

PGCBA NewsJournal

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

June 2013

PRESIDENT'S MESSAGE



SO LONG, FAREWELL....

Summer is almost here. While for most people that means dreams of beach vacations, cookouts and lazy days sitting in the bleachers watching baseball, for us at the PGCBA it means a change in leadership. By the time you read this article, Jennifer Muskus will be the new President of the PGCBA and what a wonderful job she will do for the lawyers of Prince George's County and the entire community. The only negative I see about Jennifer taking over as President of the PGCBA is that you probably will not get any more Game of Thrones references in your newsletters, but know that I will still be walking the halls of the courthouses in Hyattsville and

in Upper Marlboro and I am always available to talk about either the books or the show (as well other matters, such as the law.)

The biggest surprise of my presidency is how many lawyers actually read the President's message. I typically glance at the first couple of paragraphs while waiting for my case to be called, but some of you actually read everything! Probably the biggest thrill was when I was in District Court in Upper Marlboro and I had just concluded a default hearing when Judge Karen Mason called me to the bench and quizzed me about "The Wire" just to make sure I truly was a fan and was not making up my love for the show. (For the record, I got the question right. What is Omar's favorite food?) I also enjoyed the fact that bar members took an interest in our dog June and her training adventures. She is doing great. She sits and stays on command and loves chasing birds and squirrels in this great warm weather. She often helps me as I write these President's messages. She doesn't have great ideas, but she is really good with grammar.

Many members have asked me, "How do you come up with those ideas?" (I think they mean it in a positive way...). And for that I have to give a lot of credit to my wonderful wife. Usually, I get an email from Georgia "reminding" me that the President's message is due within a few days. (You know how lawyers have to work with a deadline.) On the day the President's message is due I usually call my wife and complain that I don't know what I am going to write about. She throws me a couple of good ideas and then I figure out how the topic can apply to lawyers. Her final advice is always to drop the Game of Throne references but as you can see, I usually ignore her on that point. In all seriousness, being Bar President takes a large time commitment and I could not have been able to do so without the support of my wife and so for many reasons she gets the first of many thank yous in this message.

My second set of thank yous goes to the following individuals: Alyssa Chang, Hon. Robin Bright, Hon. Nicholas Rattal, Sabrina Richardson, William Snoddy and Lisa Robinson. These six attorneys were gracious and giving enough of themselves to accept my request to serve on the PGCBA Board of Directors as an executive appointment. I can honestly say that none of the six disappointed me and all of these individuals added a great deal of experience, sage advice, new energy and great ideas to the Board. I appreciate each of their commitment to the PGCBA and I look forward to seeing their involvement in the organization continue and grow. I would also like to thank Arnold Bruckner, Benjamin Rupert, Benjamin Woolery, Clayton Aarons, our wonderful Past President Debra Davis, Erek Barron, Hon. Erik Nyce, Hon. Gerard Devlin, Janet



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Hart, Jeffrey Harding, Manuel Geraldo, Hon. Mark O'Brien, Martin Oliverio, Hon. Michael Person, Nakia Gray, Walter Green and William Renahan. Their work on Board of Directors was also invaluable. As I told each member of the Board, if I get credit for having accomplished anything this bar year, it is only because of the hard work and dedication of the Board. Board meetings were great this year as new ideas flowed and enthusiasm brought about exciting programs. Rounding out our Executive Committee and Board were President-Elect Jennifer Muskus, Treasurer Denise Bowman and Secretary Hon. Joseph Wright. The guidance and advice that I received from my fellow officers made this bar year sail by and run smoothly. About the only hiccup that the Executive Committee faced this year was that our meetings usually would take longer because we had to wait for Judge Wright to finish eating his lunch before he would try to figure out how to turn on his computer and finally take notes. But thankfully, his hard work and his ideas made up for his deficiencies. Last but certainly not least, I would like to thank our Executive Director, Georgia Perry. Without her, the PGCBA simply would not function. Thank you for making the everyday task of being president that much easier.

