PGCBA NewsJournal

Newsletter of the Prince George's County Bar Association, Inc. *April 2014*

President's Message

Going to trial… Are you ready?

This past weekend I helped my parents, who are moving, pack up at least 40 years of memories. Each box was meticulously inspected and the contents divided into 3 categories: (1) Keep; (2) Toss; (3) Donate.

This made me think of my work files. It has been suggested by some attorneys that at the end of the calendar year each file is reviewed and divided into 2 categories: (1) Keep; (2) Return to the client. If you question whether you should return a file or withdraw from the case, first check with the Rules of Professional Responsibility.

Returning to the topic at hand this month, if the file is retained and tracked to go to trial, what then? Our experience has taught us that many of our cases will settle, but what about the cases that don't settle until the morning of trial? Are you ready for trial?

Although many of you are experienced attorneys and this is second nature, perhaps the following will be helpful for the newer practitioners. There are many resources that a new practitioner may review to find the most effective checklist, but at the outset of litigation, you should consider if there are any dispositive motions, counterclaims, third party claims that should be filed. Also review the pleadings filed by the opposing side to determine if there are any defects in the pleading. If your pleading requires an amendment, check the Maryland Rules for when you amend a pleading prior to trial and what is required to amend a pleading. Once you are in midst of the discovery process, you should consider whether you need to hire an expert. Review your retainer agreement to ensure that expert witness fees are separate from your retainer fee. Determine whether you need to seek expert witness fees from the opposing party, and whether you plan to depose the opposing party's expert's witness prior to trial. Review the Maryland Rules for how costs are to be paid when deposing the opposing party's expert witness. Designate your expert witnesses, your fact witnesses and make sure that discovery has been supplemented. Prepare Summary Charts of facts that are admitted and those facts that are disputed. Compare deposition testimony to answers to interrogatories. Issue subpoenas. Schedule witness interviews and review points to cover with each witness. Prepare an Exhibit Checklist to ensure that all exhibits are admitted. Review settlement options. Attend a Law 101 program which is free to members.

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PGCBA Est. 1902 PRINCE GEORGE'S COUNTY BAR ASSOCIATION OVER A CENTURY OF SERVICE

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PGCBA NewsJournal

Published monthly (except Jul./Aug.) by
The Prince George's County Bar Association
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ANNUAL SUBSCRIPTIONS provided to PGCBA Members at no cost as part of annual dues; Non-Member subscriptions $75 per year.

PUBLICATION DEADLINE 15th of preceding month. Approved advertising accepted; rates submitted upon request. Statements or opinions expressed herein are those of the authors and do not necessarily reflect those of the Prince George's County Bar Association, its Officers, Board of Directors or the Editor. Publishing an advertisement does not imply endorsement of any product or service offered.

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administered in-house by PGCBA
Call Elizabeth Anderson **301-952-1440**
for information and Client Referrals.

PGCBA Traffic School
Robin B. Hadden, Executive Director
Email: rhadden@pgcba.com
Telephone 301-952-8154

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

Designated Conciliator Program

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

President's Message, con't

Just a reminder that board elections are coming up and please mark your calendars for the following events: **3 April 2014** Law Practice 101; **10 April 2014** Social Hour with MSBA President, Michael J. Baxter (6-8 at the DAV Hall); **17 April 2014** Brown Bag Lunch; **1 May 2014** Law Day and Law 101; **3 May 2014** Family Law Seminar; **15 May 2014** Brown Bag Lunch; **10 June 2014** Tort Law Seminar and Annual Meeting (see Flyer for deals on tickets); **18 June 2014** expiration date for all Total Wine & More gift cards that Jeff Harding secured for us and given to each attendee at the Holiday Party.

Happy Spring (finally!)

Jennifer L. Muskus
President, Prince George's County
Bar Association

Member Announcements

PGCBA Community and Public Service Program 2014 Awards Solicitation

The PGCBA is soliciting applications for its Community and Public Service Project Awards. Awards are financed by the income received from the PGCBA's Traffic School Program. Since the program's inception in 2000, the PGCBA has awarded over $95,000 to numerous community, public service and other charitable projects benefiting the citizens of Prince George's County.

Bar members are invited to nominate programs which serve the Prince George's County community.* The organization must be a 501 (C) 3 to apply. Applications are available on our website www.pgcba.com. You may also contact Robin Hadden at rhadden@pgcba.com if you would like an application mailed to an organization that you think would be interested. The Public Grants Committee, under the leadership of Manuel Geraldo will review all applications. Awards will be announced in July 2014.

SCHEDULE

March 2014 – Begin advertising the availability of the community service funds.

March 17, 2014 – The application process will be opened and the committee will begin to receive applications.

May 16, 2014- The application process will be closed and no applications will be accepted after 5:00 PM on the 16th of May.

July 15, 2014 – The recipients of the community service funds will be announced.

CONGRATULATIONS!

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Maryland State Bar Association's Litigation Section presented their Third Annual "Judge of the Year" Award to the Honorable John P. Morrissey of the District Court of Maryland on Thursday, April 3, 2014.

Welcome New Members!

Britton Robert Wight
Attorney at Law

Barrett Ryan Schultz
Law Office of Eugene M. Zoglio

Darragh L. Inman
Law Office of Darragh L. Inman

Christopher Michael Balaban
Meyers Rodbell & Rosenbaum, P.A.

Elise Renee Randall
Attorney at Law

Robert Richard Castro
Law Office of Robert R. Castro

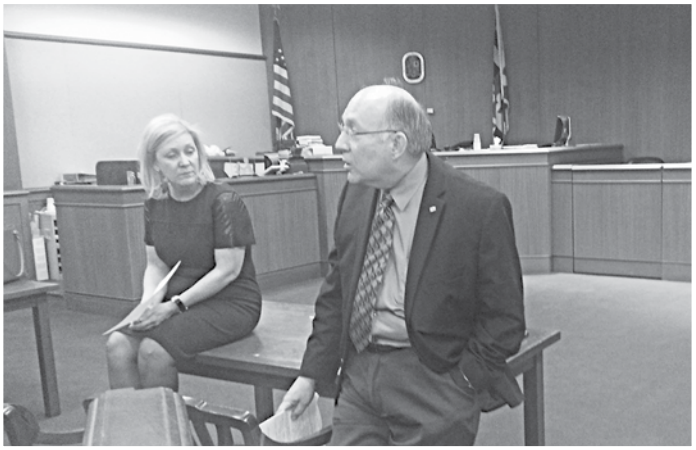
Brian Xavier Pendergraft
J. Anukem & Associates LLC

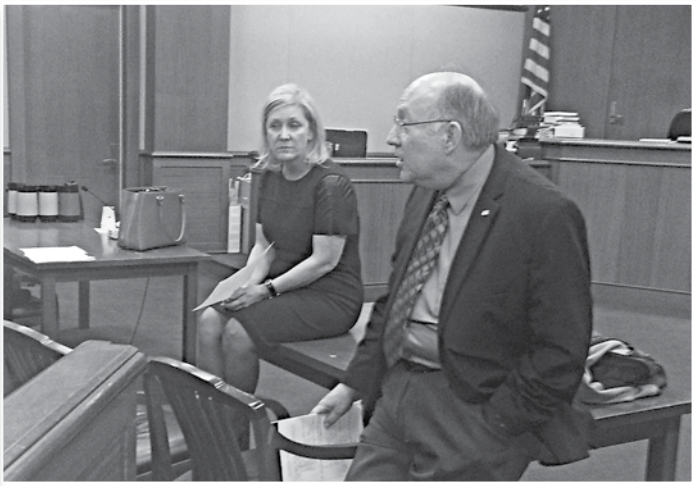
Jennifer S. Fairfax
Law Office of Jennifer Fairfax LLC

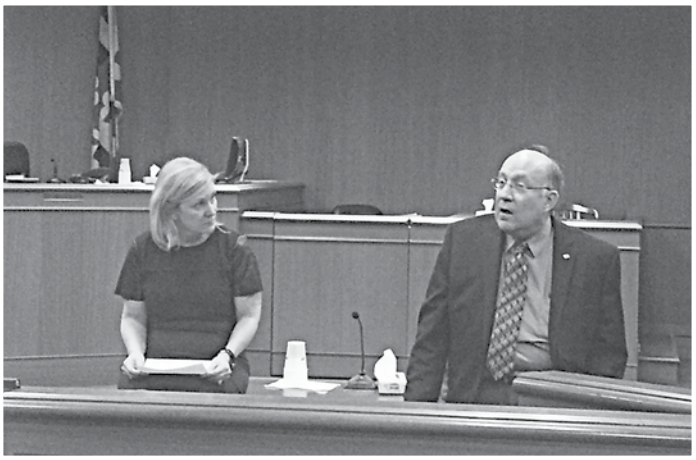
"The PGCBA is glad to have you as our new members!"

