



The Anne Arundel County BARRISTER

The Newsletter of the Anne Arundel Bar Association

October/November 2017

Dates to remember

DECEMBER 6
AABA Holiday Party
Libations
Millersville, MD
5:00 – 7:00 p.m.

DECEMBER 15
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Barrister’s Ball
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Put Me in Coach, I’m Ready to Play!

April 1987: I am playing second base for my fraternity’s softball team and we are in the championship game against a rival fraternity. Not only is this the championship game, but we are in the running for the year-long President’s Cup, which gets awarded to the organization with the most points amassed for all intramural sports for the school year at our college. A victory in this game will put us in position to win the Cup; a loss pretty much ends our year-

long quest. And by the way, John Fogerty’s “Centerfield” was still gaining in popularity after being released in 1985.

August 2017: I am playing first base for the Bad News Barristers in the Anne Arundel Bar Association’s softball league. I have come out of retirement for the third or fourth time to play another season. I am by far the oldest player on the team, and too many of my teammates are far closer in age to my oldest daughter than they are to me. Due to numerous rain-outs over the summer, our season has been extended many times, from the end of July to the end of August. After winning our first playoff game, we are scheduled to play in the “Final Four” on August 24, the same day that Natasha and I are scheduled to take our oldest daughter off to college.



AABA President Steve Wrobel (center) presents the AABA Softball Tournament Trophy to the winning team (his team!) at the AABA Crab Feast. From left: Claire Gisselbeck, Abbey Iliff, Dave Corbin, Jerry Comeau, Jesse Iliff, Steve Wrobel, John Bailey, Kemp Hammond, Alicia Balanesi, Ryne Clifton, and Jeff Bowman.

Those two bookends, thirty years apart, are markers that between them contain my entire career in law, and more fits and starts with sports than I think I will be able to reveal in this article. There were the law school basketball teams (the “Demurrers”), in which I broke my nose and my ankle

President’s Message by Steve Wrobel

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Practice Notes...

Compiled by Hon. Philip Caroom

Family law – 3rd party custody: Reversing the Court of Special Appeals in part, the CA here holds: 1) “The trial court, considering the issue of mother’s unfitness in third-party child custody proceedings, erred in [weighing] testimony regarding mother’s extensive past drug use... not corroborated by more contemporaneous evidence, aside from one positive drug test for marijuana, [with] no evidence ... indicating that mother’s drug use had a detrimental impact on the child...” 2) Other faults by mother also insufficient to show unfitness: mother’s leaving the children with grandparents during episodes of drug abuse, sexual relations, occasional mental health problems, and lying about the foregoing, where evidence did not establish that the child suffered from such actions. *NOTE: If you have a third party custody case, you should read this opinion. Burak v. Burak*, -- Md. – (8/29/17).

Family law – military disability & retirement orders: Effectively reversing various Md. precedents, “[i]n *Howell v. Howell*, the Supreme Court held that state law purporting to recognize a vested interest in military retirement pay is preempted by federal law, period. — U.S. —, 137 S.Ct. 1400, 1405–06, 197 L.Ed.2d 781 (2017) (citing *Mansell*, 490 U.S. at 594–95, 109 S.Ct. 2023). Put another way, the veteran’s ability under federal law to waive retirement pay for disability benefits, at whatever time his disability status might change, overrides (preempts!) any state law agreement he might have made, or state court judgment to which he was a party, relating to his military retirement benefits, and the parties and state court should have factored this possibility when valuing the parties’ marital property. ... [W]e now know that military retirement benefits are *always* contingent, whether or not the veteran has a disability rating at the time of divorce..., and parties and courts must account for (and attempt to predict the likelihood of) these contingencies when valuing military retirement pay.” *Hurt v. Hurt-Jones*, -- Md.App—(8/30/17).

Family law – postnuptial agreement: Parties’ oral postnuptial agreement to deem certain real property to be wife’s sole and separate property, [implemented by promptly deeding] property’s title to wife, was a “valid agreement” excluding such property from being deemed marital property upon parties’ divorce. *McGeehan v. McGeehan*, -- Md.--- (8/10/17).

Jury instructions – time limits: Trial court also did not abuse its discretion by giving a modified Allen charge. However, the court did err by simultaneously imposing a time limit of one hour for further deliberation. The time limit rendered the supplemental instruction unduly coercive. *Davis v. Armacost*, -- Md.App – (9/1/17).

Evidence – expert witness – Frye-Reed: The fact that an expert’s opinion on scientific evidence is not contradicted does not require its admission under *Frye-Reed*, 391 A.2d 364. Here, the trial court properly excluded insufficiently supported psychological expert’s testimony that defendant would have become “hypervigilant” in stressful circumstances. *Savage v. State*, -- Md.—(8/4/17).

All bar association members are invited to contribute Practice Notes as to any legal points or information which might be useful to other attorneys. These should be sent to: Attn.- Hon. P. Caroom, Court House, c/o AABA, P.O. Box 161, Annapolis, Md. 21404, or by email to pcaroom@gmail.com.



