

# PGCBA NewsJournal

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

www.pgcba.com

February 2015



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## PRESIDENT'S MESSAGE



*Colleagues,*

“Democracy is a device that insures we shall be governed no better than we deserve.”

- George  
Bernard Shaw

A few months ago many of us exercised our right and privilege to vote in local elections. Our right to participate in the political process does not end with the casting of a ballot. The swearing in of a new Governor, members of the Maryland General Assembly, and local elected officials has occurred. The work of those elected officials has begun. January 15 marked the beginning of the Maryland 90 day legislative session and the Prince George's County Council is at work again. I hope that you will heed the words of George Bernard Shaw, and continue your participation in the governmental process by weighing in on the legislative process both at the state and locally. The bills being considered, amended, altered, voted on, and passed by the Legislature and Council this year will turn into

laws that attorneys must litigate, that judges must interpret, and that law enforcement must enforce. Who better to give advice to the electorate than those individuals who see the consequences, both considered and unintended, of new laws in action? As we all know a mere word can make a difference.

Hoping you share your knowledge on the issues that not only affect our profession but also those in your community,

Denise

**NEXT BIG EVENT!**  
*30th Annual Alan  
Goldstein Memorial  
Criminal Practice  
Seminar*

**Saturday, March 28th, 2015**

See page 12



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# PGCBA NewsJournal

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

Published monthly (except Jul./Aug.) by the PGCBA

## 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.

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#### Coordinates with the State Pro Bono Standing Committee

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

Hon. Clayton Aarons.....301-389-3174

#### Prince George's County Court

#### Committee for Modernization of the Court Reporter's Office

Hon. Clayton Aarons.....301-389-3174

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Robin Shell.....240-472-9919

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John R. Foran.....301-441-2022

#### Designated Conciliator Program

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

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Non-Member subscriptions \$75 per year.

**Publication Deadline 10th 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.

# MEMBER ANNOUNCEMENTS

*Congratulations!*

Congratulations to Katina Self Steuart on her appointment to the District Court for Prince George's County by Governor O'Malley.

FREE • FREE • FREE • FREE • FREE • FREE

## BROWN BAG LUNCH

February 5, 2015  
12:00 PM

Lawyer's Lounge, 3rd Floor  
Duvall Wing

Speakers: Judge DaNeeka Cotton  
and Sharon Y. Christmas-DeBerry,  
Trust Attorney

Topic: "Guardianship and Everything  
Attorneys Need to Know When  
Seeking Guardianship on Behalf of  
Clients"

FREE • FREE • FREE • FREE • FREE • FREE  
FREE • FREE • FREE • FREE • FREE • FREE  
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March 5, 2015  
12:00 PM

Lawyer's Lounge, 3rd Floor  
Duvall Wing

Speakers: Judge Albert Northrop  
and Judge James Salmon

Topic: "Guardianship of a Child &  
Forum Shopping between Circuit  
& Orphans' Courts"

## WELCOME NEW MEMBERS!

MAHASIN S. EL-AMIN THOMAS  
V. "MIKE" MILLER, JR., P.A.

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MEYERS, RODBELL  
& ROSENBAUM, P.A.

RICHARD JAMES DOUGLAS  
RICHARD J. DOUGLAS, LLC

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

# *Save the Date!*

Bench to Bar Panel Discussion

March 19, 2015

4 pm - Courthouse

Topic: Civil – Mock District Court  
Personal Injury Case

followed by March Madness Happy Hour - see back page for details.

# MEMBER ANNOUNCEMENTS, CON'T

## BENCH TO BAR

February 19, 2015

4:00 PM

Courthouse

Topic: Criminal and Civil –  
5 Most Common Objectives

Guest Speaker: TBD

*...followed by...*

## HAPPY HOUR

5:30 PM - OTI

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# “Brown Bag Lunch”

January 8, 2015

Speaker: Judge Lisa Hall-Johnson

“The New Domestic Violence Statute and What is Required to Get a Protective Order in District Court”



# MARYLAND RULE 5-616: A LAWYER'S DREAM COME TRUE...OR NIGHTMARE...ALL WRAPPED UP IN ONE LENGTHY RULE

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



When you can't find a hearsay exception to use, go to Rule 5-616. When you can't find what you need within Rules 5-404(b), 5-608, or 5-609, go to Rule 5-616. If the evidence is collateral, you may still be able to go to Rule 5-616, check out (b)(2) for a path to admission of the evidence.

Rule 5-616 governs impeachment by inquiry of the witness directly, impeachment by the use of extrinsic evidence, and rehabilitation of a witness. And just in case this lengthy rule fails to cover a topic specific to your case, the Committee Note to the Rule underscores that "This Rule is intended to illustrate the most frequently used methods of impeachment and rehabilitation. *It is not intended to be exhaustive or to foreclose other legitimate methods.*"

Most recently, the Court of Special Appeals, in *Anderson v. State*, 2014 WL 7182001, analyzed the provisions of Rule 5-616(b)(2) which discuss the considerations that the trial court must evaluate in deciding whether it is proper to admit extrinsic impeaching evidence contradicting a witness's testimony on non-collateral matters.

In *Anderson*, defendant Russell Anderson was convicted of two counts of first degree rape of Rosa Molina, and was sentenced to two consecutive terms of life in prison. Molina alleged that on December 22, 1989, in a laundry room of her apartment building in Montgomery County, that Anderson and a co-defendant took turns raping her and holding a handgun to the side of her head while doing so.

Two weeks after this incident, on January 5, 1990, an unrelated victim called the

D.C. Police and reported that she was raped at gunpoint by Anderson. A search of Anderson's D.C. apartment was conducted that day, and a handgun was found in the closet of his apartment.

The Montgomery County rape case went to trial in April 2013. Molina testified to the rape and the use of the handgun by Anderson. The defense contended that the sexual act was consensual. Prior to Anderson's testimony, the State sought a ruling from the trial court for permission to cross-examine Anderson about the handgun found in his apartment on January 5, 1990. The State admitted that there was no evidence that the handgun found was the one used in the December 22, 1989 rape. Over defense objection, the trial court ruled that the handgun evidence could be used for cross-examination if it were "carefully limited."

On cross-examination of Anderson, Anderson denied owning a firearm or possessing one at his apartment. The State marked the D.C. police report for identification and asked Anderson whether it was true that he kept the revolver in his closet. Anderson answered "no." The State then moved the introduction of the D.C. police report pursuant to Rule 5-616(b)(2). Over objection, the trial court admitted it for the sole purpose of showing that a handgun was found in the closet of the defendant's apartment. Everything except the date, address, and items recovered was to be redacted.

This report was subsequently withdrawn as an exhibit by the State and did not go to the jury. However, the next day the State called the D.C. police officer involved in the seizure of the weapon as a rebuttal witness. Over objection, this officer was permitted to testify to recovering the handgun in the search of the apartment on January 5, 1990. The trial court ruled that the testimony was not being used substantively, only to discredit Anderson's testimony that no such handgun was in his apartment on the date of the search. The trial court ruled that the probative value far outweighs any

prejudice, further explaining its ruling as based additionally on the close temporal relationship between the rape on December 22, 1989 and the search of the apartment on January 5, 1990.

On appeal, the Court of Special Appeals (CSA) conducted an analysis of this evidence under Rule 5-616(b)(2) and advised that the D.C. police report and the detective's testimony were certainly "extrinsic evidence" that the State was using to impeach the defendant's testimony by contradiction, since the defendant testified there was no handgun in his apartment where he lived. It further noted that this evidence only related to the defendant's credibility.

The question was not whether the defendant's credibility was a collateral issue, but *whether the fact or matter that was being used to impeach his credibility was a collateral issue*. The State had no proof the handgun was used in the December 22, 1989 rape. Absent any evidence connecting the handgun found in the defendant's apartment to the handgun used against the victim on December 22, 1989, there was no "tendency to make the existence of any fact that [was] of consequence to the determination of the [rape charges] more probable or less probable than it would be without the evidence" of the fact.