The bar year was really full of great programs, from the CLE's to the general meetings to the happy hours. What I am most proud of during this past year are the monthly programs that we established. Law Practice 101, which would not happen without the tireless efforts of Judge Nyce. Every month I knew that was one less thing I had to worry about because Judge Nyce would take care of coming up with a topic, getting speakers and developing a great program. To Judge Nyce I extend a big thanks. I hope that we did not burn you out this year and that PGCBA can continue to lean on you for help planning activities. Our Brown Bag lunch was a big success this year as well. I just recently looked down the list of current Circuit Court and District Court judges and noticed that just about every judge took part of some bar program this year. Without the great support of our bench, the bar programs are not successful. We are fortunate in Prince George's County to have a bench that is invested in the success of our attorneys, and to that I say "thank you" once more. Other big thanks goes to Ben Ruppert and Sabrina Richardson for all of their hard work on our Expungement program project that we established this year. We had a lot of great participation from attorneys and the community really responded. Look for this program to return in 2013-2014.

In closing, I will be the first one to tell you that the PGCBA is not 100% where it needs to be in terms of providing services to all the lawyers in Prince George's County. I wish we could have spread the programs around the county, instead of always at the Courthouse where I know it can be difficult to get to during the day. I can assure you that this will improve as we grow and improve our programs that we have created. You can't say any longer though, "what value do I get for being a member of the PGCBA?" because through the hard work of the Board of Directors and the Offices of the Bar Association, there is now a wealth of benefits to being a member of the PGCBA. You just need to become a member and take advantage.

Remember, I will still be an officer with the PGCBA as a Past President which means, as it always has been, my figurative door is always open and know that if you have a suggestion, complaint, idea, etc. that I will take it to the Board. It's been a great year and I thank you all for your support.

Thanks,
 Bryon S. Bereano
 President, Prince George's County
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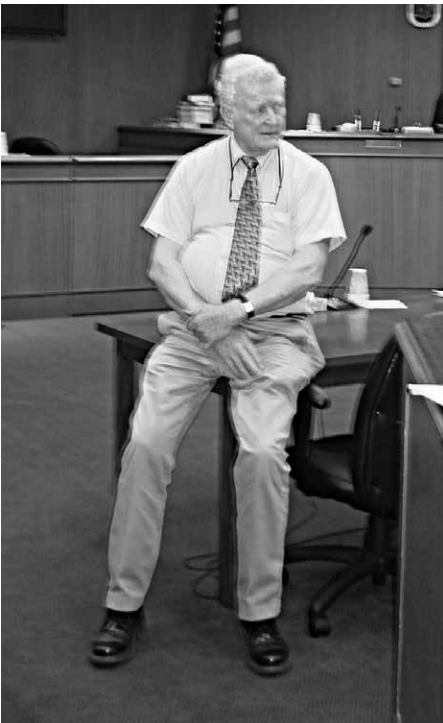
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“The PGCBA is glad to have you as our new members!”

LAW PRACTICE 101 WITH JUDGE FEMIA “Tired of District Court: Jury Trial Prayers & Appeals” MAY 2, 2013



THE LAW OF GAME OF THRONES

by Michael Wein

Bar President Byron Bereano has taken the opportunity of highlighting the HBO series “Game of Thrones” in his columns, (a popular series amongst many attorneys), which continues its new season with increased ratings and considered one of the best dramas on television today. While you can praise its acting, writing, catchy theme music, or the general theatrical presentation, Game of Thrones does not appear on first glance to have much ‘law’ going on, with regular barbaric atrocities, complete lawlessness, and self-proclaimed kings or their servants selfishly, arbitrarily, and summarily executing people. Then again, perhaps along with its well-written plotting and acting, it’s a morbid fascination of what life was like in the Middle Ages that people find entertaining. Still, it is disquieting to think that in the absence of clear authority, be it royal or government, that lawlessness reigns supreme, but this is the law of the land of Game of Thrones, which unfortunately has a basis as being historically accurate. (It helps to remember that the series—ignoring the occasional bit of sorcery and dragons—is set long ago in the area of medieval England, sometime between about 1000 A.D. to the War of Roses in the 1400s)

That got me thinking...was there any law at all during the Middle Ages, that helped prevent murder, torture, and maiming, when it came to mediating people’s disputes, before the time of the established Common Law and judges? Actually, there was a human invention, that is rarely acknowledged as existing today, because surprisingly it actually worked, by self-enforcing a mostly foolproof system, that kept people honest, and safeguarded against deceit and fraud in important financial or debt transactions.

