties will be initially interviewed separately and then brought back separately to hear the recommendations. Attorneys are not required to be present during the FSS interview but clearly you must consult with your client to avoid any allegations of abandonment. Finally, approximately half of all cases result in FSS screening, and "backups" can be lengthy. So, if you have your client's Scheduling Conference set at 8:30 a.m., you stand a far better chance of getting in and out of the Courthouse in a reasonable amount of time. Again, "Time is money."

Here are the questions / statements:

- Within the past five years have there been domestic violence issues between the parties in this case that were filed

with the court and/or resulted in a protective order?

- I am intimidated or fearful of the other party due to past or current physical or emotional abuse, and I feel this would affect my ability to mediate with the other party in this case. There have been allegations of child abuse or neglect, and/or Child Protective Services has been involved with the children in this case.
- There are or have been criminal proceedings between the parties in this case.
- There are or have been drug/alcohol issues with any party in this case.

The underlying purpose of these inquires is to determine whether or not there are any safety or "intimidation" issues the Court needs to be apprised of due to the requirement of mediation in custody/ visitation disputes. Clearly, there are liability concerns if a fight were to break out in a mediator's office or in a parking lot on the way out of a court ordered mediation.

Depending on what transpires in the interview, here are the options/outcomes:

- Drug testing that day and randomly thereafter. Remember: if one party is deemed appropriate for drug testing, the other party will also be required to submit.
- No custody/ visitation mediation or mediation at the Courthouse. (\$100 per person, per session, minimum of two sessions)
- A Home Study – (\$150 for each party)
- Custody Investigation—(\$300 for each party)
- A Psychological Evaluation. Just like drug testing, both parties will be required to undergo the evaluation. (\$1,000 for each party)

Now, if a party objects to the clinician's recommendations, the case will be forwarded to the Master assigned to Scheduling Conferences for an immediate hearing. Typically, the disputes that come before the Master involve the need for and/or the expense of a psychological examination (\$1,000 for each party) or a request for the appointment of a BIA—(\$1,500 for each

party). In fact, all requests for a BIA must be approved by the Scheduling Conference Master.

The Conference with the Case Manager

If your client has either avoided FSS screening or the screening is finished and the clinician's recommendations are in the court file, now the parties and lawyers will be directed to a conference room to meet with a Case Manager (CM), who will conduct the "scheduling" part of the conference.

All parties involved with a custody/visitation dispute must attend two sessions of Parenting Classes. The cost is \$125 per person, per session. The parents can attend together or separately. The classes are scheduled in the evenings and are also available in Spanish. If mediation has been ordered, at the conclusion of the classes, the parties will be furnished with the name of their mediator.

Brochures describing the class, contents, and locations are provided to the parents by the Case Manager, and forms to request a fee waiver are also furnished. Litigants who do not complete parenting classes (or report for drug testing) do so at their peril. Typically, I will dismiss or decline to make a ruling in a custody case for a failure to comply with the Scheduling Order.

The next task for the CM is to determine what issues remain to be litigated. Frequently, many contested matters originally pled have been resolved by the time of the Scheduling Conference. If the remaining issues can be resolved in three hours or less, the case will be referred to a Master for hearing. Cases involving more than three hours of Court time will be set before a Judge. All cases assigned to a Judge will also be set for a Settlement Conference if there are contested custody/access issues. All Settlement Conferences are typically held by a retired Judge approximately 45 to 60 days prior to the scheduled trial date. Cases with contested property issues with at least one lawyer may also be referred out for Property Mediation. If pendente lite relief is requested that requires more than thirty minutes to be heard, these hearings will be scheduled by the CM. Deadlines for the completion of discovery also will be included in the Order. The parties and their lawyers sign the Scheduling Order, so it is highly advisable to include all of the contested issues since a

PRACTICE POINTER, CON'T

failure to include an issue in the Scheduling Order, even if it is contained in the initial pleadings, may act as an estoppel at trial. Conversely, listing issues in the Scheduling Order that are not properly pled, or at issue on the trial date, is of no avail, and probably constitutes malpractice.

If the parties reach partial agreements as to custody, visitation, support ---really any matter whatsoever, during or before the Scheduling Conference, they will be referred to the Scheduling Master's Courtroom who will record and voir dire the parties as to the agreement. If the parties are SRLs, the Master will draft the Order. If the litigants are represented by counsel, a lawyer will be

asked to prepare the Consent Order. Best yet, in the event that all of the issues are resolved prior to or at the Scheduling Conference, and the parties are seeking a divorce, which is ripe and a corroborating witness is present; the Master will take testimony as to the divorce that day!