An irrelevant fact does not become relevant merely because there is extrinsic evidence to contradict it.

The CSA determined that the probative value of the handgun found in the apartment was non-existent. It further stated that even if there was some negligible probative value, it was substantially outweighed by the danger of unfair prejudice, confusion of the issues, and misleading the jury. The defendant never testified that he did not have access to a handgun. Additionally, it was not made clear to the jurors why the D.C. apartment was searched. The jury could have incorrectly inferred that the search was conducted in connection with the Maryland case. Even if the jurors were told

that the search was for another case; that fact would have been highly prejudicial in the same ways that propensity evidence is prejudicial. The close temporal relationship between the alleged rape and the search aggravated the prejudicial effect of the irrelevant evidence. The jury was never informed that the State did not believe the handgun found was the one used in the Maryland rape. The victim said that the men who raped her used a gun with a blue handle and the name of the gun found was a “Navy Model” revolver, and in rebuttal closing, the prosecutor described the handgun found in the defendant’s apartment as “blue.”

The CSA held that the testimony about the handgun was not harmless beyond a reasonable doubt.

*Anderson* provides an informative overview of the analysis that the trial court must engage in to determine whether extrinsic evidence is collateral or non-collateral. It emphasizes that relevancy trumps admissibility.

Other cases before *Anderson* have provided guidance to when such evidence should be admitted or excluded as evidence in the trial. Rule 5-616(b)(2) was derived from the holding in *Smith v. State*, 273 Md. 152 (1974) which was decided before the 1994 adoption of the Maryland Rules of Evidence.

In *Smith*, a husband was shot by his wife and was taken to the hospital where he later died. Before dying, the husband told the police officer that his wife was the shooter and he “would get her.” The wife’s defense was that the shooting was accidental. The officer testified at trial about what the husband told him. On cross-examination, the officer said he remembered getting a phone call from an investigator of the public defender’s office. The officer was asked whether it was true that he told investigator that the husband said the shooting was accidental. The officer denied that such a statement had been made by the husband.

In the defense case, the defendant sought to call the investigator to testify as to his phone call with the officer and that the officer said the husband told him the shooting was accidental. The trial court ruled the testimony was inadmissible hearsay. The Court of Appeals concluded that the trial court erred in that ruling and reversed the conviction.

The *Smith* Court instructed as to how to apply the “test of collateralness” when analyzing whether the at-issue fact is relevant independent of the contradiction:

The analysis is made by looking at the subject matter of the evidence as if it were being offered for substantive purposes, even though it is being offered only to impeach. One must look at the subject matter of the evidence offered and determine whether the subject matter is relevant and material to the substantive issues in the case (issues that would have been a proper subject of proof, even if the particular witness sought to be impeached had not testified); if so, the contradictory extrinsic evidence is admissible, because it does not pertain to a collateral matter.

The *Smith* Court held that the investigator’s testimony would be relevant because it could shed light on whether the shooting was accidental and, therefore, should have been admitted for the sole purpose of impeaching the testimony of the officer. For that purpose, it was not hearsay.

In *Dorsey v. State*, 276 Md. 638, 646 (1976), the Court of Appeals held that the collateral evidence elicited from a detective, concerning Dorsey’s arrest-conviction record, was irrelevant and extraneous to the issue of the Dorsey’s guilt or innocence. It held that the trial court’s ruling permitting the introduction of the evidence was manifestly erroneous.

In *Hardison v. State*, 118 Md. App. 225, 235-37 (1997), the CSA held that collateral evidence (a statement) elicited from an eyewitness to a detective after a shooting should have been admitted as non-hearsay to impeach the eyewitness on the stand who gave a different account than what he first told the police. The witness’s out-of-court statement to the officer was not being offered to prove the truth of the assertion but to cast doubt on the witness’s credibility as an eyewitness.

In *Stoddard v. State*, 423 Md. 420 (2011), a witness’s prior recorded statement to the police stating that the defendant had hit her and threatened to hurt her if she testified against him was admissible extrinsic impeaching evidence at the trial of the defendant’s charges of child abuse to impeach the witness who recanted on the stand, in order to show she had a motive to testify falsely because of fear of the defendant.

Rule 5-616(b) is an under-used rule. It is often forgotten as a useful weapon in an advocate’s evidentiary arsenal. Judges often view the rule with skepticism. However, the Rule is alive, it’s legitimate, and it is an effective weapon for use by both sides of the courtroom. It is useful to review the rule to determine whether, in your case, the proffered evidence is non-collateral or relevant to a material issue and not simply relevant to the issue of impeachment. Said differently, would the evidence, if introduced absent impeachment, tend to affect another pertinent issue in the case?

*Robert C. Bonsib, Esq. is a partner and Chair of the PGCBA Federal Practice Committee and Megan E. Coleman is an Associate at MarcusBonsib, LLC in Greenbelt, MD. Both concentrate their practice in the defense of state and federal criminal matters. Email: [robertbonsib@marcusbonsib.com](mailto:robertbonsib@marcusbonsib.com) – [megancoleman@marcusbonsib.com](mailto:megancoleman@marcusbonsib.com)*

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**STAY INFORMED - KNOW THE LATEST**  
*The Prince George's County  
Bar Association*

THE GOLDSTEIN SEMINAR (MARCH 28TH)

.....

THE FAMILY LAW SEMINAR (MAY 30TH)

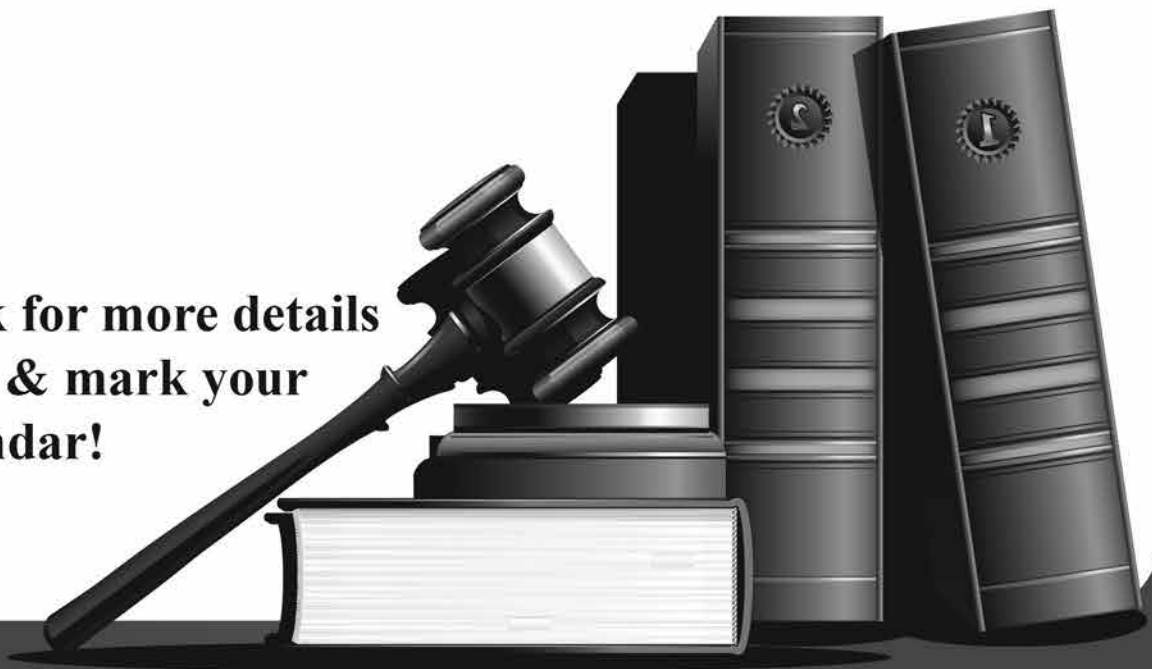
.....