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President's message, continued

in the same season; a brief run playing for the Miles & Stockbridge basketball team in the mid-90's after being recruited by my friend Greg Lockwood (a fellow alum of the fabled Demurrers) and realizing fairly quickly that my back would no longer cooperate with that sport; softball teams in the Air Force, the Baltimore City Lawyers league (a staph infection from an unhealed infield wound sending me back into retirement), and two stints with the AABA league about 16 years apart (I have come out of softball retirement more times than Brett Favre in the NFL). I also have played golf (and darts if you count pubs as a field of competition) all over the world, saw the Ravens win a Super Bowl in Tampa, personally watched Jack Nicklaus take a "10" during a round at St. Andrews in Scotland, and coached my daughters and son in basketball, lacrosse, soccer and flag football, and caddied a few rounds of golf as well. Through it all, sports and competition permeate

my memories throughout those years. I am sure many of you have similar stories.

As if sports were not enough, we all chose a profession where adversarial combat is the nature of our business. If we are not competing in the courtroom, we are still competing for business, competing for promotions, competing for the next career transition. Even in retirement, are you looking to retire in a top ten retirement area, or are you going to concede to the "what's-left-out-there" communities?

As much as sports can be a metaphor for life's travails, a team or an organization can often be the thing that provides us the greatest satisfaction and fulfillment when all is said and done. Lasting friendships are formed on the field. Sometimes brief, yet perfectly fulfilling, relationships and acquaintances are forged there as well. One learns how to win, and more often learns how to deal with a loss. A team helps with both of those lessons.



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It is hard to quantify the number of teams I have been on in my life. Not just sports teams, but squadrons on an Air Force Base, different practice groups within a law firm, the “team” of parents you are drafted onto depending on your child’s year in school. Funny thing about teams though... the farther away you get from the familiar, the bigger the team you are willing to be on. I always found it interesting that two intramural teams on an Air Force base would really go after each other, but then when our base was up against another, it was all “Team Lowry” or “Team Mildenhall.” But then, if there as a multi-force exercise, the Army guys tended to hang with the Army guys, Navy with Navy, etc. When you are stationed overseas, the question isn’t what state are you from or what team do you root for, or even what base you are from—it’s simply “Are you an American?” and that’s usually good enough to start a conversation. Teams are important. Being on a team is vital. Being part of a successful team can be exhilarating.

One on one, attorneys can be adversaries. On occasion, we can also be co-counsel on the same side. As one pulls the lens back, we tend to fall into groups of plaintiffs’ attorneys, defense attorneys, corporate attorneys, estates attorneys, domestic attorneys, prosecutors, judges. Pull further back, there are specialty bars of like-practicing counsel. Farther back again, we fall into county bars and state bars. Where does the team concept end and the mega-association begin? It seems to depend on the groups one is referring to.

We have a great team right now with our Anne Arundel County Bar, and the Board of Trustees that leads it. Our executive team is in great hands with President-Elect Stacey Rice, Treasurer John Doud, Assistant Treasurer Kemp Hammond, Secretary Brian Marsh and Assistant Secretary Marla Zide. To paraphrase Mr. Fogerty, each and every one them is ready to play centerfield.

New this year, we have co-chairs in each of our divisions, and everyone is excited to get their respective divisions moving and involved. Think of them



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President's message, continued

as hockey lines, bringing unrelenting enthusiasm and skill (if not skating prowess) to their positions. The division co-chairs are: Community Services, Lisa Stevens and Kunle Adeyemo; Member Services, Jess Wisner and Tracey Parker Warren; Development, Glen Frost and Jonathan Pasterick; Professional Development, Jason Steinhardt and Jeff Bowman; Administrative, Susan Shapiro and Hon. Glenn Klavans; and Social Programs Division, Suzanne Burnett and Christine Pham. In addition, our Maryland State Bar Association Board of Governors' representatives are three past presidents of our bar association: Anne Leitess, Dave Putzi and Debbie Potter. Rounded out by our trustees (our "Mudville Eight"), the Hon. Mark Crooks, Mike Marinello, Jonathan Church, and past-presidents the Hon. Tim Meredith, Saul McCormick, Greg Jimeno, Karen Cook, and John Gardner, this is a great team, and I urge you to connect with any of them if you are interested in getting more involved in your bar association.

Back to my intro: We lost a tight, defensive struggle back in 1987. Final score 4-3. I still remember hitting the hardest line drive I ever hit in my life in the last inning down the third baseline; unfortunately, the third baseman made a great diving catch, and that was that. What I recall most though is being on a great team with my brothers, and having a great run to the final game. It would only take another 30 years until I played on another team that made it to the finals.

August 2017. My priorities were never really in doubt, and I headed to St. Mary's College of Maryland with my wife and daughter. However, our team—The Bad News Barristers—prevailed over North County in the final, 10-9, and took home the tournament championship, breaking North County's impressive 7-year run as champions. It was a great run and great fun due not to winning, but to being on a great team.