You may have never heard of a “tally stick” before, but for about 800 years, from 1000 A.D. even through the 1800s, the tally stick was commonly used as a main source of legal transactions involving financing or debt, particularly in Western Europe and England, but also as far away as China. So what is a “tally stick?” Well, picture a simple piece of wood, often hazelwood, being cut up into smaller pieces of irregular

‘sticks.’ When there was a buyer or seller having a financial transaction between themselves, (often with one or both parties to the transaction being illiterate, and having only rudimentary numbering skills), they would then put a number of ‘notches’ across the grain of the wooden stick, which would designate the amount of the debt owed, such as “7 pounds, 4 shillings” being marked by 7 notches in the middle and 4 notches to the right. After the notches were put on the wooden stick noting the debt owed, and usually with a minimal writing as to the parties and purpose, then the stick would be split lengthwise, with both sides getting half a piece. (Interestingly, the larger half, which would go to the ‘owner’ of the debt to be reclaimed later, was called a ‘stock’ which is the origin of our current use of that word, and why ‘stock certificates’ even today, are important to maintain.)

If there was to later be a dispute on the amount of debt owed, then the parties each had a unique and irregular piece of the original wooden tally stick, which when combined, would exactly match, confirming the amount of debt owed. Because it was virtually impossible to ‘remove’ a notch on the stick, the system prevented fraud, as it would be against a debtor’s interest to later choose to ‘add’ notches, so the amount of the originally agreed debt owed and due, could be simply ascertained later, and essentially, foolproof in its simplicity.

Of course, human progress, eventually made tally sticks obsolete, but it took over 800 years in England. Beginning in the 1700s with the ready use of paper, and increased literacy in general, people began to keep track of legal debts in different ways than just relying on tally sticks. The late 1900s saw the further advent of photocopiers, making an exact copy of important debt/financial transactions signed by both parties, as easily confirmable as a tally stick, and much more convenient. What has changed in the past decade with the rapid expansion and immediate use worldwide of email, scanned pdf copies, and electronic signatures, is that now, arguably, it has

become too easy, particularly by those with a predisposition, to create ‘fake’ impressions that are no longer necessarily the easily confirmable truth of what debts are due and owed, and for what purpose. That’s perhaps one of the lessons to be learned from the recent robo-signing scandals, and similar dishonest uses of false signatures and agreements.

In the world of Game of Thrones, set around 1200 A.D., tally sticks would be a convenient, and pleasantly realistic way to seal the deal between parties. I haven’t read the books yet, so this is just a hypothetical, but suppose an exiled Tyrion Lannister forges a temporary alliance with Dany (Daenerys Targaryen), helping finance her quest for the throne by providing ships to backup her grown dragons in attacking King’s Landing...they then have a tally stick to readily confirm the payment due. (Unless magic enters the equation and it plays out somewhat differently, such as the priestess Melisandre conjuring a spell to remove a few notches on the tally stick, causing havoc, and possible war on the now disputed debt) But, on the whole, it’s good to know, that humanity, even a thousand years ago, could on some matters, settle important legal disputes without bloodshed.

Michael Wein, is a civil, criminal, and appellate litigation attorney in Greenbelt, Maryland, and chairs the Appellate Practice Section of the PGCBA. (And for what it’s worth, minored in History at the University of Maryland, College Park). He can be reached at weinlaw@hotmail.com.

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FAMILY LAW, MATTERS - CHILD IN NEED OF WHAT?

by Master Kristin Hileman-Adams

If you are a private practitioner, you will likely not have to deal with juvenile dependency/child welfare (hereinafter dependency cases) unless you are appointed as a panel attorney to represent either a parent or a child. However there are occasions when a private attorney is contacted by a client who may be involved in some other case involving a child such as custody, paternity, or child support where the child may become involved in the dependency system. Since this can be confusing to someone who has not worked in the dependency arena, this is a brief overview of dependency practice in Prince George's County especially as it relates to Child in Need of Assistance cases.