Final Thoughts

The Scheduling Conference is an essential component of our Differentiated Case Management Plan (DCM) and lawyers who practice here need to be fully conversant with its mechanics. Mastery of the "ins and outs" of Scheduling Conference procedures affords the lawyer an excellent opportunity to demonstrate their competence to the client

and reinforces the faith the client initially placed in their counsel.

Any questions, this Master may be reached at pbeason@co.pg.md.us

Master Paul Bauer Eason has graciously agreed to be responsible for a monthly article in the PGCBA newsjournal that will focus on family law and family law issues. He will have guest contributors who will provide valuable information to our members regarding family law in general and in specific family practice pointers. This monthly article will be called "Family Law Matters." Look for the articles in the upcoming newsjournals.

PUBLIC SERVICE GRANTS



*Christal Batey from Maryland Umbrella Group and
Bryon Bereano, Pres. PGCBA*



*Bryon Bereano, Pres. PGCBA and Joseph Fisher,
First Generation College Bound*



*Justin Britanik, Rachel Smith from Baden Medical
Services and Bryon Bereano, Pres. PGCBA*

The Prince George's County Bar Association awarded 5 \$1000.00 grants to the following organizations: Liberty's Promise, First Generation College Bound, Baden Medicals Services, Family Crisis Center of Prince George's County and the Maryland Umbrella Group. These donations are possible because of the Prince George's County Driver Improvement Program. This program has been in place since 1994 and continues to be successful because of the support of the District Court judges and the dedication of Judge C. Philip Nichols. These grants represent the Bar's commitment to the community. It is the hope that these grants will become an annual event.

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**PRINCE GEORGE'S COUNTY BAR ASSOCIATION'S
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**HOW BANKRUPTCY FITS INTO
YOUR STATE LAW PRACTICE**



SEPTEMBER 29, 2012

9:00 A.M.-1:00 P.M.

**Courthouse, Upper Marlboro
Jury Assembly Room**

John D. Burns, Esq. – A street fighter's guide to debtor's use of bankruptcy cases 9:00 am to 9:50 am

Mary Park McLean, Esq. – Chapter 13 arena and how to either get your debtors' cases confirmed or how to derail a Chapter 13 for creditors' usage. 10:00 am to 10:50 am

Steven Leitess, Esq. – Defensive and offensive tactics for the secured and unsecured creditor. 11:00 am to 11:50 am

Suvita Melehy, Esq. – Domestic relations law, offensive and defensive use in bankruptcy proceedings. 12:00 pm to 12:50 pm

.....

Cost includes materials.

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\$55.00 Non-Members by Sept 21, 2012- \$65.00 after.

Contact: PGCBA to make your reservations.

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PRINCE GEORGE'S COUNTY BAR ASSOCIATION UPCOMING EVENTS

2012/2013

BOARD MEETINGS

Tuesdays

September 18
November 13
January 15
March 19
April 16
May 14

BROWN BAG LUNCHES WITH JUDGES

3rd Thursdays

September 20
October 18
November 15
January 17
February 21
March 21
April 18
May 16

LAW PRACTICE 101

1st Thursdays

September 6
October 4
November 1
January 3
February 7
March 7
April 4
May 2

MEMORIAL SERVICE

November 15

SEMINARS

Saturdays

Bankruptcy Law
September 29

Tort Law
October 13

Estates & Probate –
January 26

Criminal Law
March 30

Family Law
May 4

MEMBERSHIP MEETINGS

Tuesdays

October 2
Meet the Judges

December 11
Holiday Party

February 5
Joint Meeting with JFFBA

June 4
Annual Meeting

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ANNUAL MEETING

JUNE 14-16, 2012



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PGCBA DIRECTORY 2012-13

PGCBA OFFICES

MARLBOROUGH PROFESSIONAL PARK
14330 OLD MARLBORO PIKE
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Office: 301-952-1442 • Fax: 301 952-1429
www.pgcba.com

EXECUTIVE DIRECTOR & NEWSJOURNAL EDITOR

GEORGIA J. PERRY
e-mail: gperry@pgcba.com

COMMUNITY SERVICES SECTION

Law Day

Coordinates annual Law Day USA programs.

Hon. Sherrie L. Krauser..... 301-952-5285

Law Links

Works through PGCBA to provide placement for summer jobs with area law firms for local high school students.

Hon. Sheila R. Tillerson Adams..... 301-952-3766
Abigale Bruce-Watson..... 301-731-0005

Law Related Education/Mock Trial Program

Coordinates with school systems in conducting mock trial programs in area high schools and providing team coaches and judges from Association membership.