TORT SEMINAR (JUNE 9TH)

.....

THE BANKRUPTCY SEMINAR (TBA)

**Look for more details  
soon & mark your  
calendar!**





**Thank you Attorneys Manuel Geraldo (Robinson & Geraldo) and Sophia Thelusma (The Tachi Law Firm) for your participation in the WJLA “ABC 7 On Your Side” Attorney Phone Bank, Thursday, January 15**



Pictured are: Manny Geraldo with Kimberly Suiters, ABC7 News’ Consumer Investigative Reporter, at the “7 On Your Side” Phone Bank.

  
**Submission  
Deadline:  
10th of  
the month**  
 .....  
 The deadline for  
submissions is  
February 10th  
for the March  
Newsjournal.  


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# FAMILY LAW, MATTERS: EXTRA, EXTRA, READ ALL ABOUT IT!

by Magistrate Paul Bauer Eason

## **SRL Pilot Program Deemed an Unqualified Success, Now a Permanent Part of our DCM!**

**W**ow! Time flies. This time last year, the Family Division in conjunction with the Clerk's Office inaugurated the Status Conference Pilot Program, "to ensure the Court's compliance with case time standards established under Maryland Rule 16-202 (b)." Pursuant to the Pilot Program, the Clerk's Office randomly selected ninety (90) Complaints for Divorce, Custody or Visitation filed by self-represented litigants (SRLs) for participation in the program. What was the problem the Pilot Program was designed to address? Those of you who read and remembered my article in last March's Family Law Matters will already know the answer: an astounding ninety (90%) percent of all domestic filings in Prince George's County had either no lawyer or only one lawyer in the case and compliance with "time standards" was not great.

Frankly, the time standards phenomenon was no surprise. Many SRL folk thought that once the Complaint was filed, the Court would take care of everything else. Affidavits of Service were frequently defective, expired Summons were served, Orders of Default were not sought, cases languished and time standards were missed. To address the problem, the Pilot Program directed that immediately after a SRL Complaint was docketed and once the Clerk's office issued the Summons, the file was then forwarded to the Office of Calendar Management to be set for a Status Conference--regardless of whether the Summons and Complaint had been served or the matter was formally at issue. This new procedure allowed the Court to get involved in the litigation at its very inception to advise the parties what was expected of them and how to move their cases along. The Pilot Program was a cooperative effort involving the Clerk's Office, the Office of Calendar Management and the Paralegal Unit.

So, how did we do? The short answer is "fantastic!" Close to 97% of all the cases involved in the Pilot Program were resolved

or dismissed within time standards! Not too shabby. As a consequence, Status Conferences have become a permanent part of our DCM procedures and **ALL** new SRL Complaints will be set in for a Status Conference.

Family Law practitioners will be primarily affected when defendants (who may know nothing about the pending litigation) arrive in your offices with a Status Conference Notice requesting representation. The Court will also see a large increase in its workload. When everything is up and running, Status Conferences will be set Monday through Friday beginning at 8:30 a.m.

Please find below the new Status Conference Policy and my modus operandi.

Hold onto your hat! "The times, they are a changing."

### **FAMILY DIVISION STATUS CONFERENCE**

#### **Introduction and Purpose**

This policy conforms to Maryland Rule 16-202(b) to ensure the Court's compliance with time standards established under the Maryland Case Management Plan. Additionally, the policy inaugurates the Status Conference Program which seeks to facilitate access to justice by ensuring that Self-Represented Litigants are provided procedural information to pursue or dismiss their cases in a timely and efficient manner.

#### **Overview and Scope of Policy**

In February 2014, the Family Division successfully implemented the Status Conference Pilot Program to ensure the Court's compliance with case time standards established under Maryland Rule 16-202(b) Case Management Plan. Pursuant to the time standards, the Court is required to resolve most family law cases within one year from the filing date. Due to the success of the Pilot Project, the Honorable Cathy H. Serrette received approval to expand the Project to include all new case filings by Self-Represented Litigants. The Status Conference Pilot Project succeeded, in part, because all cases were reviewed and processed within 45

to 60 days from the date filed. As of July 29, 2014, all 90 cases randomly selected for the Status Conferences Pilot Project had hearing dates, final orders and/or had been closed in the system.

Commencing January 2015, Status Conferences will be set on the Domestic docket Monday through Friday. The total number of Status Conference cases set is based on the total number of new case filings by Self-Represented Litigants in FY14 (4,033). Therefore Calendar Management will set 15-20 status conferences each week, on the calendars of Magistrates who are not assigned Child Support or Scheduling Conference dockets. However, should the Scheduling Conference docket (Tuesdays and Thursdays), fall short of pre-set case limits, additional status conference cases will be scheduled in place of Scheduling Conference cases. To ensure Magistrates have sufficient time to conclude their dockets, Domestic dockets will begin at 8:30 a.m. with the commencement of this program. Magistrates assigned to Child Support (as Child Support dockets are heavy and frequently commence at 8:30 am) will not be assigned the additional 5 cases. As the number of cases scheduled on the 10-minute and Scheduling Conference dockets decrease, Calendar Management may schedule additional Status Conferences as necessary.

#### **Scheduling Procedure**

1. Party files a Complaint in the Office of the Clerk of the Circuit Court. The Clerk will issue a Summons and mail to the filing party for service. After the Summons is issued, the Clerk will forward the case file to the Office of Calendar Management to be set for a Status Conference.
2. Office of Calendar Management will send Notice of the Status Conference to all parties involved. Status Conference files will be identified (by routing slip), banded together then forwarded to the Clerk located in M0415. After docketing the notice, the Clerk will place Status Conference files in the

in-box in M0415 file room by close of business the day docketing is completed. The files will be pulled by Family Division staff one week prior to the Status Conference for review by the Paralegal Unit.

3. Paralegal Unit will complete a case summary report documenting what is at issue, missing documents and other pertinent issues for the Magistrates to address and forward appropriate memorandum to parties as necessary. Upon completion of their review, the Paralegal Unit will maintain the files until the Status Conference hearing date unless a Magistrate requests the files for review.
4. At the Status Conference, the Magistrates will review the file, determine if service has been effectuated, an answer or responsive pleading has been filed, and what is the next step.
5. Deficient cases will be reset (for another Status Conference date) before Magistrates approximately 30 days from the date of the Status Conference.

#### **Paralegals**

Prior to the Status Conference, the Paralegal Unit will complete a case summary report documenting matters at issue, missing documents, and other pertinent issues for the Magistrates to address. Paralegal will forward appropriate memorandum to parties as necessary. Additionally, the Paralegals will identify cases in which the Defendant appears and/or has filed the appropriate Answer to the Complaint at the Status Conference. If the case is determined to be uncontested and the witness is present as necessary, the case will be referred to the courtroom for the appropriate hearing. If the case is contested and a Scheduling Conference is required, the case will be referred to a Case Manager to complete the Scheduling Conference.

#### **Postponing the Status Conference**

The Court has a formal postponement policy to reschedule hearings. However, the Court

intends to continue its informal policy for re-setting Status Conference cases. The policy will be outlined on the Status Conference notice. If a party needs to postpone their initial Status Conference, they must fax a letter to the Status Conference Clerk at 301-780-2057. The request will be placed in an inter-office envelope and delivered to the Associate Director of the Magistrate Support Staff by the next business day. A Motion for Continuance must be filed if additional continuances are desired.