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is pleased to announce our newest Neutral

Hon. Daniel M. Long (Ret.)

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The Honorable Daniel M. Long recently retired after over thirty years of distinguished public service. Judge Long served as Judge for the Circuit Court of Somerset County for twenty-six years, during which time he served as Circuit Administration Judge and County Administrative Judge. Prior to his appointment to the bench, Judge Long was elected as a Member of the Maryland House of Delegates, where he served admirably for seven years while also maintaining a successful private law practice in Somerset and Worcester Counties. Judge Long is a Recipient of the Judge Anselm Sodaro Judicial Civility Award from the Maryland State Bar Association, and he was selected as 2015's "Judge of the Year" by the Litigation Section of the Maryland State Bar Association. Judge Long now brings this exemplary record of service and achievement to The McCammon Group to serve the mediation, arbitration, and special master needs of lawyers and litigants throughout Maryland and beyond.



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Why Should You Do Pro Bono Publico?

By Tasnima Apol

The National Pro Bono Celebration took place last month (October 22 – 28). As every Maryland lawyer knows, we each are charged with a “professional responsibility to render pro bono publico legal service.” MD Rules, Attorneys, Rule 19-306.1 says that attorneys in full-time practice should “aspire to render at least 50 hours per year of pro bono publico legal service.” However, that 50-hour mark is aspirational, so why bother with pro bono?

Pro bono publico is a traditional duty of the legal profession. MD Code, Business Occupations & Professions, § 10-601 provides that only lawyers can practice law. No special training or license is required to pitch in at a food pantry or volunteer as a board member of a non-profit, but only lawyers can give legal advice. Only lawyers can do pro bono legal work, so lawyers should do pro bono legal work.

Pro bono work is necessary if the most vulnerable in society are to have justice. But think about it like this: when we do pro bono, we benefit as well. Pro bono is good for attorneys because the work allows us to gain skills and experience, expand our knowledge, and thereby better serve all our clients.

Pro bono contributions to the community make all lawyers look good and are therefore good for the profession. Our community is helped by pro bono publico on behalf of individuals and organizations that serve individuals. All of us benefit from elevating our community.

Pro bono service is not to be taken lightly! There are many ways to volunteer, with varying levels of commitment. Just remember to track your hours and report! Lack of reporting is a problem for Anne Arundel County, so the Local Pro Bono Committee has created an online tracking tool available at <https://goo.gl/forms/ZX1cNvtGH49LtW43>. The Local Pro Bono Committee will send you a report at the end of the year to make reporting easier and the attorney who reports the most hours will be recognized.

There are a number of local service organizations that are in need of volunteers to provide pro bono service to the community and many provide training to help you get started with pro bono service. You can find a list of organizations and contacts on the AABA website at www.aabar.org/probono.



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Carole Brown Receives AABA President's Pro Bono Award

At the the AABA's joint dinner with the James C. Cawood American Inn of Court on October 5, AABA member Carole Brown was honored with the 2017 AABA President's Pro Bono Award. Since 2014, Brown has generously donated her time by accepting numerous pro bono cases in which she represented victims of domestic violence for the YWCA of Annapolis and Anne Arundel County. She greets every client with a smile and is kind, compassionate, and caring. Clients feel at ease and are comfortable with her easy manner. Whenever asked to help, Brown enthusiastically accepts difficult cases in which parties take extreme positions and emotions run high. She sets the example in Anne Arundel County of a zealous advocate who is committed to her clients' best interests. She is also a dedicated volunteer for the Lawyer in the Library program and has given her time at all three Lawyer in the Library locations. Congratulations to Carole!



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American Bar Association Family Law Section Honors Kelly Powers for Pro Bono Service

ABA member Kelly A. Powers, a principal at Miles & Stockbridge, has been honored by the American Bar Association's Family Law Section with its Jean Crowe Pro Bono Award. The award was presented to Powers at a luncheon in New York City during the American Bar Association's annual conference. The co-director of the Pro Bono Advocacy Program at Miles & Stockbridge, Powers was recognized for her pro bono representation of domestic violence victims and families in the United States and overseas in numerous cases involving international parental abductions of children. She has spearheaded the return of dozens of missing children.

Her international pro bono work has included cases where an alleged abuser has diplomatic status in the United States, conferring complete immunity from criminal, civil and even protective order cases, unless the diplomat's home country waives immunity. Powers is highly regarded for her success in obtaining waivers of diplomatic status, clearing the way for alleged abusers to be subject to protective orders and criminal prosecution.

On the domestic front, Powers represents pro bono clients in high-conflict custody and protective order cases. She has worked extensively with

The Women's Law Center of Maryland (WLC), which provides free legal representation to protect and empower individual women and advocates on issues related to family law, domestic violence, employment law and human trafficking. In addition to her pro bono and community service, Powers maintains a full-time divorce, custody and marital torts practice.