Most dependency cases begin as Child in Need of Assistance (CINA) cases. A CINA case is initiated by the Department of Social Services (DSS). DSS files a petition in the Circuit Court alleging that a child is in need of the court-ordered assistance of DSS and oversight of the Court due to some form of abuse or neglect. Orders regarding custody and visitation in a CINA case supersede any other custody or visitation order. A CINA case is entitled "In the Matter of Child's Name." Unlike a child custody case, the child is a party to the case. The child, whether one-day-old or 17 years and 364 days old, has an attorney appointed to represent her/him. Even though a child can remain a Child in Need of Assistance until age 21, the CINA petition must be filed before the child is 18. If the child is capable of communicating (usually over 3 years of age), the attorney represents the expressed interests of the child. Unlike other cases in the family law arena concerning children, not only is the child a party with an attorney, the child is present at hearings with counsel at counsel table unless the child chooses not to be present. In fact, Maryland law requires that once a child is found to be a Child in Need of Assistance, the Court must consult with the child on the record at a hearing at least every 12 months. In Prince George's County, children attend and participate in most, if not all, of their hearings. This is considered best practice nationwide. Children in CINA cases in Prince George's County are represented by the Legal Aid Bureau of Maryland, Inc.

unless there is a conflict. If a conflict arises, the child is represented by a panel attorney who is a private practitioner who has had the requisite training to represent children in this area. Panel attorneys for children are paid at a set rate by the Maryland Legal Services Program of the Department of Human Resources (DHR). DSS is also a party to the case and is represented by an attorney from the County Attorney's Office in Prince George's County. The parents/legal guardians are also parties and have the right to be represented by counsel. Parents/legal guardians can hire private counsel, can represent themselves, or can request representation by the Office of the Public Defender (OPD). If the parents/legal guardian qualifies, the OPD will enter unless there is a conflict. If there is a conflict or both parents/legal guardians qualify for counsel through the Office of the Public Defender creating a conflict, then a panel attorney is appointed by the OPD. A panel attorney for a parent/legal guardian through the OPD is a private attorney with whom the OPD contracts to represent parents/legal guardians in these cases.

The CINA case can be filed with or without removal of the child by DSS from the child's home. If the child is removed by DSS because DSS alleges that there is an imminent risk of harm to the child if the child is left in the home, the parent/legal guardian is issued a Limited Custody notice by DSS which notifies the parent or legal guardian that a hearing will be held the next day court is open at 1:30 p.m. At the 1:30 p.m. hearing (or shelter care hearing), the issue is whether the child needs to temporarily be in the care and custody of DSS pending the Adjudication Hearing to ensure the child's safety or whether the child can be returned safely to the parent/legal guardian's home in the meantime. If the child is removed, the Adjudicatory Hearing must be held within 30 days of the date of the initial removal. At the shelter care hearing, the rules of evidence do not apply and hearsay is admissible. If the CINA petition is filed without DSS removing the child from the home, the Adjudication Hearing must be held within 60 days of the date of the arraignment of the parent/legal guardian or the service of

the petition on the parent/legal guardian. In these instances, the parents/legal guardians will typically get a notice to appear before the Court for an arraignment hearing at which time they will be advised of their rights and an Adjudication Hearing will be scheduled. At the Adjudication Hearing, the rules of evidence apply. The Adjudication Hearing is to determine whether what is alleged in the petition filed by DSS is accurate or not. The burden is on DSS to prove the allegations by a preponderance of the evidence. If DSS chooses not to present any evidence, the child (through counsel) can choose to take over the prosecution of the petition and assume the burden of proof. If the allegations in the petition are sustained, the Court then immediately holds a Disposition Hearing unless the Court finds good cause to hold a separate Disposition Hearing, which must then be scheduled within 30 days of the Adjudication Hearing.

At the Disposition Hearing, the Court must determine if the child is a Child in Need of Assistance and whether it is contrary to the child's welfare or best interest to remain in the parent/legal guardian's home. A child can be a Child in Need of Assistance and still remain in the home of a parent under an Order of Protective Supervision by DSS or, as is more often the case, be placed in an out-of-home placement in the custody of DSS. The Court must also make a finding as to whether DSS made reasonable efforts to try to prevent or eliminate the need for removal of the child from the home prior to the removal. The Court can also determine that, due to the emergent nature of the situation, DSS could not make reasonable efforts prior to the removal to prevent or eliminate the need for removal and the need for out-of-home placement. If allegations are sustained against one parent only and the other parent is ready, willing, and able to care for the child, the child is placed in the custody of the non-offending parent and is found to not be a Child in Need of Assistance. If the child is found to be a Child in Need of Assistance and is placed in the custody of DSS, the Court has to hold a permanency planning hearing within 12 months of the child coming into care. However, there is also a requirement that