#### **OVERVIEW OF HOW MAGISTRATE EASON CONDUCTS STATUS CONFERENCES:**

- 1) Review file
  - a. The Magistrate will notify the Plaintiff of defects in their pleadings at the Status Conference and refer the Plaintiff to the Paralegal Unit or Case Worker to file amended pleadings.
- 2) Determine if service has been effectuated, if not
  - a. The Magistrate will explain the various methods available to serve the Summons and Complaint and inquire how the Plaintiff intends to serve the Defendant.
  - b. Additionally, the Magistrate may describe Alternative Service options, if Plaintiff indicates that they have no knowledge of where Defendant resides.
  - c. If service has been effectuated, the Magistrate will explain how to obtain a default. If the matter is ripe, the Magistrate will refer the Plaintiff to the Paralegal Unit or Case Manager to file for default.
- 3) Review Answer or responsive pleading, if filed
  - a. If the Answer is defective (and Defendant has appeared), the Magistrate will explain the error and refer the Defendant to the Paralegal Unit or Case Manager to amend the pleading.

b. If pleading is defective (and Defendant did not appear), the Magistrate will explain how to obtain a default to the Plaintiff. If appropriate, the Magistrate will refer the Plaintiff to the Paralegal Unit or Case Manager to file for default.

c. If the Answer or pleading is legally sufficient, the Magistrate will handle the case appropriately. For example,

1. Conduct hearing if case is uncontested and a witness is present or can be easily produced.
2. Set hearing date,
3. Refer case for Scheduling Conference, if contested. As always, Scheduling Conferences can be conducted immediately if both parties are present (or available by telephone)

#### 4) Additional options

- a. Explain resources available to assist Self-Represented Litigants with the judicial process.
  1. Paralegal Unit
  2. Self-Help Clinic/Community Legal Services
  3. Self-Represented Litigant Orientation
  4. Information Portals
  5. ADR services
  6. Child Support Information Center (computers/brochures)

#### 5) Final actions

- a. Fill out Magistrate Status Report including as much detail and information as possible--for example, who appeared, defects, steps to complete before the next Status Conference.
- b. Dismiss case if service is not effectuated (within 120 days) in accordance to MD Rule 2-507(b).

# SAVE THE DATE

## The 30<sup>th</sup> Annual Alan J. Goldstein Memorial Criminal Practice Seminar

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

**Saturday, March 28, 2015**

**8:30 a.m. to 1:00 p.m.**

**Jury Assembly Room**

**Courthouse, Upper Marlboro**

**TOPICS and PRESENTERS TBA**

**Presented by:**

**PGCBA Criminal Law Section**

**Todd Steuart, Esq. Chair**



The NewsJournal is published nine times a year by the PGCBA. We welcome the submission of articles and other items of interest to the Bar members and also encourage your comments on the NewsJournal's articles, columns, and letters.

The PGCBA may reject or suggest edits for content, style and length of any submission. Anonymous submissions are not published. The views expressed in the articles, letters and columns reflect the opinions of the authors and may not reflect the views of the PGCBA, its officers, or directors.



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Retired Associate Judge

Circuit Court for Prince George's County, 7th Judicial Circuit of Maryland

The Honorable Michael Chapdelaine served the Circuit Court for Prince George's County as a Master for Domestic Relations for five years and as an Associate Judge for more than four years. Prior to his service on the bench, he enjoyed a successful private practice with an emphasis on family law. He is a past Member of the Board of Directors of the Bowie Chamber of Commerce and a Life Fellow of the Community Legal Services of Prince George's County. Since his retirement from the bench in 2011, he has been mediating and arbitrating family law disputes. He now brings this distinguished record of service and accomplishment to The McCammon Group to serve the mediation, arbitration, and special master needs of lawyers and litigants throughout Maryland, DC, and beyond.

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# **PRINCE GEORGE'S COUNTY BAR ASSOCIATION 2015 HIGH SCHOOL MOCK TRIAL COMPETITION... WE NEED YOU!**

Join an elite team of volunteer attorneys who will be coaching and judging the 2015 High School Mock Trial Competition in Prince George's, Calvert and Charles Counties!

Attorneys from all disciplines are invited to share their skills with aspiring young advocates in Prince George's, Charles and Calvert Counties as these talented high school students match wits, oratorical and advocacy skills.

This year the fact pattern focuses on an excessive force case with facts similar to those in the Michael Brown case.

The initial matches will be held in local high schools in Prince George's County and the courthouses in Charles and Calvert Counties. Matches will begin at 4:00p.m (or 3:30p.m. in Charles and Calvert Counties) and will last for approximately one hour.

Please contact Tempress Coppet (tmcoppet@co.pg.md.us) in Magistrate Judy Woodall's chambers (Prince George's County Courthouse) for additional information or to sign up to Judge one of the matches. For those lawyers who have already signed up we thank you in advance for your service. You may pick up your materials in Magistrate Woodall's chambers if you have not already done so.

We are mentoring the next generation of aspiring advocates, please join us!

Monica Best James, Co-Chair  
m.bestjames@aol.com

## **WELCOME TO OUR LAW FIRM**

Please note that name of our law firm and our website/email domain have changed.

Brian Frosh was elected to serve as Attorney General of the State of Maryland. Accordingly, we are obligated to remove his name from the name of our firm.

Our firm name is now Karp, Wigodsky, Norwind & Gold, P.A., and our website/email domain is karplawfirm.net.

Rest assured that we remain committed to measuring our success by the lives we change.

# **YOUR AD HERE**

.....

## **CALL THE BAR ASSOCIATION AT 301-952-1442.**



**TO: ALL MARYLAND ATTORNEYS**

**FROM: ROBIN D. G. BRIGHT, CIVIL COORDINATING JUDGE**

**RE: APPLICATION PROCESS FOR PARTICIPATION IN THE HY5 DOCKET  
FOR THE DISTRICT COURT OF MARYLAND, FIFTH DISTRICT**

**DATE: JANUARY 20, 2015**

---

**APPLICATIONS SHALL BE SUBMITTED NO LATER  
THAN 12:00 NOON ON FRIDAY, FEBRUARY 27, 2015.**

The HY5 docket began in Prince George's County in March 2004. The docket was originally scheduled in Courtroom 5 in the Hyattsville Courthouse (hence the name "HY5") and is currently set in Upper Marlboro on the first and third Fridays in Courtroom 264.

Cases set on the HY5 docket are collection cases where the plaintiff is suing the defendant to collect a debt. The majority of the cases arise from unpaid credit card bills, car loans, student loans, or hospital bills. **Rent cases are not set on the HY5 docket.** The purpose of the HY5 docket is to give the parties a pre-trial opportunity to resolve the case, thereby allowing the court to operate more efficiently by conserving judicial resources.

The defendants receive a summons providing notice of their trial date and time. They are instructed to appear in the courtroom at 8:30 am on their trial date. The plaintiffs' attorneys are present in the courtroom. In addition, there may be a representative from the Consumer Protection Project who may assist a self-represented defendant in resolving the case and/or representing the defendant during trial. Currently, the judge takes the bench between 8:30 – 9:00 am and gives an opening statement, advising the defendant of the proceedings for the day. The judge then leaves the bench for the resolution conference to take place and will return for the 10:30 am docket.

**The HY5 docket is expanding to increase attorney participation.** Two (2) courtrooms will be available to conduct the resolution conference. In addition, a video of the judges opening statement will be continuously played for the litigants beginning at 8:00 am and throughout the resolution conference. Those interested in participating should carefully read and review the following procedures and complete an application. In addition, in order to assist the Clerk's Office in setting cases most efficiently and effectively, **CURRENT PARTICIPANTS SHALL ALSO SUBMIT AN UPDATED APPLICATION.**



Inclusion on the HY5 docket is conditioned upon your agreement to abide by these terms.