Law Practice 101
March 6, 2014

"Evaluating Damages in a Personal Injury Case"
Speakers: Hon. Steven Platt and Robert Wilson, Esq.
Moderator: Denise Bowman, Esq.





"Courtcoins" Project Set for Prince George's

by Albert Northrop, Special Reporter

With a grant of one hundred twenty five thousand dollars ($125,000.00) having been awarded to the joint Circuit Court/District Court accounting entity, virtual currency is the future for court costs, appearance fees, cash bonds and fines. In a joint memorandum from Chief Administrative Judges Sheila Tillerson Adams and Thomas Love, the two courts announced the pilot project which will commence July 1, 2014.

Under the program, using software being developed by a subsidiary of Bitcoin, monetary transactions in both courts will move from actual U.S. currency to virtual currency in one year in Prince George's County. The currency will initially use bitcoins however, once deposited into the judiciary account they will become c-bitcoins or "courtcoins."

By the end of the one year pilot project all attorneys who wish to practice before the District or Circuit Courts of Prince George's County will have to open a lawyer account online with a deposit of bitcoins. Each such attorney account will have a user name and a PIN number. Attorneys will have the responsibility to obtain their own start up bitcoins by outside purchase, bitcoin mining, trade or by solving the traditional Bitcoin puzzles.

Once an account is open all court costs, fees, cash bonds and fines will be charged against the individual lawyer's c-bitcoin account. If a pleading is offered for filing and the account does not have a sufficient c-bitcoin balance the pleading will be automatically rejected. During the first year pro se transactions will be exempt. After the first year pro se individuals will be required to pay by bitcoin as well through a separate pro se account to be created under the grant.

To guard against the value fluctuations associated with regular bitcoins, once a deposit is made and converted to c-bitcoins the value of each c-bitcoin will be fixed at one dollar per so long as the c-bitcoin remains in the court system.

Judge Love was particularly enthused by the potential of the program. "Our grant money is projected to be more than sufficient to assure implementation of the program and to allow us to offer some incentives. This program will also save us considerable sums in processing as it will all be done on our new computer and will avoid not only bank fees but will avoid banks altogether." Judge Tillerson Adams echoed similar optimism for the project and also noted that the court would no longer have to worry about bounced checks. Accordingly, as an incentive to lawyers to start early in setting up their accounts, filing and appearance fees for the first six months will receive a 5% discount. However, any c-bitcoins removed from the system will be charged a 10% penalty.

The pilot project will expand to the rest of the state after the first year assuming success of the program, and after two years all monetary transactions with the county Circuit Courts and state District Courts will be by c-bitcoins only.

Officials from the county detention center and from the Motor Vehicle Administration were present at the announcement and expressed keen interest, anticipating the possibility of jailcoins and speedcoins.

More information can be found at www.aPrilfoOl.duh.

Upcoming Events

Law Practice 101
April 3, 2014
4 PM
More info. to come

Brown Bag Lunch
April 17, 2014
More info. to come

Happy Hour
April 10, 2014
DAV-Bowie
See info. page 13

Law Practice 101
May 1, 2014
4 PM
More info. to come

Law Day
May 1, 2014
PGCBA
Free Legal Advice Line

Family Law Seminar
May 3, 2014
9 AM - Jury Assembly Room
See flyer page 17

District Five Town Meeting
May 7, 2014
3 PM - Courtroom 357
More info. to come

Golf Classic
May 13, 2014
See info. pages 20 & 21

Annual Meeting
June 10, 2014
4:30-Tort Law Seminar
6:30-Annual Meeting
See flyer Page 25

STAY INFORMED - KNOW THE LATEST

The Prince George's County Bar Association

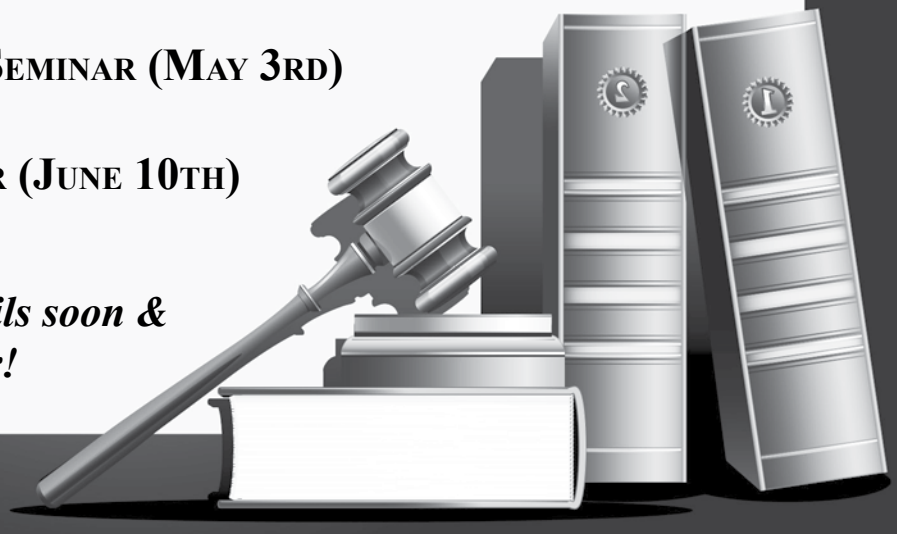
CONTINUING LEGAL EDUCATION (CLE) PROGRAM

Offers 2 More Courses this Bar Year

The Family Law Seminar (May 3rd)

The Tort Seminar (June 10th)

Look for more details soon & mark your calendar!



SEVERANCE – PART II – FEDERAL RULES, *BRUTON* AND OTHER THOUGHTS

by Robert C. Bonsib, Esq. and Megan E. Coleman, Esq.


In the first article in our series on severance, we focused on the Maryland Rules and Maryland cases discussing when severance of counts or defendants may be appropriate and under what circumstances motions for severance have been denied and affirmed and/or reversed on appeal. In this article, we will review the federal rules governing joinder and/or severance, review the application of the *Bruton* series of cases to the issue of severance, discuss selected federal and Supreme Court cases dealing with the issues of severance and, finally, discuss some practice pointers for setting up and preserving severance arguments.

FEDERAL RULES OVERVIEW

The basic federal rules are very similar to the Maryland Rules on joinder and severance.

Joinder of Offenses – Fed. R. Crim. Pro. 8(a)

The indictment or information may charge a defendant in separate counts with two or more offenses if the offenses charged "are of the same or similar character, or are based on the same act or transaction, or are connected with or constitute parts of a common scheme or plan." Fed. R. Crim. Pro. 8(a).

Joinder of Defendants – Fed. R. Crim. Pro. 8(b)

The indictment or information may charge two or more defendants if they are alleged to have participated in the same act or transaction, or in the same series of acts or transactions, constituting an offense or offenses. Fed. R. Crim. Pro. 8(b).

The federal decisions consistently have held that judicial economy favors joinder of defendants for trial of charges growing out of the same events. *U.S. v. Lurz*, 666 F.2d 69, *cert. denied*, 102 S.Ct. 1642 (4th Cir. 1981). However, they have also recognized that the "favored" position of joinder may be outweighed by other considerations.