the Court hold a hearing every 6 months for children in care and there is a new law going into effect as of October 1, 2013 that requires the Court to hold a hearing within 6 months of the filing of the petition to make certain determinations. As a result, the first permanency planning hearing in Prince George's County is usually held within 6 months of the Disposition Hearing and will now be held within 6 months of the filing of the petition. At the permanency planning hearing, the Court must determine the appropriate permanency plan for the child. The possible permanency plans in order of preference are: Reunification with parent; Termination of parental rights/adoption by a relative (but can also be adoption by a non-relative, which is less desirable than custody to a relative); Custody and guardianship to a relative (or a non-relative, which is less preferable); or Another Planned Permanent Living Arrangement (APPLA), which is essentially a miscellaneous category implemented only if the other three more preferable permanency plans are not possible or in the child's best interest. The APPLA plan is typically where a child is going to remain in care until age 21 and efforts are being made to assist that child with being able to be self-sufficient and self-supporting with important adult contacts, housing, education, employment, and other services with emancipation at 21. Once a child is placed in care, has been deemed to be a Child in Need of Assistance, and the Court has held an initial Permanency Planning Hearing, the Court holds a permanency planning review hearing at least every six months to determine what progress has been made to achieve the identified plan. If progress is not being made, the plan can change. The goal is to achieve permanency for children and not to have them stay in care until age 21. Between hearings, DSS and the parent/legal guardian (and relatives whenever possible) are supposed to be working together to achieve permanency for the child. If the plan is custody or guardianship to a relative or non-relative, DSS has to complete a home study for the Court to use to determine if it is appropriate to place the child in that person's custody and guardianship.

If the plan is changed to Termination of Parental Rights/Adoption, a Termination of Parental Rights (TPR) petition is filed requesting that the rights of the parents (it

must be both of them even if one is "John Doe") be terminated and the child placed in the guardianship of DSS with the right of DSS to consent to adoption. While most CINA cases are handled by the masters, the TPR cases are assigned to judges. The standard in a TPR case is clear and convincing evidence and the Court must address the factors in the TPR statute to determine if it is in the child's best interest and appropriate to terminate the parents' rights and render the child legally free to be adopted. A TPR can be granted after a contested hearing, by agreement (often with a post-adoption contact agreement), or through deemed consent (failure of a parent after service to timely object). The child is also a party with counsel in the TPR proceeding. If the TPR is granted, the CINA case closes and the TPR stays open until the child is 21 or the child is adopted.

The foster parents or relative caretaker has a right to be present and to be heard at CINA hearings but they are not parties. The cases are confidential. The child may also have a Court Appointed Special Advocate (CASA) who is a volunteer appointed to work with the child and who presents a report to the Court at each hearing about what is going on with the child. The CASA makes recommendations to the Court regarding services the child may need, issues regarding the child, or other information to assist with achieving permanency for a child. If the child is in a therapeutic placement, the therapeutic agency worker or child's therapist may also be in attendance at hearings and relatives are also present in many cases at many hearings. The Court's obligation is to identify both parents and have both parents be involved in the case whenever possible. This can include paternity testing.

If the CINA hearing is heard by a master (most are) then the parties, including the child, can take exceptions to determinations made by the master at any hearing except shelter care hearings. There is no exceptions period for a shelter care order because shelter care orders are subject to immediate judicial review. At the end of a shelter care hearing, if the attorney for a party plans to request immediate judicial review, the attorney notifies the master of that intent and the case will then be sent to a judge at the earliest opportunity (usually the next day) for immediate judicial review

of the determination regarding shelter care. At the conclusion of a CINA case, the Court can issue a custody order giving one or both parents (or a relative or non-relative) custody of the child and make visitation provisions. Although the CINA case cannot be reopened once it is closed, any custody and visitation orders that are the final order in the CINA case do survive the closing of the CINA case and are able to be filed, enforced, or modified.