1. All complaints, reissues, and other pleadings slated for the HY5 docket should be bundled together and sent to the District Court of Maryland, 14375 Main Street, Suite 173B, Upper Marlboro, Maryland 20772, with a colored sheet indicating **“HY5 Docket.”** Case files are expected to be complete when submitted for scheduling on the HY5 docket. Failure to submit complete files may result in an adjustment of the amount of the claim or removal of your firm from the HY5 docket.
2. Each new case filing and reissue **will be set at 8:45 am in Upper Marlboro, Courtroom 357 on Fridays of the month.** The participating law firms **should report to Courtroom 357 no later than 8:15 am** and bring sufficient staff so you have enough time to meet and negotiate with the parties. Defendants in new case filings and reissues will be summoned to appear. Courtroom 357 will be set up so that each attorney/law firm has its own space in which to meet with the defendants for settlement negotiations. **Courtroom 353 will be used as an overflow courtroom.** The courtroom clerk will have the cases in Courtroom 357 prior to start of the conference. The courtroom clerk will direct the self represented litigants to the proper areas as they arrive in the courtroom.
3. Show Cause Hearings, Oral Examinations, Motions, and trials with timely filed Intention to Defend (ITD) notices are scheduled for Courtroom 357 at 10:30 am. A judge will take the bench to hear these actions. The participating law firms are expected to have necessary witnesses and documents and be prepared as **postponements will be granted for good cause only and not for witness availability and/or lack of documentation.**
4. The participating law firms are required to provide a **detailed, complete, and accurate Plaintiff Judgment Sheet (PSJ) for each defendant in each case, no later than fourteen (14) days prior to the court date.**
5. Proper service must be shown (a) by a Sheriff, (b) by a process server with an affidavit, or (c) by certified mail. The green card shall be signed by the defendant listed in the complaint and must be legible. If the defendant is served at an address other than that listed in the complaint and the file does not contain documentation to the change of address, service is insufficient and judgment is denied. If the green card is signed by someone other than the defendant and/or is illegible, service is insufficient and judgment is denied. If alternative service was not ordered by the court, but used by the plaintiff, service is insufficient and judgment is denied.
6. The affidavit for judgment must be signed by someone (other than the plaintiff’s attorney) with personal knowledge of the facts. The affiant must be identified by title and/or position (i.e. account manager, vice president, legal liaison). If the affiant is not properly identified, judgment is denied.
7. To receive pre-judgment interest, an updated interest worksheet is required for each case and for each defendant. The interest worksheet must specify:
  - a. The applicable interest rate – usually this should be “legal rate” unless otherwise specified in the contract and **must be clearly identified on the contract. You must attach the enabling documentation as well as highlight in yellow the contract rate for pre-judgment interest.**
  - b. The **number of days used to calculate pre-judgment interest is required;** dates alone are not sufficient. If the number of days is not provided, pre-judgment interest is not awarded.

8. The amount claimed must be consistent with the supporting documentation. Before the entry of judgment, the plaintiff must inform the court of any reduction in the amount of the claim by payment made and/or credit received. **Whenever several billing statements are provided as supporting documentation, the judgment amount requested must be highlighted in yellow.**
9. Court costs should be accurately reflected on the PJS. Court costs are determined by adding the following component court costs:
  - a. The filing fee of \$28 (if the claim is for \$5,000 or less) or \$38 (if the claim is for more than \$5,000)  
*PLUS*
  - b. The fee charged by the Sheriff or private process server for service of process. **Private process servers charge varying amounts; however, a plaintiff may claim only up to a maximum of \$40** (the amount the Sheriff charges). Md. Code Ann. CJP § 7-404  
*PLUS*
  - c. The \$5 fee for each re-issuance of a summons.
10. A plaintiff's request for attorney's fees must be supported by a contract that contains an attorney's fees provision. If the contract entered into between the plaintiff and the defendant does not contain an attorney's fees provision, then the plaintiff is not entitled to collect attorney's fees. **The provision for attorney's fees must be clearly identified on the contract. You must attach the enabling documentation as well as highlight in yellow the attorney's fees provision.** Most contract provisions entitle the plaintiff to collect "reasonable attorney's fees." As of January 1, 2014, Md. Rule 3-741 mandates that anything 15% or under would be considered "reasonable attorney fees."
11. The request for post judgment interest must be clearly marked on the PJS. To obtain post judgment interest at the contractual rate, it must be clearly stated in the supporting documentation.

**APPLICATIONS SHALL BE SUBMITTED NO LATER THAN 12:00 NOON ON FRIDAY, FEBRUARY 27, 2015.**

Applications may be sent to:  
District Court of Maryland for Prince George’s County  
Attention: Ms. Margo, Buck-Hurley, Administrative Aide for the First Floor Judges’ Chambers  
14735 Main Street, Room 150B  
Upper Marlboro, Maryland 20772

Attorney’s Name: \_\_\_\_\_

Law Firm: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Email Address: \_\_\_\_\_

Office Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

Years of practice: \_\_\_\_\_ Areas of practice: \_\_\_\_\_

Total new civil case filings in 2014: \_\_\_\_\_

Type of civil cases filed in 2014: \_\_\_\_\_

Total new civil cases expected to be filed in 2015: \_\_\_\_\_

Type of civil cases to be filed in 2015: \_\_\_\_\_

Current participant in the HY5 Docket      YES      NO  
(PLEASE CIRCLE)

I HAVE CAREFULLY READ AND REVIEWED THE REQUIREMENTS FOR INCLUSION ON THE HY5 DOCKET. IN ADDITION TO THE FILING REQUIREMENTS, I UNDERSTAND THAT I MUST HAVE SUFFICIENT STAFFING TO CONDUCT THE RESOLUTION CONFERENCE. I FURTHER UNDERSTAND THAT FAILURE TO COMPLY WITH THE REQUIREMENTS MAY RESULT IN REMOVAL AS A PARTICIPANT IN THE HY5 DOCKET.

\_\_\_\_\_  
ATTORNEY SIGNATURE

\_\_\_\_\_  
ATTORNEY PRINTED NAME

\_\_\_\_\_  
DATE



Tiffany H. Anderson  
*Administrative Judge*

**DISTRICT COURT OF MARYLAND**  
Fifth District

Courthouse, Suite 345B  
Upper Marlboro, Maryland 20772  
(301) 298-4081

Hyattsville District Court Building  
4990 Rhode Island Avenue  
Hyattsville, Maryland 20781, Suite 250  
(301) 298-4220

January 1, 2015

**OUR BENCH MEETINGS DATES HAVE CHANGED\***  
All of these dates are NOT the first Wednesday of the month.  
There will be no afternoon dockets on these dates.

2015 Bench Meeting Dates

Wednesday, January 7

Wednesday, February 4

Friday, March 6\*

Wednesday, April 1\*

Wednesday, May 13\*

Wednesday, June 3

Wednesday, July 1

Wednesday, August 5

Wednesday, September 2

Friday, October 9\*

Wednesday, November 4

Wednesday, December 2

# Application for PGCBA Find-a-Lawyer Listing

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Telephone number: \_\_\_\_\_

Website: \_\_\_\_\_

\*If this application is accepted, the information will be listed as provided above\*

**Please be advised that I am applying for listing on the PGCBA Find-a-Lawyer pages in the following categories:**

Administrative	Elder Law	Landlord & Tenant
Appeals	Employment	Military
Business	Environmental	Personal Injury
Bankruptcy	Family Law	Real Estate
Civil Litigation	Juvenile	Social Security/Disability Law
Collections	Health Care	Tax
Consumer Protection	Immigration	Traffic
Contracts	Insurance Disputes	Wills & Estates
Criminal	Intellectual Property	Workers Compensation

I understand that listing on these pages is available to individual attorneys only (not law firms) who are current on all PGCBA obligations including dues. The fee for listing is \$120 (includes one category) and \$20 for each category annually. The program runs from February 1, 2015 until January 31, 2016. **Failure to remain current in all obligations or to pay the listing fee when notified will result in removal from the site without further notice.**

This information is being provided as a service to the public and our members. The Prince George's County Bar Association does not screen the qualifications of the attorneys appearing in this listing, if they maintain certain levels of malpractice insurance or whether they hold a level of experience in the category presented.

**I am enclosing/providing payment for the following to the PGCBA**

LISTING FEE	\$120.00 (Includes 1 category)
CATEGORIES	X \$20.00 = \$
<b>TOTAL</b>	<b>\$</b>

Check for the payment, payable to the Prince George's County Bar Association, may be mailed to 14330 Old Marlboro Pike, Upper Marlboro, Maryland 20772 or the fee may be charged on a major credit card by calling 301-952-1442. This form can be mailed with the payment, faxed to 301-952-1429 or sent by email by clicking the button.