In *U.S. v. Whitehead*, the Fourth Circuit held that "[w]here the only nexus between two defendants joined for trial is their participation in similar offenses, on different dates, with a common third defendant, the 'same transaction' or 'series of transactions' test of Rule 8(b) is not satisfied and joinder is impermissible." 539 F.2d 1023, 1026 (4th Cir. 1976).

Joint Trial of Separate Cases – Fed. R. Crim. Pro. 13

The court may order that separate cases be tried together as though brought in a single indictment or information if all offenses and all defendants could have been joined in a single indictment or information. Fed. R. Crim. Pro. 13.

Relief from Prejudicial Joinder – Fed. R. Crim. Pro. 14

If joinder of offenses or defendants in an indictment, an information, or a consolidation for trial appears to prejudice a defendant or the government, the court may order separate trials of counts, sever the defendant's trials, or provide any other relief that justice requires. Fed. R. Crim. Pro. Rule 14(a).

A significant federal rule, not present in the Maryland Rules, provides that "[b]efore ruling on a defendant's motion to sever, the court may order an attorney for the government to deliver to the court for in camera inspection any defendant's statement that the government intends to use as evidence." Fed. R. Crim. Pro. Rule 14(b). The importance of invoking this rule is discussed in the *Bruton* section in this article.

Defendant Bears the Burden

"A defendant making a motion for severance pursuant to Rule 14 has the burden of demonstrating a strong showing of prejudice." *U.S. v. Brown*, 217 F.3d 841, at *6 (4th Cir. 2000) (unpublished opinion).

CO-DEFENDANT STATEMENTS AND *BRUTON*

Perhaps the most common ground for severance occurs when defendants being tried jointly have given statements to police officers that implicate or refer to a co-defendant.

In *Bruton v. U.S.*, 391 U.S. 123 (1968), the Supreme Court made it clear that at a joint trial, the prosecution could not introduce a statement made by a non-testifying co-defendant which implicated another defendant on trial in the same proceeding. In that case, Bruton and Evans were tried together for armed robbery. A postal inspector testified that Evans orally confessed to him that Evans and Bruton committed the armed robbery. *Id*. at 124. Evans did not testify. Despite cautionary instructions to the jury to disregard Evans' hearsay evidence inculpating Bruton, in the context of a joint trial, that was not an adequate substitute for Bruton's constitutional right of cross-examination. *Id.* at 137. *Bruton* is limited to "facially incriminating statements."

The mere fact that a co-defendant may have given a statement does not necessarily entitle one to a severance. After *Bruton*, cases interpreting *Bruton* explained under what circumstances a non-testifying co-defendant's statement could be redacted by the prosecutor to make the statement "*Bruton* proof" such that the prosecution could use it in a joint trial.

In *Richardson v. Marsh*, 481 U.S. 200, 203 (1987), the Supreme Court held that

the admission of a non-testifying co-defendant's confession did not violate the defendant's right under the confrontation clause where the court instructed the jury not to use the confession in any way against the defendant, the confession was redacted to eliminate not only the defendant's name, but any reference to her existence, and the confession was not incriminating on its face, but only became so when linked with evidence introduced later at trial. The differences between *Bruton* and *Richardson* were that (1) in *Bruton*, the co-defendant's confession expressly implicated the defendant as his accomplice whereas in *Richardson* the confession was not incriminating on its face but only when linked to evidence introduced at trial and (2) evidence requiring a linkage differs from evidence incriminating on its face. *Id*. at 201.

Likewise, in *U.S. v. Locklear*, the Fourth Circuit held that a *Bruton* problem exists only to the extent that the co-defendant's statement in question, on its face, implicates the defendant. *24 F.3d 641, 646 (4th Cir. 1994). A* co-defendant's statement, which was not a confession, did not violate *Bruton* because *Bruton* is limited under *Richardson v. Marsh*, 481 U.S. 200, 208 (1987), to cases involving "facially incriminating confessions".

In *Gray v. Maryland*, 523 U.S. 185 (1998), the Supreme Court held that the *Bruton* rule prohibiting introduction during joint trial of confession of non-testifying codefendant which names the defendant as a perpetrator extends also to redacted confessions in which the name of the defendant is replaced by a blank space, the word "deleted", or some similar symbol. Unlike the redacted confession in *Richardson*, the confession in *Gray* referred directly to Gray's existence. An obvious indication of alteration such that the jury would clearly see the alteration, leaves the statement so closely to resemble *Bruton's* unredacted statements as to warrant the same legal results. *Id*. at 186. The *Gray* court said the "kind of" inference is controlling. In *Richardson*, the inference involved statements that did not refer directly to the defendant himself, but became incriminating only when linked with evidence introduced later at trial. By contrast, the inferences in *Gray* involve statements that despite redaction, obviously refer to Gray. Thus, the mere redaction of the name of a co-defendant is not sufficient to eliminate *Bruton* considerations. Any remaining references that refer directly to the existence of the co-defendant violate *Bruton*. *Id.* at 192. *Gray* cautions that limiting instructions cannot cure *Bruton* problems and that a jury will often react the same way to a redacted confession for it will often realize that the statement refers directly to the co-defendant. *Id.*

Be alert for testimony the prosecution may seek to offer by a witness, who wishes to testify to what that witness heard the non-testifying defendant say about your client. This witness may not be a police officer and may have heard your client discussing your client's involvement in the crime or providing other damaging information. *Bruton* does not apply simply to a confession or written statements to police officers but also to any statement that would be testified to in which the non-testifying co-defendant, that is not a co-conspirator statement, makes *Bruton* violative type comments regarding your client.

In *U.S. v Truslow*, 530 F.2d 257, 263 (4th Cir. 1975), the Fourth Circuit rejected the government's argument that *Bruton* is strictly limited to confessions made to law enforcement officers. The Fourth Circuit held that admission of a hearsay statement made by one defendant after the termination of the conspiracy, in which he implicated other defendants, was prejudicial error where the declarant did not testify. A cautionary instruction could not cure that error, and where several hearsay statements of the various defendants made after the termination of the conspiracy implicated the other defendants, the cumulative prejudicial effect of such statements required that the trial court grant the defendants' motions for severance, even though on all but one occasion the declarant testified at trial.

Practical Lessons from Truslow: When it is brought to the attention of the trial court in connection with a severance motion that *Bruton* problems may be caused by statements of co-defendants to be used in a joint trial, the court should make inquiry as to the statements intended to be used and then decide what remedial steps are required. The remedial action may be in the form of the exclusion of the statements at a joint trial, deletion of references to co-defendants against whom the statement or statements are inadmissible, or severance. *Id*. at 261-262.

Even though Truslow and his co-defendant later took the stand and removed confrontation problems, their testifying did not cure the initial and continuing prejudice created by the use of many highly damaging and incriminating statements. Likewise, the use of limiting instructions in a case with multiple statements does not cure the error.

CO-CONSPIRATOR STATEMENTS

If a statement of a non-testifying defendant is offered during the course of the trial and the statement does not represent, for example, a statement made to a police officer after the non-testifying co-defendant's arrest, and particularly if it occurred prior to the arrest of the alleged participants, the State may contend that it is not *Bruton* violative, but rather represents a statement of a co-conspirator. A co-conspirator statement under Fed. R. Evid. Rule 801(d)(2)(E) and Maryland Rule 5-803(a)(5) is one that was made by the party's co-conspirator during and in furtherance of the conspiracy. Such a statement is admissible in a joint trial even if made by a non-testifying co-defendant because all members of the conspiracy are held responsible for the acts and declarations of other co-conspirators made during the course of the conspiracy.