The other child welfare cases that can occur are Voluntary Placement Agreements between parents/legal guardians and DSS and Adoption cases. I encourage anyone who is interested in this area of law or who is interested in becoming a panel attorney for parents or for children to reach out to the OPD and Legal Aid or the Maryland Legal Services Program through DHR for more information. The Child Welfare Bench Book (which can be found online at: <http://www.courts.state.md.us/fccip/resources/MarylandBenchBook.pdf>) is an excellent resource in this area of the law, which I have by necessity simplified significantly to provide the basics and give an overview. At any given time there are over 500 children in care in Prince George's County and meeting their needs when they are in care and working to give them permanency to reduce the number of children in care are our chief objectives as we do our best to provide a "fair forum for justice" for all in Prince George's County, including our dependent children and their families.

(Master Kristin Hileman-Adams graduated with a B.A. from Cornell University in 1988 and graduated *magna cum laude* from American University Washington College of Law in 1991. She was a law clerk for the Honorable Darlene G. Perry from 1991-1992. Master Hileman-Adams served as an Assistant State's Attorney in Prince George's County from 1992-2003, serving as Chief of the District Court Division for over 6 years. She was also an adjunct professor for Catholic University's Rule 6 program from 1997-2003. In 2003, she joined the Litigation Division of the County Attorney's Office in Prince George's County and represented DSS from 2004-2007 in TPR and CINA cases. She had been a master handling exclusively juvenile (delinquency and dependency) matters since October 2007.)

GET HEALTHY TODAY | *by Edith Lawson-Jackson*



HOW TO GET THE MOST, OR RATHER THE LEAST, OUT OF YOUR RESTAURANT MEALS

Often times, health conscious diners assume that by ordering from the “lite menu” or from the “carb watchers” menu, they can dine out as healthfully as they do when eating from their own kitchens. This can be the greatest sabotage to one’s healthy eating plan. Why? Because most of the time, what seems to be healthy fare is anything but that. This is because not only can an innocent grilled chicken and veggie dish be doused in artery clogging oils during preparation, but the serving size can also be two or three times the amount that should be consumed in a single serving. The end result....that healthy looking meal ends up costing you 1,000 calories or more.

The best way to combat sabotage from restaurant dieting is to know how to order when ordering out. This includes reading the menu nutritional information, asking how items are prepared, and knowing what constitutes a single serving. As well, there are other basic common sense things that that every diner should keep in mind when dining out: choose red sauces over creamy white sauces, opt for baked over fried menu items, chicken and fish have less fat than steak or beef, and avoid bread or flour products. These helpful tips will definitely have some impact on your waistline, but to really get the least out of your meals, you’ll need to scrutinize your food, and your restaurants, like a new client. If you know how to scrutinize your foods, then you can eat practically anywhere - dine-in, fast food, or even the hybrid type restaurant food categories. The way to do this? Know your restaurants and their menus.

Nowadays, all types of restaurants actually have a menu of lite fare items that includes a breakdown of not only calories, but also macronutrient content. Examples are Applebee’s, Ruby Tuesday’s, and Chili’s. These restaurants have at least a few menu items, even dessert items, that

offer substantially fewer calories and fat than their regular menu counterparts. My personal favorite of these restaurants is Ruby Tuesday’s. I’ve carefully scrutinized their menu and found it to be the best dine-in restaurant offering as far as variety of healthy menu items and accuracy of nutritional information. Tuesday’s has a healthy choice of burger wraps, low carb menu items featuring fish, and a large salad bar featuring a variety of veggie choices. Additionally, there are low carb desserts on the menu. While other restaurants also have low carb and reduced calorie menu items, I liked Tuesday’s menu best. This is because Tuesday’s provided a detailed list for all of their items which contained total calories, as well as grams of protein, fat, and carbohydrates right on the menu. Furthermore, Tuesday’s menu confirmed that the nutritional content information was accurate for the actual serving size being prepared. This is so important because often the nutritional information contained in a restaurant menu will be per serving, whereas the actual dish being served will contain more than one serving. The one caveat...be sure to read which if any side items served with the dish are considered in the nutritional information provided for that particular menu item.