## **Foreclosure Success Story**

We assisted a homeowner who attempted for four years to negotiate with his lender. He had fallen behind on his mortgage payments due to a reduction in employment income and a major increase in the medical costs to care for his daughter. The homeowner had first and second interest-only loans from Bank of America. Our CLS volunteer attorney **Theodore Urban** negotiated a modification with a trial period. The homeowner reports that he is very thankful for the help of attorney Urban and CLS for the chance to obtain closure on the issues that caused him much anguish.

We are happy to report continued success in our programs. In Fiscal Year 2014, we assisted 9,568 clients! We could not do this without the help and dedicated work of staff: Karin Dalichow, Linda Gantt, Angelia Rowe Garner, Angela Richardson Green, Edith Coral Johnson, Alicia Lewis, Darlene Wright Powell, Johnny Da Silva, Oswaldo Perez, Michael Udejiofor and Angela Wright.

We are tremendously grateful to our **Volunteer Attorneys** who provided legal advice at our various clinics and/or legal representation to our clients:

Moges Abebe, Valerie Adeyeye, Jeanne Aelion, Chijioke Akamigbo, Jennifer Anukem, Charles Ashurst, Francis Barikor, Donald Bell, Denise Bellamy, Susan Berry, LM Biggs, Davida Bortmes, Renee Boston, Harold Boyd, Walter Boyd, Cathy Braxton, John Brennan, Bennie Brooks, James Brown, Jibril Brown, Jose Canto Greenfield, Richard Chambers, Zakia Chandler, Jessica Charles, Esther Coleman, Wayne Cooper, Christopher Daniels, Anthony Hayes Davis, II, Sean R. Day, Bruce Desimone, Christal Edwards, Olekanma Ekekwe-Kauffman, Craig Ewan, Alexander Fernandez, John

Gabel, Ann Gaegler, Linda Gantt, August Gardner, Richard Gilman, Evan Goitein, John Green, Sandra Guzman, Kristin Hagood, Dontrice Hamilton, Dianne Stewart Hamlin, Andre Hammel, Thomas Hendershot, Anthony Ho, John Hopkins, Dallas Houston, Hope Humana, Monica James, Lucrecia Johnson, Catherine Jones, Joshua Kahn, Sharon Kelsey, Anu Kemet, Natasha Khalfani, Cherie King, Rachel Kohler, Michele La Rocca, Joseph Laumann, G. Lawrence, Edith Lawson-Jackson, Anneliese Lederer, Alicia Lewis, Roger Locklear, Relina Louisy, Camille McBride, Ludeen McCartney-Green, Phillip McCrae, Jaimee McDowell, Nataly Mendocilla, William Mertens, Melanie Mfume, Gregory Milton, Danielle Moore, Julio Morales, Frank Morris, Kevin Morris, Grant Murchison, Cynthia Norris, Gideon Obi, Kwaku Ofori, Jumoke Oladapo, Debra Oliver, Rosalyn Otieno, Stacy Pace, Leslie Pladna, Darlene Powell, Deidra Proctor, Laurie Pulliam, Ena Richter, Mitchell Rotbert, Angelia Rowe Garner, Lanet Scott, Tim Sessing, Bill Shelton, Robert Smith, Rosa Sobhraj, Ifeatu Sofela, Young Song, Stephen Stair, Sahmra Stevenson, Joy Stinson, Vernon Taylor, Bud Tayman, James Thomas, Edward Watson, Misty Wilks, Brian Williams, Gerolyn Williams, Richard Williams, Rex Wingerter, Kurt Wolfgang, Diana Wyles.

## **Special Immigrant Juvenile Status (SIJS)**

We are now handling SIJS cases. This is a federal immigration law that enables certain undocumented children to become eligible for a “green card.” This status is available to provide relief to undocumented children who have been abused, abandoned or neglected. We are working in partnership with the *Pro Bono Resource Center of Maryland* who provides training to attorneys to handle SIJS cases, and with *Catholic Charities* who pre-screen and send eligible cases to us for referral. We have **Judicare Funds** available to pay attorneys for handling these types of cases. Attorneys assist with the establishment of guardianship

or custody of the minor in addition to requesting SIJS findings, processes over which jurisdiction rests in the state family and juvenile courts.

## **Foreclosure Clinic**

CLS continues to devote Friday afternoons to foreclosure prevention. Our staff attorney Linda M. Gantt operates this clinic in the Upper Marlboro Courthouse, Room 2435. She provides free legal advice. Eligible cases are referred to an attorney for representation. Clients with foreclosure questions can also call our main office at 240-391-6413.

## **CLS Annual Awards and Silent Auction**

We are holding our Annual Awards & Silent Auction in April 2015 at The United States Courthouse in Greenbelt, MD. The specific date will be announced promptly. We are accepting items to be auctioned. Typically items that have been donated in the past for this event include weekend getaways, wines, resort packages, sports tickets/packages and memorabilia items, luxury items such as handbags, upscale restaurant gift cards, retail gift cards, and the like. CLS also accepts contributions which help to fund the event. Please submit your donations early. Your generosity is appreciated and will help CLS to continue to fulfill the mission of the organization to provide legal services to the indigent.

## **We Have Funding Available to Pay for Attorneys Fees!**

CLS continues to refer cases under our Family Law Judicare Program. Funding for this program is made available by Maryland Legal Services Corporation. Attorneys receive \$80.00 per hour up to \$1,600.00 per case. Payment is made after the case is concluded.

Please contact Michael Udejiofor or Angela Wright at 240-391-6532 to be added to the list!

Community Legal Services of Prince George’s County, Inc. is a non-profit organization established to provide quality civil legal services to low-income persons in

Prince George's County. It does this through the generous contribution of legal advice and legal representation by members of the private Bar. Additionally, CLS operates free legal clinics in the County. They are located in the in Circuit Court House, Langley Park and Suitland. For more information about our services, please contact Nora C. Eidelman, at 240-391-6532, ext. 12.

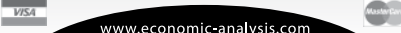
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References and Vita on request - Visit at:  
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For more information:

Joseph Palermo  
301 918 2916  
jpalermo@naimichael.com

Allen Cornell  
301 918 2909  
acornell@naimichael.com



The information contained herein has been given to us by the owner of the property or other sources we deem reliable. We have no reason to doubt its accuracy, but we do not guarantee it. Floor plans, site plans and other graphic representations of this property have been reduced and reproduced, and are not necessarily to scale. All information should be verified prior to purchase or lease.