Be alert, however, because not all statements by a co-conspirator during the timeframe of the conspiracy are necessarily co-conspirator statements. In *U.S. v. Urbanik*, 801 F.2d 692 (1986), the Fourth Circuit held that a co-conspirator's statement identifying the defendant as the co-conspirator's "connection" for marijuana, which was merely a casual aside to a discussion of the defendant as a weight lifter, was not made "in furtherance of" a drug conspiracy, and therefore was not admissible under the co-conspirator exception to the hearsay rule.

FORCE THE ISSUE!

Often informally, the defense may ask

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SEVERANCE, CON'T

the prosecution whether it intends to use a non-testifying co-defendant's statement in the trial so as to give a good faith reason to file a motion to sever. Equivocal answers from the prosecutor are not uncommon. Either the prosecution will say it has not yet decided or it may say they will redact the statement of the non-testifying co-defendant to make it "*Bruton* proof." That is of little solace or assistance as you are preparing the defense of your case. An answer as to whether the statement will be used and, if so, if it will be redacted, is an answer that should be provided early on in the proceedings. The federal rules provide specific support for this approach. The absence of a similar provision in the Maryland Rules does not make it any less appropriate to demand such notice earlier in the proceedings. Additionally, if the prosecution indicates they are going to redact the statement, insistence on seeing the exact form that the statement will take after redaction is critical. If the prosecution fails to timely answer this question and, where appropriate, provide its proposed redactions, then it is necessary to file a motion to seek the intervention of the court to compel the prosecution to do so or, ask the court to bar the prosecution from using the statement or to grant a severance.

Once the redacted statement has been provided, simply because it may now appear to be "*Bruton* proof" from the prosecution's perspective, does not necessarily mean that a severance is no longer appropriate. Even if the proposed redactions eliminate a facially incriminating reference to your client, the remaining portion of the statement may still be harmful and may be misleading or viewed out of context because the redactions not only eliminate reference to your client but may also eliminate references to other matters that could be of assistance in the defense of the case or that otherwise put the statement in a context that fairness requires be presented to the jury.

The non-testifying defendant's statement, if introduced in a redacted form, may help the prosecution prove other elements of the offense, *i.e.* that there was a conspiracy with more than one individual involved, that the crime, if contested, actually occurred, even though the linking of your client to the crime has been redacted. Redacted portions of the statement may undercut proof on these issues or represent, in other ways, an unfair recounting of what the non-testifying co-defendant said. Make your record complete and particularized as to the nature and extent of any prejudice, even after the prosecution's redactions are proposed.

ANTAGONISTIC DEFENDANTS, DISPARITY OF EVIDENCE, AND UNPREDICTABLE EVENTS

Not every potential ground for severance is identifiable. In a particular case, you may contend that a joint trial with a co-defendant whose background or as to whom other prior bad acts will be admitted into evidence that had nothing to do with your client, creates "spillover prejudice" such that a joint trial would make a fair trial impossible. Your client's impeccable background may be tarnished by evidence that he had associated with someone whose criminal record is extensive or whose history of other bad conduct is wide ranging.

But, "[m]utually antagonistic defenses are not prejudicial *per se*." *Zafiro v. U.S.*, 506 U.S. 534, 538 (1993). Defendants properly joined should only be severed "if there is a serious risk that a joint trial would compromise a specific trial right of one of the defendants, or prevent the jury from making a reliable judgment about guilt or innocence." *Id*. at 539. The Supreme Court said this risk may occur when evidence that the jury should not consider against a defendant tried alone, is admitted at the joint trial such as a co-defendant's wrongdoing, or inversely if there is exculpatory evidence that would be admissible if the defendant were tried alone but is unavailable in a joint trial. *Id*.

A mere conflict in defenses, or hostility among defendants will not be sufficient, rather "[t]here must be such a stark contrast presented by the defenses that the jury is presented with the proposition that to believe the core of one defense it must disbelieve the core of the other…or 'that the jury will unjustifiably infer that this conflict alone demonstrates that both are guilty.'" *U.S. v. Najjar*, 300 F.3d 466, 474 (2002) (internal citations omitted) The defendant must establish that actual prejudice would result from a joint trial,… and not merely that a separate trial would offer a better chance of acquittal. *U.S. v. Reavis*, 48 F.3d 763, 767 (4th Cir. 1995).

On occasion, grounds will become apparent in the middle of trial that were not apparent pre-trial, either because of the nature in which the evidence is produce or because of unexpected events. *A motion for a midtrial severance is appropriate because the trial judge has a continuing duty at all stages of trial to grant severance.* "[E]ven though joinder may be initially proper, the trial judge has a continuing duty at all stages of the trial to grant severance if prejudice appears." *Schaffer v. U.S.*, 362 U.S. 511, 616 (1960); *see also, U.S. v. Spitler*, 800 F.2d 1267, 1273 (4th Cir. 1986). Although the rule places grant or denial of motion for severance in the sound discretion of trial court, if substantial degree of prejudice springs from joint trial, severance is mandated. *U.S. v. Truslow*, 530 F.2d 257 (4th Cir. 1975).

If that occurs, then the additional question is whether your client gets severed and a mistrial declared or whether the other defendant gets severed and a mistrial declared as to that defendant or whether a mistrial must be declared as to all defendants.

In *U.S. v. Chinchic*, the Fourth Circuit held that the trial of two defendants should have been severed when the evidence indicated that one defendant participated in a robbery with a certain group of individuals and the other defendant participated in a different robbery with that same group of individuals. 655 F.2d 547 (4th Cir. 1981).

The facts peculiar to each case will determine whether sufficient prejudice exists to make the denial of a severance reversible error. *U.S. v. Shuford*, 454 F.2d 772, 776 (4th Cir. 1971) (Where severance was only way of affording defendant any possibility of persuading co-defendant to testify and co-defendant had indicated quite

clearly to trial judge that he would testify if granted a severance and had indicated the precise contents of the expected testimony and its importance, it was reversible error to deny defendant's motion for severance).

PRESERVATION OF THE ISSUES

Even the best severance issues are of no consequence if not properly preserved for appeal.

The Maryland Rules, as previously noted, require a lawyer to file a motion for severance within 30 days of the entry of your appearance or the defendant's first appearance before the court. Grounds may become apparent at a later date that were not apparent within that 30 day time frame. Rule 4-252(a)(5). Timely file a particularized severance motion.

We are all accustomed to filing boiler-plate mandatory motions. The courts are more often requiring particularized motions and prosecutors are objecting and moving to dismiss non-particularized boiler-plate motions. While the prosecution has an obligation to provide the discovery and information necessary in order to determine whether a severance motion is appropriate so that the defense has the necessary information to particularize the grounds for the motion, once that information is available timely action is necessary.

It is also important to be alert and sensitive to newly acquired information or unexpected issues as they arise and to timely take action to move for severance if the circumstances support such.

The denial of a pre-trial motion for severance should be continually preserved. As an example, if it is based upon the court's ruling that the State has properly redacted an otherwise *Bruton* violative statement, either ask for a continuing objection throughout the course of the trial to the introduction of any of the disputed evidence or, at the time the statement is offered, renew your objection and your motion for severance or, better yet, do both. If the motion for severance is renewed, specifically incorporate all of the previously argued grounds and include any new grounds that may become apparent at that point in the trial. It may very well be that during the course of the trial, evidence has been introduced that you believe makes your argument even more persuasive and you want to make certain that you have incorporated that additional information as additional grounds for the renewed motion for severance.

LIMITING INSTRUCTIONS

\One of the greatest fictions in trial procedure (in the opinion of the authors) is that the court can give an effective limiting instruction to tell the jury to close their ears and to redact from their thought process information that is introduced during the course of the trial. The court may seek to mitigate the prejudice from the introduction of an offending statement or other evidence by offering a limiting instruction or, where the court really wants to try to put you in the "trick bag," it may require you to prepare a limiting instruction that is sufficient to help mitigate the prejudice from the denial of the severance and the introduction of the offending evidence.

Your failure to accept a limiting instruction, if a conviction results and an appeal follows, may be deemed to be a waiver of the opportunity to lessen or eliminate the prejudice, as the fiction of the effectiveness of limiting instructions continues through the appellant process.