Another one of my favorites in the dine-in category is a relatively new discovery of mine called Seasons 52. I love this restaurant because although you wouldn’t know it, each and every one of their menu items is 500 calories or less. The menu is varied, and features entree offerings which contain many of the food items many people think they can’t have when eating healthy, such as cheese. My favorite dish at this restaurant is a barbeque chicken salad. It tasted so good, I couldn’t believe it contained less than 500 calories including the dressing! Seasons 52 also has dessert... YAAAAAYYYY! And lots of them. The trick to them pulling off desserts at such low calorie counts is that all the desserts are “mini” sized. And truth be told, after eating an entrée, you really don’t need the oversized portions of dessert that most restaurants serve. All we really want is to taste a sufficient amount of the sweet stuff to satisfy our sugar craving. So trust

me, the mini desserts after your meal will leave you fully satisfied. Seasons 52 looks upscale and provides upscale service at a theme- restaurant prices. So if you want the best in dining out without having to count your calories (because they’ve already done that for you and assured ALL their selections fit the bill), this is my pick.

When it comes to fast food choices, more and more restaurants are adding healthy items to their menu choices. A prime example are the relatively new fruit salads offered by both Wendy’s and McDonald’s. While I am not an advocate of fast food, I pride myself on being able to go just about anywhere and find a meal that I can consume without having to do a week’s worth of cardio the next day. McDonald’s fruit salad features primarily apples and Walnuts. It’s a pretty good choice, but I really like Chick-Fil-A’s fruit bowls and salads best. The fruit bowl has a mix of 4 or 5 different fruits and is only 45 calories. Chik-Fil-A’s Grilled Chicken Cobb salad has only 430 calories, while also providing 5 grams of fiber, and 39 grams of protein. This is a great selection if you want to eat a low-calorie meal and get in a decent amount of nutrients, as well. The one caveat is that you have to give up the salad dressing with the salad. It adds practically as many calories as the salad itself. But...the salad is seasoned so well that you really won’t even miss the dressing.

Dine-in semi-fast food restaurants have become more popular than ever. This type of restaurant includes Boston Market, Chipotle, California Tortilla, and similar restaurants. These foods appear to be healthy because they offer freshly cooked items that are often baked or rotisserie grilled, and they look like something you might actually prepare in your own kitchen. Truth be told, there are plenty of menu items in these restaurants that look healthy, but are actually laden with fat and carbs and super high in calories and sodium. You ask how can what appears to be “home cooked” food be unhealthy? Well, often the mistakes are made in the preparation...extra butter and cream used to whip potatoes, vegetables that are soaked in butter, meat that is saturated in gravy or injected with super high doses of sodium solution to ensure juiciness. That’s how seemingly healthy food becomes fattening, artery clogging fare.

The key to dining healthy at restaurants such as Boston Market or Chipotle are to keep in mind the same rules that I've cited above. Namely, avoid sauces and anything creamy. Yes, that includes macaroni and cheese, mashed potatoes, and stuffing. Opt for the steamed vegetable medley and the corn as your side dishes, instead. And yes, you must either refuse the cornbread or take it solely for the purpose of feeding the birds at your nearby park. With respect to the meat, always opt for chicken or turkey over beef. A little known fact that may also help your decision between chicken and turkey is that chicken breast has fewer calories per serving than turkey.... in case you're really diligent about calorie counting. However, that's only the case if you take the skin off of the Rotisserie chicken (at Boston Market).

When it comes to another popular "cooked before your eyes" type restaurant, Chipotle, the key to your diet success is picking all the right things. It's all about the options...Burritos are NOT your friends, Burrito Bowls, however, will get you a pat on the back. Remember, flour products include burrito wraps, nacho chips, etc. So, either have a Burrito bowl which includes everything that's in a burrito except the flour wrap, or choose a salad. Burrito Bowls offer several meat choices....chicken is always best. Add black beans for the added protein and fiber. Fiber is a friend and will help you more easily digest and eliminate your meal. Add corn and peppers and onions (if you won't be having any close up face-to-face meetings soon after eating). The more veggies, the better, as they will help to fill you up and add crunch, which many dieters often crave. Also, request only a half serving of rice (because they usually give you two hefty spoonfuls which is the equivalent of two servings) and skip altogether the sour cream, guacamole, and cheese. I know it may seem like you're foregoing a lot of what makes your Burrito bowl taste so good; but trust me, the added veggies, lettuce, and black beans, plus the mild tomato salsa, will add plenty of new flavor to your meal. Try it....you won't be disappointed.