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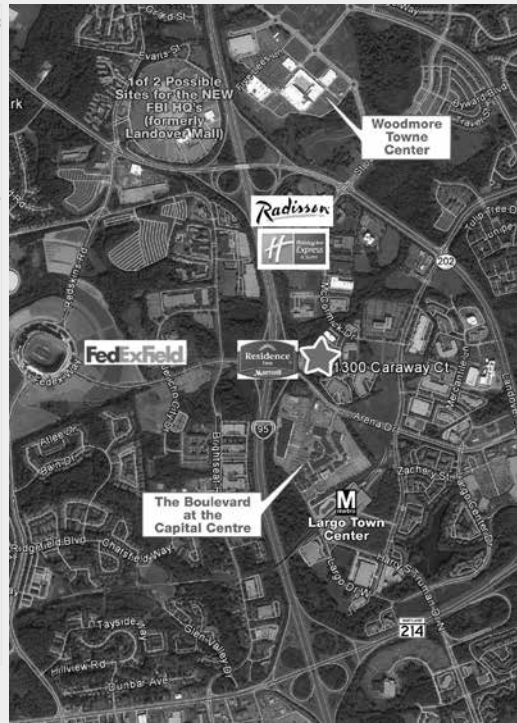
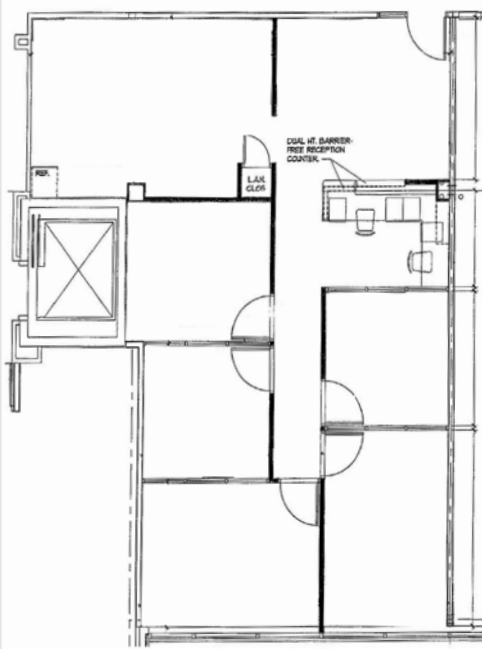
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# TURN TRAGEDY INTO HOPE: INCLUDE ORGAN, EYE & TISSUE DONATION IN CLIENT ESTATE PLANNING | *by Libby Wolfe, Executive Director, Donate Life Maryland*

Legal professionals play an important role in providing estate planning services to clients that legally document an individual's personal wishes. This process often leads to family conversations to reinforce these decisions with loved ones. Estate planning services can include the preparation of Last Wills and Testaments, Powers of Attorney and Advance Medical Directives. There may also be discussion of a planning for long term care, insurance and other financial arrangements.

However, even though end-of-life decisions are being addressed during estate planning meetings, the discussion about organ, eye and tissue donation is often not raised. Either a legal professional may not feel comfortable talking about the area, or feel the client may be too old to be considered as a potential donor or there is not enough information to provide clients. With more than 123,000 persons awaiting a life-saving transplant in the United States, not including organ, eye and tissue donation in estate planning conversations with clients is a lost opportunity to turn tragedy into hope. If every legal professional included how to register as an organ, eye and tissue donor in the estate planning process, countless lives have the potential to be saved and changed. Since end-of-life decisions are already being discussed with clients during the estate planning process, this is a perfect opportunity to include registering as a donor. A person's family should be able to know and understand this decision so they could confidently make decisions on a loved one's behalf in times of crisis.

So, where should legal professionals begin? Sure, organ, eye and tissue donation is important, but how can this information be included as part of the estate planning discussion? One of the ways legal professionals can be part of the solution for the ongoing need for organ, eye and tissue donors is by sharing how persons can register as an organ, eye and tissue donor in Maryland.

## 1. Register with the official Maryland

### Donor Registry

To confirm one's intention to be an organ, eye and tissue donor, begin by registering securely online at the official Maryland Donor Registry with Donate Life Maryland at [www.DonateLifeMaryland.org](http://www.DonateLifeMaryland.org). In under one minute, a person can register as a donor and also provide family members with electronic confirmation of this decision. Persons also have the opportunity to document any specific organs that they do not wish to have donated, or any different wishes about donating organs or tissue for research.

Legal professionals are also encouraged to share the [www.DonateLifeMaryland.org](http://www.DonateLifeMaryland.org) web address for clients wanting additional information or seeking to register. The online registration is the same as registering at the MVA when obtaining a license or identification card. There is no need to receive an updated license as this decision will be securely recorded in the Registry. After one's death, only Donate Life Maryland professionals have access to the official Maryland Donor Registry with Donate Life Maryland to locate a person's intent to be a donor.

## 2. Register as a Donor through the Maryland Driver's License or Identification Card

When renewing or obtaining a new driver's license or identification card in Maryland, persons are asked whether they would like to register as an organ, eye and tissue donor. If 'yes,' the driver's license or identification card will indicate an affirmed donor designation with a 'heart' symbol noted. The affirmed donor designation decision will then be securely transmitted and maintained in the official Maryland Donor Registry with Donate Life Maryland where it can be confirmed or updated by the donor, if desired.

## 3. Including Organ Donation in Advance Medical Directive

In addition to being registered with the official Maryland Donor Registry with Donate Life Maryland and using your driver's license or identification to

indicate donor designation, it is suggested to include donor designation intent in Advance Medical Directives. Including donation decisions in Advance Medical Directives does not register a person with the official Maryland Donor Registry with Donate Life Maryland, however, for those who are already registered, it is an additional option to ensure wishes will be known and followed. Putting these wishes in an Advance Medical Directive can help loved ones deal with the difficult decisions that come with the end of life, and ensure that final wishes are known and honored. It's not always helpful to include donation wishes in a will, because it may not be found and or known until it is too late to donate.

## 4. Sharing Donor Designation with Next-of-Kin

We always encourage this step for everyone, regardless of donor designation. If a person is registered as a donor, we encourage sharing these wishes through discussion with next-of-kin. A simple conversation can help provide family guidance and comfort knowing they are honoring loved one's wishes.

If a person is not formally registered as a donor but supports organ, eye and tissue donation, it is important to share this intent with next-of-kin as they may be asked to make this decision on a loved one's behalf. Persons who are not registered as donors may still be eligible for donation with family consent.

## Other Ways to Share Donor Designation

Facebook now allows members to share their organ donor status while communicating their reasons for becoming an organ donor. Additionally, once a person indicates on Facebook they are an organ donor, they are directed to their official online state Registry to formalize their registration status. Of course, it is recommended for a person to continue through and complete the donation registration. However, simply stating one's wish to be an organ donor on their Facebook timeline sends a powerful

message to the family members who may be asked to make this decision on their behalf.

### **Is Registering as a Donor the Same as Whole Body Donation?**

When you register as an organ, eye and tissue donor with Donate Life Maryland, this is not registering a person as a whole body donor. Donate Life Maryland only facilitates deceased organ, eye and tissue donation and separate organizations exist to provide whole body donor programs.

There are several programs available, and while Donate Life Maryland does not officially endorse any particular program, the following organizations can provide more information on whole body donation:

#### **State Anatomy Board**

<http://dhmh.maryland.gov/anatomy/SitePages/faqs.aspx>

#### **Anatomy Gifts Registry**

<http://www.anatomygifts.org>

#### **IIAM**

<http://www.iiam.org>

#### **Uniformed Services University of the Health Sciences**

<http://www.usuhs.mil/mdl/atlservices.html>

It is important to note that it is possible to be registered as an organ, eye and tissue donor with Donate Life Maryland as well as being a whole body donor.

### **If a Person is Not Registered, Who Makes this Decision?**

If a person is not registered as an organ, eye a tissue donor in Maryland, their legal next-of-kin can make the decision on their loved one's behalf. This is another reason to encourage conversation as a verbal support for donation can provide guidance for those making these decisions. When a minor dies, the decision to donate goes to the child's legal guardians. For adults, the right goes to the following people, in order:

- health care agent, if appointed,

unless the appointing document explicitly withholds this power

- spouse or registered domestic partner
- adult children
- parents
- adult siblings
- grandparents
- an adult who exhibited special care and concern, or
- any other person who has the authority to handle the disposition of the body.

Ultimately, if a person supports organ, eye and tissue donation and they intend to be a donor, it is important to register at the official Maryland Donor Registry with Donate Life Maryland, share organ donor status on Facebook and, of course, engage loved ones in a discussion about these important wishes.

By including organ, eye and tissue donation in estate planning conversations, an opportunity is provided to clients to formally register their decision and share their intent with next-of-kin. Often persons not having this discussion or knowledge of their loved one's wishes creates confusion and conflict for families during an already difficult time.

### **For More Information**

Donate Life Maryland can help provide information for legal professionals so this important discussion can be offered to clients. Online resources through are available as well as printed brochures that can be shared during the estate planning process. Please feel free to connect with Donate Life Maryland for further information at [www.DonateLifeMaryland.org](http://www.DonateLifeMaryland.org).