The winner of the Jean Crowe Pro Bono Award may direct a \$1,500 stipend to the pro bono or public service organization of his/her choice. Powers has selected the Women's Law Center of Maryland as this year's recipient. Congratulations to Kelly!



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Estates and Trusts Matters

By Fred Franke, Jr.

Two provisions of the Maryland Trust Act (MTA) offer a terrific planning opportunity for clients. MTA § 14.5-504 codifies the spendthrift clause which existed under common law. It robustly shields trust assets created by third parties from most (but not all) of a beneficiary's creditors. The "exception creditors" are former spouses owed alimony or child support or the government owed taxes. Most other creditors cannot attach spendthrift trusts. See *Duvall v. McGee*, 375 Md. 476, 484 (2003).

MTA § 14.5-510 states that a spendthrift clause will be enforced even when the beneficiary is acting as the sole trustee of the third-party trust for his or her benefit. Thus, a trust should be able to be established by a parent for his or her child, making the child his or her own trustee, yet preserving the assets from that child's creditors. How fool proof is this planning?

Creditors and their counsel, of course, will want to attach trust assets to satisfy the beneficiary's/trustee's debts. One theory for permitting attachment

involves an extension of "reverse veil piercing" used in the corporate setting. Traditional veil piercing seeks to impose corporate debts on the shareholder whereas the "reverse piercing" seeks to impose the shareholder's debts on the company. In either case, it would be a remedy only imposed when necessary to prevent a fraud or to enforce a paramount equity. See *Greystone Operations, LLC v. Steinberg*, No. 454, 2017 WL 1365365 (Md. Ct. Spec. App. April 12, 2017). There is no case in Maryland that extends this theory to trusts. Also, Maryland case law does not easily permit corporate veil piercing. See *Bart Arconti & Sons, Inc. v. Ames-Ennis, Inc.*, 275 Md. 295, 312 (1975). So even if reverse veil piercing would be theoretically available against trusts in Maryland, it would still be an uphill battle for the creditor.

Courts elsewhere, however, have looked at the issue and concluded otherwise. A Nevada unreported case granted a temporary restraining order on numerous trusts and limited liability entities because the plaintiff had shown it would likely succeed on the merits in its reverse veil piercing claims against

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those entities. There, funds flowed out of three trusts and four limited liabilities entities seemingly at the unfettered request of the beneficiary to pay for his personal expenses. See *TransFirst Group, Inc. v. Maglianditi*, No. 17-CV-00487, 2017 WL 2294288, at *7 (D. Nev. May 25, 2017). The *TransFirst* Court held that although there was no Nevada law on the issue, its highest court probably would permit attachment of a spendthrift trust where it was a mere alter ego of the debtor. See *Id.* at *5. See also *Bash v. Williams*, No. 5:16CV257, 2016 WL 1592445, at *3 (N.D. Ohio April 20, 2016) (determining that current Florida law would not recognize the piercing of a trust under any circumstances but that “nearly every court to have addressed the issue outside of Florida has concluded that alter ego liability should apply to trusts to the same extent that it applies to other legally created fictions.”).

A recent reported federal bankruptcy case took a very different view: “Veil-piercing of trusts is as controversial as reverse-piercing of corporations—but without the extensive case law. The few courts to address the question have disagreed on the theory’s

validity.” *In Re Glick*, 568 B.R. 634, 665 (Bankr. N.D. Ill. 2017).

As noted, there is no Maryland case extending veil-piercing to trusts. Also, veil piercing would be extremely rare absent a finding of fraud in the corporate setting. See *Residential Warranty Corp. v. Bancroft Homes Greenspring Valley, Inc.*, 126 Md. App. 294, 306–07 (1999). Nevertheless, beneficiaries/trustees must be careful not to ignore the terms of the trust and they should refrain from using the trust as a private bank. Given human nature, however, techniques should be employed during the planning process to minimize potential alter ego attacks. Such techniques include restricting ownership equivalency provisions (broad rights to withdraw or general testamentary powers of appointment), mandating that the trustee is replaced if the beneficiary/trustee develops a creditor issue, and/or always having multiple trustees acting. Generally, however, spendthrift trusts in Maryland even with the beneficiary being the sole trustee ought to preclude creditor attack except in the rare and/or unusual situation.



JOIN US FOR THE AABA HOLIDAY PARTY

Wednesday, December 6

5:00 – 7:00 p.m.

Libations

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Hors d'oeuvres provided, cash bar

No registration required

This holiday season, spend a little time celebrating with your colleagues and friends at the annual AABA Holiday Party.

We hope you can stop by and meet the association’s officers and members of the Board of Trustees.

The party is **FREE**, but we ask that you **bring a new, unwrapped toy** for the AABA’s Toys for Tots collection.