As for quick in-and out "café-type" places such as Panera and Starbucks, only about 20 percent of what they offer is something

you actually want to eat if watching your waist line. I stopped at Starbucks for a yogurt (yes, something in the 20% category) last week with my daughter to grab a pre-workout "light meal". She was about to order a slice of the seemingly healthy Banana Nut Loaf. I stopped her and advised that she might as well get an 8 piece nugget from Chick-Fil-A next door. She argued with me that fried nuggets had to be worse than a slice of banana bread. She makes the same mistake many of us make, assuming everything fried is worse than anything that has "natural ingredients like bananas and nuts. I had to request a calorie count menu from the barista to prove my "guestimate" that the banana bread had about 500 calories...it was 470 to be exact. The 8 piece chicken nugget on the other hand...270 calories. Needless to say, after her shock dissipated she declined the banana bread in favor of nuggets. The moral of this story is, don't opt for any of the pastries or bread products at places such as Starbucks or Panera. Instead, go for a salad, fruit salad, or yogurt. I will say, however, that Starbucks has a reduced fat egg white and turkey bacon sandwich which is low cal and provides a good amount of beneficial nutrients.

You can dine out anywhere that you go and accommodate your new healthy lifestyle. It doesn't matter whether you're on a road trip and making a quick stop at a fast food restaurant, or whether you're being taken out to some fancy schmancy restaurant that's sought out for its rich gourmet meals. You just have to either know your restaurants or use your head. Interpret menu item descriptions like "buttery rich sauce" to mean "soaked in cheese and grease". Determine whether your meal is actually two servings instead of one, in which case you want to immediately request a take home carton and place half the meal in it before you even commence eating. Look for nutritional information for lite fare items, and always remember that fish is a great dish as long as its not fried or soaked. Most important to remember is that you can always tell your server HOW you want your meal prepared...deviation is not prohibited. So request the fish of the day broiled instead of pan fried or with the sauce "on the side". Skip sodas and high calorie juices which can add easily 300-

600 "hidden empty calories" to your meal and instead opt for water or unsweetened iced tea. Remember, making the least, not the most, out of your meal is what will do the same for your waistline.

One fact that's "Amazing But True".... about 85% of what you like is based on what you consume. So all the exercising in the world won't make you look good if your diet is horrible. Think of it this way – just one donut will take you about 30 minutes of **running** (not walking, running) on the treadmill to burn off. However, if you didn't eat that donut, but instead you ate out and had a healthy meal by implementing the simple tips above (which could very easily save you over 1,000 calories per day depending on your current eating out habit), you'd burn two pounds of fat per week....just by changing how you eat. And that's without even factoring in any exercise! So let's make some small changes and you'll see in a few short weeks how easy and painless it can be to make the most out of your dining out experience by getting the least out of your meal.

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We are near the end of another productive fiscal year. We were able to assist thousands of people due to the dedicated work of our staff, volunteer attorneys and unwavering commitment of our executive director, Neal T. Conway. Under Neal's leadership, CLS continues to grow and remains a productive organization. We the staff are appreciative of his strong work ethics, his fostering of team work, and feel we are in good hands! Today we received confirmation from the Office of the County Executive that we have been awarded new funding under the Community Partnership Grant Program. Thank you Neal!

For its dedicated work we thank our staff Karin Dalichow, Esq., Linda Gantt, Esq., Angelia Rowe Garner, Esq., Angela Richardson Green, Esq., Edith Coral Johnson, Esq., Alicia Lewis, Esq., Darlene Wright Powell, Esq., Johnny Da Silva, Oswaldo Perez, Michael Udejiofor, Sandy Vivar-Herrera, and Angela Wright.

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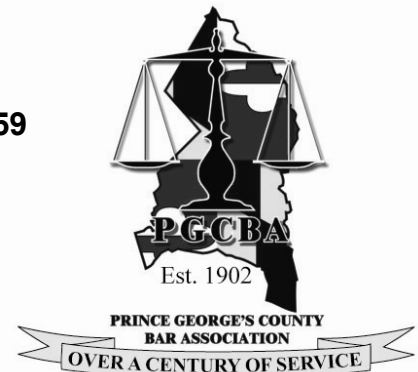
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