\*\*\*

*Donate Life Maryland (DLMD) is dedicated to saving and healing lives by registering organ, eye and tissue donors throughout the state of Maryland. Donate Life Maryland maintains and manages the official Maryland Donor Registry through a partnership with the Maryland*

*Motor Vehicle Administration and with oversight by the Maryland Department of Health and Mental Hygiene (DHMH). The website, [www.DonateLifeMaryland.org](http://www.DonateLifeMaryland.org), provides Maryland residents with information about organ, eye and tissue donation and how to register securely online.*

*A nonprofit organization, dedicated to changing the culture of donation in the State of Maryland, Donate Life Maryland encourages a statewide call to action for residents to be designated donors, facilitates donor designations and upholds an individual's legal commitment to be a donor.*

*In addition, Donate Life Maryland works with similar organizations throughout the country in a collaborative effort to improve donor designation rates nationwide. This national collaborative effort is led by Donate Life America. Donate Life Maryland has a reciprocal relationship with its founding organizations, The Medical Eye Bank of Maryland, Washington Regional Transplant Community and The Living Legacy Foundation, to provide comprehensive public education and outreach.*

*Donate Life Maryland is located at 1730 Twin Springs Road, Suite 200, Baltimore, Maryland 21227 and online at [www.DonateLifeMaryland.org](http://www.DonateLifeMaryland.org). We do offer educational tours and resources for those interested in further information.*

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# THREE GOOD REASONS FOR A LAWYER TO VISIT THE PEOPLE'S LAW LIBRARY | *by Dave Pantzer*

*This article originally appeared in the August 2014 edition of the Maryland Bar Bulletin and is reproduced by permission of the Maryland State Bar Association.*

The Maryland People's Law Library (PLL) website ([www.peoples-law.org](http://www.peoples-law.org)) is a collection of hundreds of individual articles about the types of civil legal issues most frequently encountered by self-represented litigants in Maryland state courts. PLL articles address specific questions about scores of substantive legal topics like domestic violence, child support, consumer credit, residential leases, wills and estates, and guardianship.

PLL also provides plain-language explanations of court procedure (like filing a case, motions, discovery, and default judgments); as well as alternative dispute resolution; topical legal research guides; legal forms; a county-by-county look at free legal clinics; and an extensive searchable directory of local and statewide legal services providers.

So what good is the site to a lawyer? I'll suggest three ways a lawyer could make use of this public resource.

## 1. Jump-start your own research with a free, curated collection of legal summaries, citations, and links

While every citizen is "presumed to know the law," most of us still have questions from time to time. For a practicing attorney seeking a quick entry point into a less familiar area of law, time is money, and so are Westlaw searches. PLL won't answer all of your questions, but it provides a well-organized, searchable entry point that can frame a topic and lead you to useful legal citations and reliable online resources.

PLL articles include plain-language summaries of Maryland law, as well links to relevant primary law and government web sites. Many

also include citations to suggested secondary sources.

You can navigate the site topically or search by keyword across the entire site's content. Articles range from broad topics (like "Child Custody in Maryland"), to specific issues (like what happens when a "House Guest or Squatter Refuses to Leave"). Some articles, written in response to specific questions, even address unique topics like local rules for raising urban chickens.

Even if you don't find an article already written on your specific question, you may benefit from one of a dozen topical research guides on the site (for example, "Researching Debt and Credit Law"). You can even use the site to connect with a Maryland State Law Library reference librarian by email or online chat.

## 2. Prepare clients for what lies ahead

In significant ways, the role of a lawyer mirrors that of a translator. The lawyer helps the client to present a point of view to the court or another party, "translating" the client's reality into the language of legal procedure and persuasion. At the same time, the lawyer helps the client to navigate and make sense of what may be unfamiliar rules and procedures.

But some of the work of translating the rules and procedures into accessible language has been done for you. PLL strives to explain the law and its procedures in understandable language, without sacrificing accuracy. Consider printing or emailing a link to a PLL article for your client. The explanations contained in the article provide valuable background information and can help your clients to see the bigger picture and

to develop realistic expectations for their situation.

Obviously, your clients benefit when you do the heavy lifting of representation, providing guidance and expertise, and speaking on their behalf. But you and your client can both realize cost savings by making use of free, reliable legal information to streamline the process of explaining basic legal concepts and creating realistic expectations.

## 3. Contribute for the public good

PLL is the Maryland Judiciary's primary method of providing legal information and referral assistance to self-represented litigants. Coordinated by the Maryland State Law Library, PLL seeks to educate Marylanders by providing clear, reliable summaries of Maryland law, links to primary and secondary legal sources and referrals for legal services.

Want to use your legal writing and research skills to make a difference and to meet your pro bono goals? Want to do all that from the comfort of your home or office? PLL has a long history of partnering with Maryland attorneys like you to provide this valuable free legal information for everyone's benefit.

Because of the frequency with which the law changes, keeping PLL articles up to date is a significant undertaking. But when an experienced attorney volunteers to review just one article, that brief period of reportable pro bono activity goes a long way! Many of the articles on the site generate hundreds or thousands of page views each month.

If you look on the site for a quick answer to a basic question, and don't find one, consider writing up your research into an appropriate

article, and submitting it for possible inclusion on the site. It's a great way to maximize the value of the work you've done, and to give back at the same time.

Even if you find yourself conflicted out of other pro bono activities due to government employment or client considerations, PLL offers a conflict-free way to serve the public good. With your permission, you'll also be publically recognized on the site for your work.

To learn more about PLL, including pro bono opportunities and procedures, visit [www.peoples-law.org](http://www.peoples-law.org), or contact Dave Pantzer, the web content coordinator, at [Dave.Pantzer@mdcourts.gov](mailto:Dave.Pantzer@mdcourts.gov), or at 410-260-3708.



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## Washingtonian Magazine gives a nod to Debbie Potter



Debbie Potter, "the Velvet Hammer"

Tip of the hat to Debbie Potter for the December 2014 *Washingtonian* "The Verdict Is In" article highlighting the "25 biggest jury awards and public settlements" in 2014. Debbie's \$306,100 Calvert County jury verdict made the list at #12. Her recognition prompted a social media shout out from NBC4 News Anchor Wendy Rieger who called Debbie "the Velvet Hammer." Well done Deb!

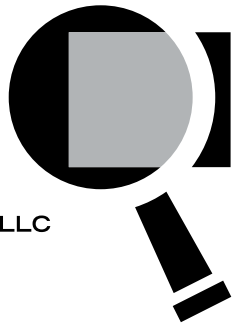
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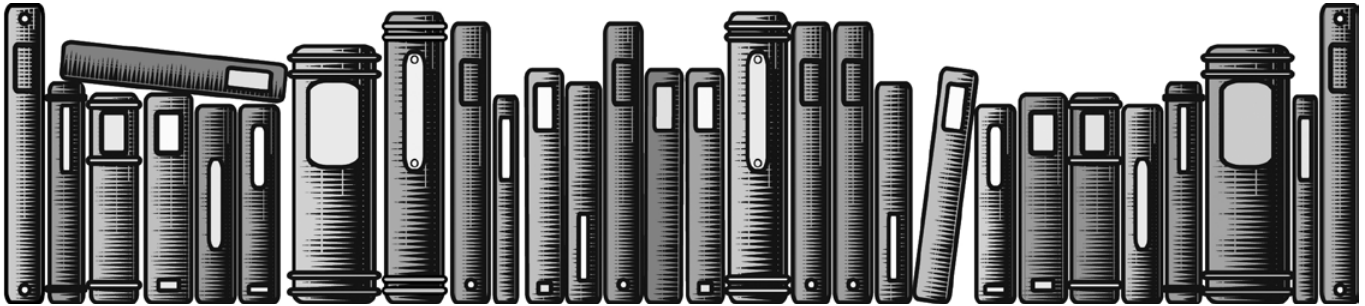


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