**For more information, contact the AABA
at 410-222-6860 or info@aabar.org**

The Wheelhouse

Sports Commentary by Jonathan Pasterick

For years now, I've been regurgitating the same softball recap column. Eleven or twelve teams played, most were competitive, some weren't. It rained a lot, and North County won the title. This



The Bad News Barristers won the 2017 AABA softball league tournament: Top row, from left: Mike Evert, Manager Kemp Hammond, Andrew Hemminger, Alicia Balanesi, John Bailey, Jerry Comeau. Bottom row, from left: Chriss Cook, Dave Corbin, Jesse Iliff, Abbey Iliff (Not shown: Jeff Bowman, Ryne Clifton, Matt Dickey, Steve Wrobel)

year, MOST of that held true. Parity continued to rule the league. There were no teams in the regular season that dominated the standings. Likewise, there were really no bad teams that couldn't compete or that had difficulty fielding a team.

And there was rain. Always rain. It rained a lot during the regular season. It rained during the playoffs. After every season, the league puts together an All-Star Team to represent Anne Arundel County at the statewide bar association softball tournament at Watkins Park in mid-August. And even though that tournament was rained out this year (shocker), for the first time it would have been played before our season even wrapped up.

In years past, there has been frustration that the folks at Truxtun have been too casual in calling games because of rain. We would joke that if it sprinkled on Monday, our games on Thursday would be off. And they have a tough job because of the timing of everything. We play in the early evening, and most of the staff leaves in the late afternoon, just before the typical late afternoon storms start rolling in during the summer. So oftentimes they have to give their best guesses as to what it will do before everybody gets out there. For as many rainouts as

we had this year, I think most of them were justified.

But the big difference this year was the champion. The Bad News Barristers, who had been a really good team for a long time, and who had come really close the past several years, finally knocked off long time champion North County for the title. North County had always been one of the strongest regular season teams, but it seemed like they always really showed up in numbers in the playoffs, so they were always hard to beat. But the Bad News Barristers have had a good offense and good defense for a number of years as well. When they met in the finals, it felt like the best two teams had made it.

By my understanding, the Barristers got off to a comfortable lead against North County, then almost relinquished it in the final innings. You always wait for the onslaught from North County, and you hope you can minimize it when it happens. Apparently, they were able to, and held on for a close victory and the title. The season apparently went on for so long, that they were presented their trophy at the Crab Feast in late September, to some applause, but a lot of confusion because the presentation didn't involve crabs or beer.

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September Skies Shine for AABA Crab Feast and Golf Tournament

For this year's AABA Crab Feast, only the crabs were hot and steamy—not our members and guests! Our annual Crab Feast on September 29 was blessed with beautiful, early fall weather: vivid blue skies, highs in the low 70s, and cool breezes off of the Chesapeake Bay.

The day started early for some members, who made the pre-dawn trip across the Bay Bridge to Queenstown Harbor Golf Course for the Pre-Crab Feast Golf Tournament. The AABA welcomed 127 golfers—exactly the same number that participated in last year's record-breaking tournament. AABA members Paul Reinstein, Dan Renart and Randy Herriott, with Randy's son Ty Herriott, captured the first place spot in the tournament, finishing just one

stroke ahead of last year's winners, Dave Corbin, Ed Hartman, Paul Pitcher and Bill Sporre. Ty Herriott claimed both the Closest to the Pin and the Men's Longest Drive awards, and Celeste Bruce won the Women's Longest Drive contest.

The AABA is extremely grateful to our tee sign sponsors (see page 16) for this tournament. We also would like to thank our Crab Feast Golf Tournament Committee members, including Tournament Chair Steve Leitess and Matthew Bernhardt, Jeff Bowman, Steven Brown, Rex Caldwell, Rob Erdmann, Matt Evans, Kemp Hammond, Ed Hartman, Kaitlyn Loughner, Ben Meredith, Nathan Volke, Jay Walsh and Jerry Williams.



AABA President Steve Wrobel (far right) presents the golf tournament trophy to the first place team of Paul Reinstein, Dan Renart, Randy Herriott and Ty Herriott (not pictured).



Celeste Bruce and Linda Thatcher watch as Luke Thatcher sets up his putt.

Hon. Ronald Silkworth, Hon. Cathy Vitale and Hon. Paul Harris

Following the tournament, the golfers joined the crowd at Sandy Point State Park where members, sponsors and family members were enjoying a feast of perfectly-seasoned Maryland blue crabs, as well as hot dogs and burgers prepared and served by the hardworking group of volunteers from the State's Attorney's Office (John Gajda, Jeff Hartlove, Gaines Johnston, Ellie Jones, Dave MacDonald and Helen Pryal) with help from the Circuit Court law clerks.

