

CITY BAR REPORT

Ethics Hotline Volunteer

 Janine Meckler:
410-333-0322

The President's Message: Lawyer, Heal Thyself

When the American Bar Association convened its mid-year meeting in January, the National Conference of Bar Presidents met alongside it. Lively discussions about Bar activities, state bars, metro bars, unified versus voluntary bars, bar events, and bar projects ensued, and the enthusiasm in the room was palpable. But just before the conference adjourned, the mood sobered. The final topic on the agenda was a plenary session addressing lawyer health and wellness.

Our society is bombarded with well-meaning messages about health and wellness. Eat a balanced diet, get plenty of sleep, lose weight, practice yoga, relieve stress, quit smoking, reduce or eliminate alcohol, and exercise. Take care of both body and mind. These common-sense directives are so well-known that they are practically codified in our collective consciousness, but they are more than rote dogma, as ample scientific studies and data support the recommendations. And if we as lawyers have anything in our skill set, we should be able to research and follow codified directives.

Perhaps that is why the 2016 Hazelden Betty Ford Foundation Study addressing substance abuse and other mental health concerns among attorneys still retains its shock value. The study, which was also sponsored by the American Bar Association Commission on Lawyer Assistance Programs, concluded that as a profession, we are not as healthy as we'd like to think.

Using the Audit (Alcohol Use Disorder Identification Test) 10 instrument, the Betty

Ford Foundation survey found that 20.6% of practicing lawyers surveyed scored at a level consistent with problematic drinking. Using a slightly different measure – the Audit C scale – 36.4% of lawyers identified problematic drinking, compared to 15% of physicians and a smaller number still among the general population. Among the general population, roughly 6.4% have problematic drinking behaviors, compared to 21% of all attorneys and 32% of attorneys under age 30. We fare no better with depression: 28% of us report current, ongoing depression, compared with 8% of the general population. And over the course of a career, 61% of lawyers reported concerns with anxiety at some point in their careers and 46% reported concerns with depression. And the study found that lawyers are less likely to seek help, in part because of concerns about confidentiality. In a 2012 analysis, the U.S. Centers for Disease Control and Prevention identified the legal industry to have the 11th-highest incidence of suicide among professions.

In the plenary session of the National Conference of Bar Presidents, a speaker reminded all in attendance that these statistics are not just numbers; they represent people, and there are far fewer than the famed six degrees of separation between any one of us and the insidious diseases of depression, anxiety and substance abuse. By show of hands, nearly every conference attendee knew at least one attorney who had struggled with mental health issues or substance abuse, even in some cases to the point of attempted or successful suicide attempts. The problem among our profession is not with 'the other,' it hits close to home.

SEE THE PRESIDENT'S MESSAGE 13A

 Kelly Hughes
Iverson

Young Lawyers' Division Update Nominating News

The YLD Council is comprised of eager and hardworking volunteers who work tirelessly to organize monthly events for the membership. Almost every one of our committees hit the ground running after the holidays and planned an event in January. The Health & Wellness Committee organized a Zumba class on January 14, at City Fit Gym. On January 16, Judge Nicole Taylor spoke about 'Putting on Your Case: Elements and Evidence in Civil and Criminal Cases' at the CLE Committee's 'Breakfast With The Bench' series. On January 30, Judge Mark Scurti, Judge Joan Bossman Gordon, and Dr. Brian Lerman discussed the fundamentals of personal injury cases in the CLE Committee's 'How to Survive' lecture series. The event was sold out despite the polar vortex! The evening was co-sponsored by the MSBA YLS Education Committee and entailed an engaging conversation among members of the bench, bar, and a medical provider experienced in biomechanics of traumatic injuries.

The YLD Public Service Committee volunteered at The Teacher Supply Swap on January 19 along with the Government and Public Interest Lawyers Committee of the BABC. The YLD Membership Committee organized another successful happy hour on January 23 at Spirits of Mt. Vernon. Financial Planner, Aaron Kelly, of Academy

Financial graciously sponsored the event.

Finally, the YLD Nominating Committee interviewed almost a dozen candidates for YLD Officer and Council positions. The Committee is comprised of Kerri Smith, Nathaniel Risch, Michael Hudak, Eleanor Dayhoff-Branigan, Aaron DeGraffenreidt, Sarah Belardi, and Angela Pallozzi. The Nominating Slate for 2019-2020 is as follows:

Chair-Elect: Lauren Lake (Gordon Feinblatt, LLC)

Treasurer: Alan Dunklow (Office of the Attorney General)

Secretary: Samuel Pulver (The Yost Legal Group)

Elected Member: Sara El-Shall (Kadish and Kadish, P.C.)

Members-At-Large: Natalie Amato (Baltimore City Law Department), James Robinson (Brady Fischel & Daily, LLC), Bryan Upshur (Office of the Attorney General)

Current Chair-Elect, Joseph Pulver (Office of the Attorney General), will serve as Chair of the Young Lawyers' Division during the next bar year. The By-Laws of the YLD provide that any Division member may seek a nomination to any one or more of the positions stated above, provided that the member submit to the Nominating Committee, a petition of nomination which shall be signed by not less than 20 members of the Division. Petitions are available at BABC headquarters and need to be returned to the BABC headquarters within the time allotted by the By-Laws.