Hon. Sherrie L. Krauser..... 301-952-5285
Hon. Tiffany H. Anderson..... 301-699-2777

Lawyer Referral

Coordinates Association's Lawyer Referral Service and provides information to public re: availability of legal services.

Gerald C. Baker..... 301-577-4600
John M. McKenna..... 301-474-0044
Perry Becker..... 301-262-4400
Arnold Bruckner..... 301-441-3600

Christmas in April Program

Encourages positive perception of the legal profession as well as Association by it's involvement in activities reaching out to less fortunate members of the community.

Erek Barron 301-804-3613
Lisa A. Hall Johnson 202-624-6722

Public Service Projects

Administers and oversees grant applications and funding.

Manuel Geraldo..... 202-544-2888
Hon. Cathy H. Serrette 304-952-3132

Speakers Bureau

Receives requests from community groups, organizations and schools for information on law-related topics and provides a speaker based on the interest, background, and experience of the attorney.

Hon. Gerard Devlin..... 301-262-1696

Traffic School

Oversees the operations of PGCBA's Traffic School.

Hon. C. Philip Nichols Jr..... 301-952-3907

MEMBER SERVICES SECTION

Cooperative Guidance Program

Coordinates attorneys volunteering to provide special legal assistance to other attorneys in specific areas of concentration.

John F. Calabrese..... 301-699-1400

Fee and Dispute Conciliation Program

Mediates and conducts hearings resolving disputes between Bar members and their clients upon request and agreement of the parties, pursuant to By-Laws; Volunteers intercede upon request as conciliators with other members of the bar and encourage amicable resolution of a discovery and minor disputes.

Gerald Baker 301-577-4600
William Renahan 301-351-7531

Lawyers In Need

Provide a confidential source of assistance for attorneys experiencing a personal or professional crisis.

James F. Flynn 301-932-0700
Robin Shell 240-472-9919

Memorial

Coordinates tributes and service for departed members.

Hon. William D. Missouri 301-952-5225

PGCBA DIRECTORY 2012-13

Solo Practitioner

Addresses areas of concern for attorneys in sole practice or small partnership.

Jennifer Muskus 301-449-7444

Technology

Provides an avenue for specialized assistance in areas of computerized court procedures, office management, legal research, and electronic communication.

Jay Creech 410-260-1330

Young Lawyers

Coordinates professional and social activities of interest to new practitioners and newly admitted members.

Benjamin E. Rupert 301-952-5158

Denise M. Bowman 301-292-3300

Nakia Gray..... 301-220-2200

ADMINISTRATIVE SECTION

By-Laws/Parliamentarian

As required, reviews By-Laws of Association and recommends and drafts changes to be submitted to membership; acts as Parliamentarian for all Association meetings.

Hon. Gerard Devlin..... 301-262-1696

History

Carolyn Starks Saxon..... 301-952-3239

Community Legal Services Liaison

Hon. Cathy Hollenberg Serrette 301-952-3132

Long Range/Strategic Planning

Provides a forum for review of activities and goals of PGCBA; oversees implementation of Association's Strategic Plan.

Hon. Nicholas E. Rattal 301-952-3227

MSBA Liaison

Hon. Nicholas E. Rattal 301-952-3227

Membership & Admissions

Encourages membership and participation in PGCBA;

reviews applications for membership for conformance with By-Laws.

Clayton Aarons 877-308-3250

Newsletter

Advisory board for topics and contributors for monthly newsletter.

Hon. Albert W. Northrop..... 301-952-3814

Nominations & Elections

Publishes vacancies for officers and directors; reviews qualifications of candidates; recommends nominees in compliance with By-Laws; oversees elections.

Debra M. Davis..... 301-452-2052

Sponsorship

Arranges for sponsors to support membership meetings and other special events.

Bryon Bereano..... 301-502-1972

SOCIAL & SPECIAL COMMITTEES

Golf Tournament

Robin D. Bright 301-952-5228

Joseph Wright..... 301-952-2708

Hospitality Suite

Board Officers

Sports Leagues

Jeffrey R. DeCaro..... 301-352-4950

LITIGATION SECTION

William C. Brennan, Jr..... 301-474-0044

Committees within this section provide avenues for practitioners to improve their knowledge, quality and efficiency in matters relating to various aspects of the law; many of these committees present practice seminars and manuals and provide articles of general interests for publication in the monthly newsletter.