As usual, the mood was festive and relaxing, thanks in part to the music provided by the Caribbean American International Steel Orchestra. During the event, AABA President Steve Wrobel presented the winner of the AABA softball tourna-

ment, the Bad News Barristers, with the tournament trophy and congratulated them on knocking off the always-dominant North County team, which won seven consecutive championships between 2010 and 2016. And AABA Platinum Sponsor Corbin Reporting and Video added the finishing touch to the event by providing members with an unforgettable treat—Bruster's Real Ice Cream in delicious fall flavors including Apple Pie Caramel, Pumpkin Pie Ripple and Blueberry Cobbler!

Thank you to everyone who worked to make this event a success and keep our Crab Feast tradition going strong.



Gilda and Gabe Karpouzian



Matt Wyble, Patrice Clarke, Chris Magette and Ben Meredith



Allen Cohen, Greg Jimeno, Joe Lamore, Debbie Potter, and Dave Putzi



Erica Redmond, Tara Frame, Karen Authement, and Jenna Yalich



Victor Sulin enjoys a platter of steamed crabs.



Mike Berman, Claude de Vastey-Jones, Jonathan Church, and Mike McGraw



Rebecca Trevillian with sons Liam, Oliver and Everett

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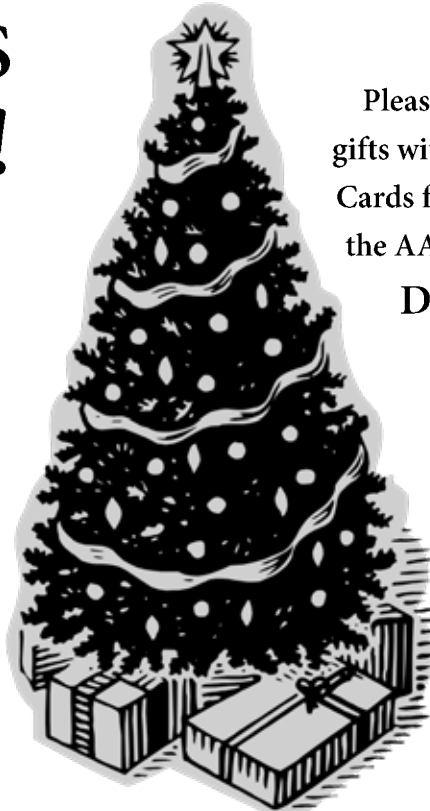
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Please return wrapped gifts with the Angel Tree Cards firmly attached to the AABA no later than
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for your
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AABA Wins “Best Service to the Public” Award

The Maryland State Bar Association (MSBA) recently recognized the AABA for our efforts to help combat childhood hunger

in Anne Arundel County. On October 28, the MSBA’s Local and Specialty Bar Committee presented the AABA with its “Best Service to the Public Project” award during the Annual Conference of Bar Presidents in Cambridge, MD. Award recipients are selected based on the project’s innovativeness, goals achieved, member participation and public served. Current AABA President Steve Wrobel accepted the award on behalf of the association.

The award recognized the AABA’s campaign to support the Weekend Food Program in Anne Arundel County Public Schools (AACPS). More than 40 local schools have established a Weekend Food Program to provide students who lack sufficient

food at home with backpacks of easy-to-prepare food every Friday. In 2016, the AABA raised \$15,345 to donate to Weekend Food Programs at three schools, Solley Elementary School in Glen Burnie, Meade Middle School on Ft. Meade, and the Phoenix Academy in Annapolis.

The Phoenix Academy received the largest share of the AABA donation. The Phoenix Academy is a public school that provides alternative programming for K-12 students who are experiencing challenges to learning in the traditional public school environment. Because many of its students

have had behavioral or discipline issues, the Phoenix Academy was having difficulty finding donors to support its Weekend Food Program. Anne Leitess, AABA president at that time, visited the Phoenix Academy to learn about their students in need and to tour the school’s food pantry. The AABA donation fully funded the Phoenix Academy’s Weekend Food Program, providing weekend meals to 25 students for every week of the school year. The AABA donation partially funded the programs at Solley Elementary and Meade Middle, which had some funds from other donors.

Through the AABA’s work with AACPS on the Weekend Food Program, Leitess also learned about local students (over age 14) who were living on their own in difficult conditions. To support these unaccompanied students and provide them with some cheer

during the holiday season, the AABA raised funds for these students at last year’s holiday party. The AABA purchased Target, Chipotle and Chick-fil-A gift cards as holiday gifts for 30 unaccompanied students.

The AABA continues to support the Weekend Food Program and is currently collecting funds to support students in need this school year. If you would like to make a donation to this worthy charitable program, please visit the AABA website at www.aabar.org/weekendfood.



Marla Zide, AABA Past President Anne Leitess and AABA President Steve Wrobel proudly display the “Best Service to the Public Project” award certificate.

New Circuit Court Criminal Pilot Program for Scheduling of Prayers for Jury Trials and Appeals from the District Court

By Michele D. Jaklitsch, Circuit Court Criminal DCM Judge

The Circuit Court is instituting a new pilot program to address the influx of criminal cases that are coming to the Court by way of an appeal from District Court or prayer for jury trial. The new pilot plan can be seen in its entirety on the Circuit Court website, www.circuitcourt.org.