If the court offers a limiting instruction or offers you the opportunity to prepare the limiting instruction, albeit reluctantly, you should do so in order to preserve the issue. Make it clear that the only reason that you are accepting a limiting instruction is because you believe that the failure to do so will be deemed the waiver of your motion for severance. Make it clear that you are accepting the limiting instruction under protest, and that you do not believe that it mitigates or eliminates the prejudice from the denial of the severance or the introduction of the evidence, and do so with as much particularization as possible. Do not, after the process of preparing what may be the best language in the limiting instruction, simply say it is acceptable. What you may be intending as indicating it is as acceptable as an unacceptable instruction might be deemed as accepting the instruction. Object to the final version, even as you tell the court that it is the best that can be done with a prejudicial and/or ineffective limiting instruction.

FINAL THOUGHTS: DON'T ALWAYS SEEK TO SEVER JUST BECAUSE YOU CAN

Not every instance where severance may be granted does severance necessarily serve the purposes of your client.

There are instances where a trial with a co-defendant may be important to the full development of your defense. It may be that an otherwise *Bruton* violative statement that the prosecution wishes to use as evidence against the co-defendant also contains evidence that is of assistance to you in the development of your case. This may also apply to the issue of whether you seek to sever counts.

Also, a severance of counts, if granted, now gives the prosecution two opportunities to persuade a jury to convict your client. If the prejudice in a joint trial is minimal and you want to avoid the possibility of two trials, and after with the appropriate knowing concurrence by your client, you may not want a severance.

In conclusion, issues relating to severance occur pre-trial and may arise during the course of the trial. Preserve the issue, preserve the issue, and preserve the issue.

Robert C. Bonsib, Esq. is a partner at MarcusBonsib, LLC and Chair of the PGCBA Federal Practice Committee and Megan E. Coleman is an Associate at MarcusBonsib, LLC in Greenbelt, MD and both concentrate their practices in the defense of state and federal criminal matters. Email: robertbonsib@marcusbonsib.com – megancoleman@marcusbonsib.com
Website: robertbonsib.com

Community Legal Services News | *by Linda M. Gantt, Esq.*

FORECLOSURE PREVENTION

Since joining the Foreclosure Prevention Project with CLS over a year ago, I have had the sometimes daunting task of understanding the policies and practices of lenders and servicers so that I can provide information to assist homeowners with keeping their homes. I have learned that while there are many explanations for why homeowners are facing foreclosure, many of them do not understand why the modification process is so difficult and most of them have attempted to get help with the process from one source or another. By the time they come to CLS, the homeowner is frustrated and weary; moreover, they are fearful of being summarily evicted from their home. The last thing they want to hear is that nothing can be done to save their home. When they receive the notice of intent to foreclose, they become frantic. The filing of the Complaint or Order to Docket (OTD) represents the death knell. The homeowner does not stand a chance against the lender's battery of lawyers, deep pockets and high powered lobbying firms.

According to the Department of Housing and Community Development, in 2013, Prince George's County had the largest number of foreclosures statewide, with a total of 6,032 foreclosure filings and 2,215 actual foreclosures. Baltimore City came in second at 1,859 actual foreclosures. Hence, proposed legislation is pending which if passed is aimed at stemming, or at least slowing down, the tide of OTD's and foreclosures and at ensuring that lenders are not taking unfair advantage of the homeowner under current law.

Another troublesome issue that is the subject of pending House and Senate bills is that of deficiency judgments. A deficiency judgment occurs as the result of a foreclosure that generates sale proceeds less than the outstanding mortgage obligation. The lender often goes after the homeowner for the shortfall. A deficiency judgment can create more devastation to the individual attempting to rebuild credit which was negatively affected by the foreclosure. According to statistics published on the website of the Maryland Consumer Rights Coalition, Maryland experienced 400 deficiency judgments from 2008, up by more than 600% from 2006-2012. The only option for many debtors is bankruptcy and further delay to rebuilding destroyed credit.

Senate Bill 755/HB1322

PG 411-14 as amended (and SB 755/ HB 1322) would put a 6 month moratorium on foreclosures in Prince George's County and it would add language to the Real Property Article, which would require the Circuit Court of Prince Georges County prior to approving an Order to Docket to Foreclose to send the homeowner a one-page affidavit. The affidavit would request verification of the receipt of all service, documents, and information required by state and federal laws from the foreclosing entity. In addition, the homeowner would have up to 15 days to return the affidavit to the court.

Senate Bill 708/HB 274

When a real property sale results in a deficiency, under current law, the bank or debt collector has up to 12 years to file for a judgment for the amount of the remaining debt owed under promissory note, and as many as 36 years to collect a deficiency judgment. The proposed law would cut the time to file the motion for judgment from 12 years to 180 days.

Pro Bono Opportunities

In 2008 emergency legislation was enacted in Maryland to assist homeowners with the process of preserving their homes by modifying inadequate and in some cases, fraudulent, mortgage loans. The new legislation, which included new notice requirements, additional defenses and modifications to the process itself, has enabled many families and individuals to either prevent foreclosure where feasible or mitigate their losses. The Foreclosure Mediation Act, effective July 1, 2010, mandates that homeowners are entitled to mediation with the lender before foreclosure can proceed. CLS is one of the organizations receiving funding and resources for the purpose of assisting homeowners through the mediation process. We maintain a list of trained attorneys and we refer homeowners who have requested mediation to the attorneys on our list. *Please contact Angela Richardson-Green at 240-391-6532 for details on the training and other requirements in order to be added to the CLS referral list.*

New: Foreclosure Prevention walk-in clinic at the Courthouse

CLS began providing legal assistance on foreclosure matters at the Circuit Court in June, 2013. **Every Friday from 1:00-4:00** an attorney is available in Room 2435 to assist homeowners with foreclosure prevention, mediation and related issues. This time slot is dedicated to individuals with foreclosure issues only.

Upcoming Workshops

In conjunction with several other organizations, CLS is planning a series of workshops this year. Homeowners who attend a workshop will have the opportunity to meet with either a housing

counselor or volunteer attorney to receive assistance on loan modification or foreclosure issues.

Date/Time: Saturday, March 29, 2014, 10:00-2:00
Location: Oxon Hill Library, Oxon Hill, Maryland
Sponsors: Councilmember Obie Patterson, Community Legal Services, Pro Bono Resource Center, Lydia's House

Date/Time: Saturday, April 26, 2014, 10:00-2:00
Location: Oxon Hill Library, Oxon Hill, Maryland
Sponsors: Community Legal Services, NAACP Legal Redress Committee, Pro Bono Resource Center, Maryland Volunteer Lawyers Service

Date/Time: Saturday, October 18, 2014, 10:00-2:00
Location: Greenbelt Library, Greenbelt, Maryland
Sponsors: Community Legal Services, NAACP Legal Redress Committee, Pro Bono Resource Center, Maryland Volunteer Lawyers Service

Linda M. Gantt, Esq. is a staff attorney with Community Legal Services and she works on the Foreclosure Prevention Project. 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, Langley Park and Suitland. For more information about our services, please contact Nora C. Eidelman, at 240-391-6532, ext. 12.

SAVE THE DATE

Social Hour with Maryland State Bar Association President, Michael J. Baxter

April 10, 2014
6:00 PM to 8:00 PM

DAV Hall
8205 Laurel Bowie Road, Bowie, Maryland

FREE TO ALL MEMBERS!

CONTINUING LEGAL EDUCATION

Legal Studies Institute

Anne Arundel Community College

LEG 516 Evidentiary Issues at Trial (*In Partnership with Anne Arundel Bar Association*)

Getting evidence accepted by the court is one of the most important factors in being successful at trial. Take advantage of this unique opportunity to gain valuable information on the best evidence practices from the experts. Gain practical advice for likely scenarios, discover judges' opinions and preferences, and prevent common mistakes. Learn what you must and cannot do in getting evidence admitted and excluded and much more. *$55.00 (add'l $10.00 if out of county)*

Speakers: Hon. William Mulford, Robert Zarbin, Esq., Michael Russo, Esq.