PGCBA DIRECTORY 2012-13

Administrative Law

Daniel F. Lynch 301-952-0100
Abigale Bruce-Watson 301-731-0005

Alternative Dispute Resolution

Alyssa Chang 301-353-0081

Appellate Practice

Michael A. Wein 301-441-1151

Bankruptcy Law

John D. Burns 301-441-8780

Criminal Law

Todd Steuart 301-322-2000

Estates, Trusts & Probate/Elder Law

Benjamin J. Woolery 301-262-3600
Jacqueline D. Byrd 301-464-7448
Timothy O'Brien 301-220-2200

Family Law

Lisa Hesse 301-262-6000
Lindsey M. Erdmann 301-952-0100

Federal Practice

Robert C. Bonsib 301-441-3000

Immigration Law

Joseph Trevino 301-441-3131

Juvenile Law

Gregory Powell 301-864-6969

Labor & Employment

Jay P. Holland 301-220-2200

Law Practice 101

Erik Nyce 301-699-2780

Tort Law

Giancarlo Ghiardi 301-982-8617
Robert Clark 301-572-5000

Workers' Compensation

Debora Fajer-Smith 301-220-2200

PROFESSIONAL SERVICES SECTION

Alter Ego Program

Designated member of Bar acts as a liaison for each Judge and Master to communicate matters of a sensitive or critical nature to a member of the bench in a confidential manner. List published periodically in newsletter.

Hon. Mark T. O'Brien 301-699-2728

Ethics and Professionalism

Advises members upon the ethical propriety of contemplated professional conduct; recommends amendments to Rule 1230, Maryland Rules of Professional Conduct. Provides "Hotline" for instant ethics opinions, published monthly in newsletter. Provides Lawyers' Creed of Professionalism for maintenance of traditions of competence, courtesy and respect for the law as a profession and as a member of the Association.

John R. Foran 301-441-2022

Judicial Nominating Committee

Oversees and coordinates interviews of potential candidates.

Hon. Wm. B. Spellbring, Jr., Chair 301-627-5535

Maurene Epps Webb, Vice Chair 301-952-5181

Legislative

Monitors legislation; refers bills of particular concern to Board of Directors for adoption of position to be communicated to Legislature.

A. Robert Gardner 301-454-1670

PGCBA LAWYER REFERRAL SERVICE

Lawyer Referral Service panel membership information available upon request to the Bar Association Offices.

Client Referrals to LRS 301-952-1440

PGCBA DIRECTORY 2012-13

COURT HOUSE LAW LIBRARY

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Maryland State Bar Association President

John P. Kudel, Esq.
1 Metro Square
51 Monroe Street, Suite 600
Rockville, MD 20850

Phone 301-762-3770
Fax 301-762-8435
E-mail jpkudel@aol.com

Maryland State Bar Association

520 West Fayette Street, Baltimore, Md. 21201

Phone 1-800-492-1964

Fifth District Representatives

Debra M. Davis 301-452-2052
Hon. Nicholas E. Rattal 301-952-3227

PGCBA Liaison to Seventh Judicial Circuit YLS

Benjamin E. Rupert 301-952-5158

Prince George's Pro Bono Com. Rep.

Coordinates with the State Pro Bono standing committee

Alyssa Chang 301-353-0081

Prince George's County Criminal Justice Coordinating Com. Rep.

Clayton Aarons 877-308-3250

Prince George's County Family Justice Center Task Force Rep.

Nakia Gray 301-220-2200

COMMUNITY LEGAL SERVICES of Prince George's County

6301 Ivy Lane, Suite 720
Greenbelt, MD 20770

Executive Director

Neal T. Conway 240-391-6532, Ext. # 10

TELEPHONE NUMBER FOR CLIENT REFERRALS FOR PROBONO LEGAL SERVICES

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2 lines (minimum) \$15, 3 lines \$19,
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Non-Members:

2 lines (minimum) \$17, 3 lines \$21,
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Deadline for Submission: 15th of
month preceding publication.

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.

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MUTUAL CONFERENCE ROOM SHARE AGREEMENT: Howard County/Columbia attorney seeks access to a Prince George's County office to establish an address and meet clients in Prince George's County in return for providing same access to my office in Howard County/Columbia. Lloyd.Eisenberg@ljeassoc.com.

LAW OFFICE BUILDING FOR SALE TOWN OF UPPER MARLBORO, MD: Approximately 6,500 net rentable sq. ft. with parking. Walking distance to the County Courthouse and the County Administration Building Price: \$775,000 Call Chris Holland with Addison Herring Inc. 301-627-4655

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LAWYER REFERRAL SERVICE REPORT: 07/15/12-08/15/12

NUMBER OF CALLS: 1,015

NUMBER OF REFERRALS: 610

TOP 5 AREAS OF LAW:

1. TORTS
2. FAMILY
3. REAL ESTATE
4. CONSUMER
5. EMPLOYMENT



Prince George's County Bar Association
PGCBA *NewsJournal*
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