The highlights of the plan are as follows: in cases where the defendant is represented by counsel in the District Court, when the matter is transferred to the Circuit Court as a result of either a jury trial prayer or appeal, the case will be scheduled for a criminal settlement conference in the Circuit Court. The criminal settlement conference date will be approximately 30 to 45 days from the date of the transfer.

The settlement conference docket will be set on the second Friday of the month. If the second Friday is a court holiday or judicial conference, then the conference will be the third Friday of that month. The next three criminal settlement conference dates are October 13th, November 17th and December 15th. The settlement conferences will be heard by judges currently assigned by the Administrative Judge in the criminal rotation.

The criminal settlement conference will be the only opportunity for the Defendant to enter a plea before the trial. In other words, counsel may no longer schedule pleas in cases originating in the District Court before the criminal judges currently handling pleas. This does not apply to cases originating in the Circuit Court. Those pleas may still be scheduled as they are currently being done.

The State's Attorney and the Defense bar have been involved in the formation of the pilot program and have offered assurances that discovery will be promptly exchanged. The State will extend a plea offer in sufficient time for defense counsel to discuss the plea offer with their client in advance of the settlement conference date. Due to the volume of cases set, the criminal docket will start promptly at 9:00 a.m. and again at 1:30 p.m.

Counsel will have one opportunity for a postponement of the settlement conference. The case will then be re-set to the next criminal settlement conference date. The new form for counsel to use for the re-set of the criminal settlement conference is also on the Court's website.

Trials of the cases originating in the District Court will be set on Wednesdays. The trial date will be selected at the settlement conference if the Defendant does not accept the plea offer.

Please let me know how the plan is working or if you have suggestions for improvement. If you have any questions regarding the new scheduling plan, you may contact Michele Houston, Criminal Case Coordinator at 410-222-1285, ext. 5.

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From Nancy Faulkner, Director of Court Operations:

Changes to the Family Law Self Help Center

Beginning on January 2, 2018, there will be some changes to the Family Law Self Help Center's services. The Family Law Self Help Center located in the Law Library at the Circuit Court for Anne Arundel County will be open Monday through Friday from 8:30 a.m. to 4:30 p.m. The Self Help Center will be staffed full-time with two attorneys.

Effective immediately, please discontinue giving litigants the (410) 280-5374 telephone number as it will no longer be active beginning January 2, 2018. If litigants need/request telephone assistance, please provide the Maryland Courts Self-Help Center telephone number (410) 260-1392 (open 8:30 a.m. – 8:00 p.m. Monday through Friday).

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TJP = Judge Pryal

JDL = Judge Legum
EAR = Judge Reilly
SCPS = Judge Spencer

HRD = Judge Duden
TVM = Judge Miller
LMR = Judge Robinson

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
GLEN BURNIE ANNAPOLIS	DECEMBER 2017				1 1/1 2/2 3/3 4/4 EAR TJP LMR TVM 1/1 2/2 3/3 4/4 DMM JDL HRD VJ
GLEN BURNIE ANNAPOLIS	4 1/4 2/2 3/3 4/1 TVM SCPS LMR EAR 1/1 2/3 3/2 4/4 5/5 HRD JDL TJP DMM VJ	5 1/4 2/2 3/3 4/1 LMR TVM EAR JPM 1/1 2/3 3/2 4/4 5/5 JDL DMM SCPS TJP HRD	6 1/1 2/2 3/3 4/4 EAR LMR JPM SCPS 1/1 2/3 3/2 4/4 5/5 TJP HRD TVM DMM JDL	7 1/4 2/2 3/3 4/1 LMR SCPS EAR TVM 1/1 2/3 3/2 4/4 5/5 JPM DMM JDL TJP HRD	8 1/1 2/2 4/4 TVM LMR HRD 1/1** 2/2 3/3 4/4 5/5 JPM* TJP SCPS JDL DMM *SPECIAL SET ONLY
GLEN BURNIE ANNAPOLIS	11 1/4 2/2 3/3 4/1 SCPS EAR TVM LMR 1/1 2/3 3/2 4/4 5/5 JDL TJP JPM DMM HRD	12 1/4 2/2 3/3 4/1 SETT VJ JPM TVM SCPS TJP 2/1 1/3 3/2 4/4 5/5 HRD DMM JDL EAR LMR	13 1/1 2/2 3/3 4/4 LMR JPM SCPS TVM 1/1 2/3 3/2 4/4 5/5 JDL HRD TJP EAR VJ	14 1/4 2/2 3/3 4/1 LMR SCPS TVM EAR 2/3 3/2 4/4 5/5 JDL JPM TJP HRD	15 BENCH MTG 1/0 2/0 3/0 4/0 EAR LMR SCPS TVM 1/0 2/2 4/0 JDL TJP HRD
GLEN BURNIE ANNAPOLIS	18 1/4 2/2 3/3 4/1 TVM LMR EAR SCPS 1/1 2/3 3/2 4/4 5/5 TJP JPM JDL VJ HRD	19 1/4 2/2 3/3 4/1 JPM LMR EAR SCPS 1/1 2/3 3/2 4/4 5/5 TVM DMM HRD TJP JDL	20 1/1 2/2 3/3 4/4 LMR SCPS EAR JPM 1/1 2/3 3/2 4/4 DMM TVM TJP JDL	21 1/4 2/2 3/3 4/1 EAR TVM LMR SCPS 2/3 3/2 4/4 5/5 DMM VJ TJP JDL	22 1/1 2/2 3/3 LMR EAR TVM 2/2 3/3 4/4 DMM TJP JDL
GLEN BURNIE ANNAPOLIS	25 HOLIDAY	26 4/1 VJ NO DRUG CT. 2/2 DMM	27 1/1 JPM NO VET PIS 2/2 3/3 LMR DMM	28 1/4 4/1 DMM VJ NO DRUG CT. 2/2 JPM	29 1/1 2/2 JPM VJ 1/1 2/2 LMR DMM