When: May 1, 2014; 6-8:30 pm

Where: Room 100, Center for Applied Learning Technologies (CALT) Building

Registration to Open Soon

May 2014

Bar Association of Frederick County

Mediation Seminars and Trainings

LEG 505 Mediation and Conflict Resolution Training*

This interactive 40 hour course will prepare you to mediate a variety of cases. The skill-based instruction includes a review of conflict theory, negotiation techniques, communication and problem solving skills. Through role plays participants will practice simulated mediation scenarios as well as learn ethical guidelines, conflict styles, strategic listening, agreement writing and the rules/statutes governing mediation in the Circuit Courts and in other mediation venues. *$850.00 ($860.00 if an out-of-county resident)*

**This course fulfills the requirements for Rule 17 of the Maryland Rules of Procedure for Alternative Dispute Resolution. This course is approved for 40 CEUs from the Maryland Board of Social Work Examiners*

Speaker: Tara Taylor, M.P.A.
Toby Treem Guerin, J.D.

When: May 2nd–4th; 3:30 pm (Friday)
May 16th–18th; 3:30 pm (Friday)

Where: Room 219, Cade (CADE) Building

For easy and fast registration, print out a registration form from the website below and fax it to (410) 777-4325 or email a PDF to lehoward1@aacc.edu.

101 College Parkway Arnold, MD 21012 410-777-7323

For registration, speaker and seminar information, visit www.aacc.edu/legalstudies/cle

50 INSPIRING YEARS Anne Arundel Community College

Family Law, Matters: The Emergency Courtroom

by Master Paul Bauer Eason

In the, "If they build it, they will come" department, a chambers judge is assigned each day to hear emergency matters—family emergencies, domestic violence petitions, requests for search warrants, requests for temporary restraining orders (TRO's) and petitions for emergency psychiatric evaluations. Of course, not all family emergencies are created equal and each judge has his or her own opinion as to what constitutes an "emergency." But, if you and your client believe that a bona fide family emergency exists, we have a Courtroom (M0405) just for you.

Examples of successful "Emergency" petitions include the following situations:

- Unilateral relocation by a custodial parent with little or no notice to the non-custodial parent that would significantly impact visitation.
- Custody Petitions by grandparents/ aunts /uncles alleging that the parents are on drugs, homeless or have abandoned their children.
- Requests by either parent to enjoin the other from removing children from Maryland and sending them back to Nigeria, Mexico, Haiti, etc.
- Credible allegations of child abuse/ or neglect.

If there is NO existing case, and one party is requesting a pendente lite custody award on an emergency basis, the custody "packet" i.e. Summons, Complaint, Information Report, Financial Statement, Emergency Motion and check for $145.00 should be brought to Window 3 at the Family Division information and Referral Center located on the Ground Floor of the Marbury Wing. DO NOT take the packet to the Domestic Civil Clerk's Office in the Duvall Wing. If there is already an existing case, you must first retrieve the file, and bring your pleadings along with a check for $35 ($25 filing fee plus $10 appearance fee) also to Window 3.

After the paperwork is processed, the file will be forwarded to the Paralegal Unit where one of the paralegals will review the pleadings and may interview the petitioner to determine what notice was given to the opposition. Md Rule 1-351 stipulates that no court order or relief upon an ex parte application will issue unless the moving party certifies in writing that all parties who will be affected have been given notice of the time and place of presentation or that the specified efforts commensurate with the circumstances have been made to give notice . So, twenty-four hours notice to an opponent who lives in Prince George's County might be sufficient while twenty-four hours notice to an opponent who resides in San Diego might not. However, to protect a party from physical violence, the Court can consider an injunction without any notice to the other side. Magness v. Magness, 79 Md. App. 668 (1989). The Paralegal Unit DOES NOT review domestic violence petitions, or petitions for a psychiatric evaluation. They must be heard on the record in court and not ruled on as a "chambers matter."

After the paralegal determines that the pleadings are in order and notice has been provided, four Orders are drafted for possible use by the Chambers Judge:

- A Show Cause Order to schedule the matter in an "expedited" manner—but with no emergency custody award or other relief.
- A Show Cause Order with an award of temporary custody.
- A Show Cause Order with an award of temporary custody directing Law Enforcement to assist in retrieving the child.
- An Order that states that no emergency exists and that the matter should proceed in due course. This Order may be signed in chambers and without a hearing. The other Orders/ options require hearings. Obviously, a Judge can ignore the proposed Orders prepared by the paralegal and create one of his or her own.

The 14th Annual

FAMILY LAW SEMINAR

A Presentation of the Prince George's County Bar Association's Family Law Committee:
Lisa Hesse, Co-Chair
Alphonso Hearns, Co-Chair

"High Conflict Custody Cases"

Best Interest Attorneys-When and Why?
Psychological Evaluations v. Custody Evaluations
Parenting Coordinators-Cost Benefit Analysis
Children in Court-Sufficient Age and Discretion
Relocation Cases
How to deal with "Land Mines" in Custody Cases
Legislative Update

SATURDAY, MAY 3, 2014

8:30 A.M. – 1:00 P.M.
JURY ASSEMBLY ROOM Court House, Upper Marlboro

PRESENTORS: TBA

Cost for Seminar & Materials:

$45 Members until April 25, $55 After
$55 Non Members until April 25, $65 After

Please register me for the 2014 Family Law Seminar. My check made payable to the Prince George's County Bar Association is enclosed.

Name: _____

Phone: _____Email: _____

Firm/Address: _____

Return form with check to Prince George's County Bar Association, 14330 Old Marlboro Pike, Upper Marlboro, MD 20772. Phone: 301-952-1442 or email: rhadden@pgcba.com

Greetings Bar Association Members:

Recently, the PGCBA Board of Directors approved a plan to establish a Mentoring Program for new and relatively new practitioners in Prince George's County. The Mentoring Program will seek to pair an experienced lawyer who possesses a high level of professionalism and significant experience in the practice of law with a new or less experienced attorney to guide the latter in developing his or her knowledge of the law, the skills necessary to be an effective practitioner, and professional judgment. Moreover, the objectives of the Mentoring Program are to expose mentees to the high standards of professionalism to which we have dedicated ourselves and to which we all strive to achieve in our legal community, promote collegiality among members through the exercise of ethical and civil behavior, and introduce new practitioners to the resources available through our bar association. Participants will be matched according to their practice areas and the locations in which they work or live.

Whether you are a sole practitioner, an associate in a firm, or a government attorney, I want to make sure that you have the opportunity to benefit from the mentoring experience. If you are interested in participating as either a mentor or mentee, please visit the PGCBA website, www.pgcba.com and download the appropriate application for the Mentoring Program. Your answers to the questions on the forms will establish whether you are eligible to participate in the program, and will enable me to pair you with the right practitioner.

I hope that you will consider participating in this exciting new mentoring program. I look forward to meeting and working with all of you who ultimately decide to participate.

Sincerely,

Donnell W. Turner
Chair, Mentoring Program

BAR ASSOCIATION LEADERSHIP OPPORTUNITIES

Positions Available: Secretary – Director

PGCBA's Nominating Committee, chaired by Immediate Past President, Bryon S. Bereano, is seeking candidates for the positions of Secretary and Directors for the Prince George's County Bar Association Board.

The deadline for submitting applications is Friday, April 11, 2014. Elections will be held at the Bar Association's Annual Meeting on Tuesday, June 10, 2014.

Minimum qualifications for an officer position are delineated by the By-laws. Generally, anyone who has been an Active PGCBA member in good standing for two years and has served on the Board OR as a chair or co-chair of a standing or special committee or section for two years may be a candidate for the office of Secretary.