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
GLEN BURNIE ANNAPOLIS	1 HOLIDAY	2 1/4 2/2 3/3 4/1 EAR TVM LMR JPM 1/1 2/2 3/3 4/4 5/5 JDL SCPS DMM TJP HRD	3 1/1 2/2 3/3 4/4 TVM EAR JPM LMR 1/1 2/2 3/3 4/4 5/5 TJP HRD JDL DMM SCPS	4 1/1 2/2 3/3 4/4 LMR TVM EAR SCPS 1/1 2/2 3/3 4/4 5/5 HRD JDL DMM TJP JPM	5 1/1 2/2 3/3 4/4 SCPS LMR TVM EAR 1/1 2/2 4/4 JDL TJP HRD
GLEN BURNIE ANNAPOLIS	8 1/4 2/2 3/3 4/1 EAR SCPS LMR DMM 1/1 2/2 3/3 4/4 5/5 TJP JDL JPM HRD TVM	9 1/4 3/3 4/1 SETT JPM EAR DMM HRD 1/1 2/2 3/3 4/4 5/5 LMR SCPS TVM TJP JDL	10 1/1 2/2 3/3 4/4 LMR EAR SCPS DMM 1/1 2/2 3/3 4/4 5/5 TVM HRD JDL HRD JPM	11 1/1 2/2 3/3 4/4 EAR LMR VJ SCPS 1/1 2/2 3/3 4/4 5/5 HRD JDL JPM TJP TVM	12 1/1 2/2 3/3 4/4 VJ LMR SCPS EAR 1/1 2/2 4/4 5/5 TJP HRD JDL TVM
GLEN BURNIE ANNAPOLIS	15 HOLIDAY	16 1/4 2/2 3/3 4/1 SCPS JPM EAR TVM 1/1 2/2 3/3 4/4 5/5 LMR HRD DMM TJP JDL	17 1/1 2/2 3/3 4/4 EAR LMR TVM JPM 1/1 2/2 3/3 4/4 5/5 DMM HRD JDL SCPS TJP	18 1/1 2/2 3/3 4/4 HRD EAR LMR TVM 1/1 2/2 3/3 4/4 5/5 JDL JPM SCPS TJP DMM	19 1/1 2/2 3/3 4/4 VJ HRD EAR LMR 1/1 2/2 4/4 5/5 DMM TJP JDL SCPS
GLEN BURNIE ANNAPOLIS	22 1/4 2/2 3/3 4/1 TVM LMR SCPS EAR 1/1 2/2 3/3 4/4 5/5 JDL JPM TJP DMM HRD	23 1/4 2/2 3/3 4/1 SCPS JPM EAR TVM 1/1 2/2 3/3 4/4 5/5 LMR HRD DMM TJP JDL	24 1/1 2/2 3/3 4/4 SCPS TVM JPM EAR 1/1 2/2 3/3 4/4 5/5 HRD JDL LMR TJP DMM	25 1/1 2/2 3/3 4/4 LMR TVM SCPS EAR 1/1 2/2 3/3 4/4 5/5 HRD DMM JDL TJP JPM	26 BENCH MEETING JUDGES TRAINING AM BENCH MEETING PM NO DOCKETS EXCEPT BAILS 2/2 JDL
GLEN BURNIE ANNAPOLIS	29 1/4 2/2 3/3 4/1 TVM EAR VJ LMR 1/1 2/2 3/3 4/4 5/5 JPM DMM TJP HRD JDL	30 1/4 2/2 3/3 4/1 JPM EAR TVM SCPS 1/1 2/2 3/3 4/4 5/5 JDL LMR DMM TJP HRD	31 1/1 2/2 3/3 4/4 SCPS JPM EAR VJ 1/1 2/2 3/3 4/4 5/5 LMR TJP HRD JDL DMM	JANUARY 2018	

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