Any active member currently in good standing may seek nomination as a candidate for a two-year term as a Director. The Board of Directors generally meets the second Tuesday of each month (depending upon scheduling) except for June and/or July, when the annual Retreat is held. The regular Board meeting schedule is determined by the President at the beginning of the new Bar year.

The Board of Directors manages the affairs of the PGCBA and provisions of the PGCBA Bylaws state in part that a nominee for a directorship commits that:

1. **he or she will serve as a member and Board liaison of at least one committee or section;**
2. **miss no more than two Board meetings without good cause and;**
3. **attend the Board's annual retreat.**

Anyone who would like to be considered for the position of Secretary or Director is requested to fill out the Application for Bar Leadership form and return the form, together with a brief summary of professional and bar activities, with a current photo through email to the Bar Association office, at rhadden@pgcba.com prior to the Friday, April 11, 2014 deadline. Questions may be directed to Immediate Past President Bryon S. Bereano at 301-952-4759, or to Robin Hadden at 301-952-1442.

APPLICATION FOR BAR LEADERSHIP

TO: Bryon S. Bereano
C/O Prince George's County Bar Association, Inc.
14330 Old Marlboro Pike, Upper Marlboro, MD 20772-2840

DEADLINE FOR SUBMISSION:
April 11, 2014

Applicant: _____

Firm: _____

Address: _____

_____

Please check a box: Secretary [ ] Director [ ]

Please email the form, a brief summary of professional and bar activities with a current photo
TO RHADDEN@PGCBA.COM NO LATER THAN FRIDAY, APRIL 11, 2014
(PHOTOCOPIES OF THIS FORM ARE ACCEPTABLE)

THIS APPLICATION IS ALSO AVAILABLE AT WWW.PGCBA.COM

J. FRANKLYN BOURNE BAR ASSOCIATION AND THE PRINCE GEORGE'S COUNTY BAR ASSOCIATION

GOLF CLASSIC

To Benefit the J. Franklyn Bourne Scholarship Fund and Operation Homefront

Lake Presidential Golf Course

3151 Presidential Golf Drive, Upper Marlboro, MD 20774

TUESDAY, MAY 13, 2014

8:30 a.m. Tournament Shotgun Start
1:00 p.m. Golf Clinic

$150 single/$550 foursome*
***Must pay and sign-up as a foursome**

Fee includes: Range Balls, Prizes for 1st-2nd place, Prizes for Longest Drive & Closest to Pin, Continental Breakfast, Dinner, and other Golf Gifts

CLINIC: **$50 per person** (includes awards ceremony and dinner)

For questions, please contact ***Robin Hadden, 301-952-1442 or rhadden@pgcba.com***
Or Jason DeLoach, 301-292-3300 or jdeloach@alexander-cleaver.com

Enclosed is a check in the amount of $_____.

Please reserve _____ spots for May 13, 2014 Tournament _____ spots for the Golf Clinic.

Name: _____ Telephone: _____

Foursome to Include: _____

_____

Firm/Address: _____

Foursome _____

Clinic Participants:

_____

_____

Return this form with check made payable to "J. Franklyn Bourne Scholarship Fund, Inc." and mail to Prince George's County Bar Association, 14330 Old Marlboro Pike, Upper Marlboro, Maryland 20772. A portion of your donation may be tax deductible. Consult your financial advisor for details.

J. FRANKLYN BOURNE BAR ASSOCIATION AND
THE PRINCE GEORGE'S COUNTY BAR ASSOCIATION

GOLF CLASSIC

MAY 13, 2014

To Benefit the J. Franklyn Bourne Scholarship Fund and Operation Homefront

Lake Presidential Golf Course

Rated #2 Golf Course in Maryland

3151 Presidential Golf Drive, Upper Marlboro, MD 20774

SPONSORSHIP OPTIONS

***PLATINUM*: $3,500.00**
(2) Foursomes
*Logo Gift**
Presenting Sponsor (Awards)
Display signage at sign-in & dinner
Address golfers at dinner

GOLD: $2,500.00
(2) Foursomes
Logo Gift*
(1) Tee Sign
Special Recognition

SILVER: $1,000.00
(1) Foursome
Golf Balls with Logo*
(1) Tee Sign

GENERAL SPONSORSHIP		
$400.00	**$300.00**	**$200.00**
(2) Golfers	(1) Golfer	(1) Tee Box Sign
(1) Tee Box Sign	(1) Tee Box Sign	

*Sponsors Must Provide Logo

Contact: Robin Hadden, 301-952-1442, rhadden@pgcba.com
Jason DeLoach, 301-292-3300, jdeloach@alexander-cleaver.com
Make check payable to J. Franklyn Bourne Scholarship Fund

Help support American troops, veterans, and military families by donating NEW and GENTLY-USED **PAPERBACK** books to Operation Paperback

Book Drive for Military Members and Families

Drop off books at the Law Library, room M1400, during National Library Week,

April 14-18, 2014

Sponsored by the Prince George's County Circuit Court Law Library

PLEASE CALL NOW !

The value of a personal injury case is significantly impacted by what work is done during the first 30 days
Do not Fall prey to the complexities of a personal injury case

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Consider a Rule 1.5 fee-sharing agreement

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Get Healthy Today | *by Edith Lawson-Jackson*

Eating Healthy on a Budget

Many people think that they can't eat a healthy diet because it's unaffordable. While eating organic can be very expensive, and even eating healthy can cost a little more, it's not entirely impossible to eat a healthy and nutritious diet on a budget. In fact, you can eat an entire day's worth of healthy meals for about what it costs you to eat one fast food meal –or about $8.00 a day. Sound too good to be true? Well, it's not. But you have to put in a little more effort than just cruising through the drive-thru line at McDonald's. Most of your meals will have to be prepared at home, and you'll have to be sure to actually eat all of the food that you buy (because so much food that we buy goes to waste). However, if you follow these simple guidelines, you'll be able to get in three nutritious meals plus some snacks each day for about eight bucks without spending hours preparing meals. Here's how to do it:

Breakfast :
Option 1 – make oatmeal at home. I like Quaker Weight Control Oatmeal because it is low in sugar, high in fiber, and has a good amount of protein. Plus you can have 2 servings for about .75 cent. Add a sliced banana that you purchased from the grocery store and the cost increases by only about .35 cent. Total cost: $1.10. Total Preparation time: 5 minutes

Option 2 – Egg White/Egg substitute Omelette Muffin with cheese and spinach (or cheese and turkey). Use a whole wheat English muffin (about .35 cent) with four eggs, using egg substitute purchased in quart sized cartons (about .85 cent) with a ¼ cup of reduced fat cheddar cheese (about .40 cent) and either 1 cup of baby spinach or 2 slices of turkey breast meat (about .30 cent). Total cost: $1.90. Total preparation time: 15 minutes

Lunch:
Option 1 – 2 Grilled chicken wraps with cheese, salsa, and lettuce. Use a whole wheat sandwich wrap (about .20 cent) with a whole, large grilled chopped chicken breast (about $1.50) 1/4 cup of reduced fat cheddar cheese (about .40 cent) with 4 tablespoons of salsa (about .20 cent) and 1/2 cup of shredded lettuce (about .20 cent). Total cost: $2.50. Total preparation time: 5 minutes if chicken breast cutlets are already prepared.

Option 2 - Mixed Greens Salad with Albacore tuna. Buy a pack of mixed greens at the grocery store and use half for your salad (about .90 cent) . Add one can of albacore tuna (about $1.30) mixed with 3 tablespoons of fat free or reduced fat salad dressing (about .30 cent). Add to that an apple or pear (about .50 cent). Total cost: $ 3.00. Total preparation time: 5 minutes.

Dinner:
Option 1 - Whole wheat pasta with turkey and spinach. Purchase a box of Barilla Plus pasta which is high in essential fats and lower in carbohydrates and "bad" fats. You'll have to cook your own pasta (which only takes about 15 minutes). One serving of the pasta will cost you about .50 cent. Add to that 1/3 pound of ground turkey which you cook (about $1.60) and ½ cup of chunky vegetable style pasta sauce (about .50 cent). Add to this a serving of spinach which you buy frozen (about .40 cent). Total cost: $2.50. Total preparation time: 20 minutes.

Option 2 - Chicken and white bean (or Garbanzo bean) chili. One grilled large chicken breast or ¼ lb. ground turkey meat (about $1.50) added to ½ can of white or Garbanzo beans (about .50 cent) with water and 1/3 of a bag of frozen mixed veggies with peppers, carrots, and onions (about . 50 cent). Add ½ can of tomatoes (about .50 cent) and season to taste. Total cost: $3.00. Total preparation time: 20 minutes.

Snacks:
Strawberry-Banana yogurt smoothies: Blend a cup of low fat Yogurt (I like Dannon Light and Fit – it costs about .80 cents a serving) with ½ cup of frozen strawberries (buy a large bag of frozen strawberries – about .25 cent a serving) and ½ of a banana (about .35 cent). Total cost: $1.40. Total preparation time: 5 minutes.

Fiber One bar – buy a box of your favorite flavor and carry to work as snacks. I bar costs about .30 cents

Whole fruit – go for a red pear, a granny smith apple or a large orange. Your total cost will be about .70 cent

Apple sauce - If you buy a large container from the grocery store you can easily package up servings in to-go Tupperware type bowls. One 2-cup serving will cost you only about .40 cent

Fruit smoothies – you can use fresh fruit from your refrigerator, especially if it's very ripe or has gone uneaten and is about to spoil OR you can use ½ cup of frozen fruit (try frozen blueberries, strawberries and raspberries). Blend with 1 cup of orange juice, ½ of a banana, ice and 3 packs of Splenda (or 4 tablespoons of honey if you don't like artificial sweetener). This will only set you back by about $1.10. Total preparation time: 5 minutes.

Meals like these don't take much time to prepare, are nutritious and extremely affordable. And if you prepare meals such as the pasta in large quantities, you can easily refrigerate or freeze servings for later in the week. The same goes for the fresh fruit. If you don't consume the fruit before it begins to get overly ripe, make good use of these food by making fruit smoothies. It just takes a little time and preparation in the evenings (maximum 20 minutes) or maximum 10 minutes in the morning to prepare breakfast, and you're saving yourself a good deal of money, as well as investing in your good health.

PRINCE GEORGE'S COUNTY BAR ASSOCIATION'S
TORT LAW COMMITTEE PRESENTS

EFFECTIVE USE AND CROSS-EXAMINATION OF EXPERTS FOR CIVIL TRIALS

June 10, 2014
(Prior to the June Annual Meeting)
4:30 p.m.
Newton White Mansion
2708 Enterprise Road, Mitchellville, MD 20721

SPEAKERS
Robert V. Clark, Jr.
Thomas Doran
Robert Zarbin
Giancarlo M. Ghiardi
Guest Speakers: Dr. Michael Franchetti, M.D.

Topics: Qualifying the Expert; Tips for Video Depositions; Permissible Impeachment; Strategy for Direct and Cross-exams; Impact of Falik Court of Appeals Decision; Medical Malpractice Update and Motions to Exclude/Limit Testimony

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CLE and Annual Meeting Joint Price: $65.00 for Members **by May 23rd** $75.00 **After**; Non-Members $75.00 **by May 23rd** and **After** $85.00
CLE Only: $40 for Members **by May 23rd** and After $50.00; Non-Members $50.00 **by May 23rd** and $60.00 After
Annual Meeting Only: $40 for Members **by May 23rd** and $50.00 After; Non-Members $50.00 **by May 23rd** and After $60.00

Contact: PGCBA to make your reservations/301-952-1442
or mail this form with payment

Name(s)_____
Firm_____
Amount_____Check #_____
Phone_____
Mail to: PGCBA, 14330 Old Marlboro Pike, Upper Marlboro, MD 20772

Classified Ads

Classified Advertising Rates
Per Month

PGCBA Members:
2 lines (minimum) $15,
3 lines $19,
4 lines $23,
each additional line $4

Non-Members:
2 lines (minimum) $17, 3 lines $21,
4 lines $25, each additional line $5

Internal Box Responses $5 add'l.

Post-publication billing;
automatic renewal each month
until notification of cancellation.

Deadline for Submission: 15th of
month preceding publication.

CONFERENCE ROOM RENTALS

UPPER MARLBORO: CLOSE TO COURTHOUSE - PGCBA Bar Office Conference Room (Wifi now available) 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.**

Lawyer's Lounge Conference Room- Courthouse - available for members to rent at $15 per hour. Call (301) 952-1442 to schedule.

OFFICE SPACE - AVAILABLE

BOWIE-IRRESISTIBLE TERMS: Attractive Office. All amenities. Call Robert Law at (301) 464-3900.

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

OFFICE SPACE: FULL TIME & OCCASSIONAL USE OPTIONS: GREENBELT - Great location at Beltway Exit 23 (Kenilworth Ave.), between U. of MD and NASA. Bus stop in front, near METRO and U.S. District Court. Easy access to all venues. Fully furnished, full time offices, as well as for use on a part time basis. Amenities. Ample free parking, ground level, 24/7 access. Call Ken Folstein @ 301-982-3080.

DOWNTOWN SILVER SPRING TWO LAW OFFICES AVAILABLE. Two adjacent windowed fully furnished 12'x12' law offices for rent. Located in a 3,000 sq. ft fully renovated law suite office. All amenities including use of full kitchen, spacious conference room, fax and copier. Wired for high speed internet and phone. Referrals among attorneys are common. Professionally, friendly and relaxed environment. Ample parking in the area. One block from the District Courthouse. Metro accessible. Email smcooper@stevencooperlaw.com or call (301) 587-9170 for appointment.

BOWIE TOWN CENTER OFFICE PARK: Great location! Ready to move-into office condo. Three offices, reception, storage, and powder room. Lease $1500/mo. plus utilities. Sale $205,000. Owner will consider lease with option to buy. Call Andy MacPherson - W.F. Chesley Real Estate, LLC. (301) 509-5169.

FURNISHED OR UNFURNISHED OFFICE FOR RENT IN BEAUTIFULLY APPOINTED BUILDING IN GREENBELT, MARYLAND. The office is approximately 170 square feet located on the first floor and is handicap accessible. Reception area, conference room, kitchen, 2 bathrooms and utilities are included. Fax, copier and postage available for additional charge. The office is available for $850 per month starting February 1st. Please contact Caryn for more information or to view the offices. (301) 474-4468.

POSITION AVAILABLE

ESTABLISHED CHARLES COUNTY LAW FIRM SEEKING ATTORNEY with minimum of 3 to 5 years experience to handle general civil and domestic relations practice. Salary commensurate with experience. Fax resume to 301-934-8178 or email to info@muddmuddfitz.com.

SERVICES

ECONOMIST: Dr. Richard Edelman. Lost Income Valuation. See Ad on page 12.

LAWYER REFERRAL SERVICE REPORT: 02/15/14-03/15/14

NUMBER OF CALLS: 565

NUMBER OF REFERRALS: 371

TOP 5 AREAS OF LAW:

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

PGCBA Est. 1902
PRINCE GEORGE'S COUNTY BAR ASSOCIATION
OVER A CENTURY OF SERVICE

Prince George's County Bar Association
PGCBA *NewsJournal*
14330 Old Marlboro Pike
Upper Marlboro, MD 20772

ADDRESS SERVICE REQUESTED

ANNUAL MEETING/ELECTIONS

JUNE 10, 2014

NEWTON WHITE MANSION

6:30 P.M.

(IMMEDIATELY AFTER THE TORT SEMINAR)

$40 FOR MEMBERS
$50 FOR NON-MEMBERS
AFTER MAY 23, 2014
$50 FOR MEMBERS
$60 NON-MEMBERS

RESERVATIONS REQUIRED
301-952-1442