Divya Potdar

The Baltimore Bar
Foundation, Inc.
cordially invites you to

Spaghetti Opera Night

Thursday, March 28, 2019

Chiapparelli's Restaurant
237 S. High Street, Baltimore, MD 21202

6:00 p.m. Cash Bar 7:00 p.m. Dinner & Opera

Featuring Live Operatic Arias by Peabody Artists as you dine.

*Tickets are \$85 per person (guests invited) and include:

- Appetizer
- Salad
- Choice of Entree
- Dessert
- Wine, Soft Drinks, Coffee & Tea with Dinner

Space is Limited - Register Early!

Limited Sponsorship Opportunities available, for more information visit www.baltimorebar.org

*The value of the dinner ticket is \$40 and is not deductible as part of your charitable donation. The balance may be deductible for tax purposes. Please consult your tax advisor.

The Baltimore Bar Foundation, Inc. is a private non-profit 501(c)(3) charitable organization and is registered with the IRS and the State of Maryland. Financial information is available through the Baltimore Bar Foundation, Inc., and can be obtained for the cost of reproduction and postage.

The Importance of Minority & Specialty Bar Associations in the Legal Profession

Tuesday, February 19, 2019
Clarence Mitchell Courthouse
100 N. Calvert Street
Baltimore, MD 21202
12:00 noon – 2:00 p.m.

Panelists

The Honorable Sidney A. Butcher
District Court of Maryland for Anne Arundel County

Aaron DeGraffenreidt, Esq.
Baltimore City Department of Law

Letam Duson, Esq.
The Carter Law Offices, LLC

The Honorable Donna Hill Staton
Co-Founder, Decision Point Strategy Group & Point Law

Jeanne D. Hitchcock, Esq.
Special Advisor, Johns Hopkins University and Medical Systems

Patrick A. Roberson, Esq.
Humphreys, McLaughlin & McAleer

Moderator

The Honorable Lynn Stewart Mays
Circuit Court for Baltimore City

Admission is **FREE**. Lunch is provided. Limited seating available. RSVP required to info@baltimorebar.org.

Black History Month Program Sponsored By

*The Bar Association of Baltimore City
 Alliance of Black Women Attorneys
 Monumental City Bar Association
 The Library Company of the Baltimore Bar*

Want to Help Keep Legal History alive at the Museum of Baltimore Legal History?

Then consider donating to the Museum of Baltimore Legal History's 2018-19 Renovation Campaign by helping them meet their \$60,000 capital improvement goal. Funds donated will go towards: making the Museum ADA compliant, updating exhibits on Women, African-Americans and Legal Legends, adding exhibits on other minority lawyer groups and removing standing exhibits to replace them with digital/interactive ones. All donations will be recognized electronically inside the museum, and all donations of \$500 or more will be recognized permanently on the outside of the Museum. Please send checks made payable to:

Courthouse and Law Museum Foundation
 c/o Marc P. Blum, Esq.,
 233 East Redwood Street
 Suite 100
 Baltimore, MD 21202

make sure to designate your check to the "Baltimore Legal Museum Renovations"

The Courthouse and Law Museum Foundation is a 501(c)(3) nonprofit and your gift may qualify as a charitable deduction for federal income tax purposes. Donors should consult with their tax advisers or the IRS to determine whether their contribution is deductible.

CONTINUING LEGAL EDUCATION

On Wednesday, February 13, 2019, from 5:30 p.m.- 7:30 p.m. at City Cafe, 1001 Cathedral Street, Baltimore, MD 21201, the Bar Association of Baltimore City's Personal Injury Litigation Committee, Alison D. Kohler, Esq., Chair, presents an evening of CLE and networking on Medical Perils and Pitfalls: Protecting Your Clients and Yourselves During the Settlement Process. Come get relief from the winter doldrums and learn from two experts in the field of Medicare liens and Medicare Set-Asides about the current law, guidelines and trends relative to Medicare Secondary Payer Compliance, including: Mandatory Medicare reporting requirements in personal injury and workers' compensation cases; tips for effectively negotiating a Medicare Conditional Payment, Defendants' potential exposure for repayment of a Medicare Conditional Payment; how to avoid reporting conflicting incident dates; when to disclose a Plaintiff's social security number; dealing with Medicare Advantage Plan Liens; circumstances in which Medicare Set-Asides should be considered in both personal injury and workers compensation cases; tips for minimizing the impact of an LMSA on your client's total recovery; and options for funding and administering both LMSAs and WCMSAs. Our guest speakers are Rodd Santomauro, Esq., Vice President of Business Development, Synergy Settlement and Joanna Seidman Wynes, Esq., Settlement Planner, Synergy Settlement. The program will be moderated by Alison D. Kohler, Esq., Dugan, Babij, Tolley & Kohler, LLC. Liquid refreshments and light appetizers provided. This program is generously sponsored by Synergy Settlement Services. Admission is FREE for BABC members, Non-members – \$40*. BABC members may register by e-mailing info@baltimorebar.org. Non-members may register at www.baltimorebar.org or by calling 410-539-5936. Space is Limited – Register Early!

The Bar Association of Baltimore City's Young Lawyers' Division's Breakfast with the Bench with The Honorable Hope Tipton, Magistrate, Family Division, Circuit Court for Baltimore City, has been rescheduled from Tuesday, February 26, 2019 to Tuesday, April 23, 2019 from 8:00 a.m.- 9:00 a.m. at the offices of Whiteford, Taylor & Preston, LLP, 7 St. Paul Street, 19th Floor, Baltimore, MD 21202. Join Magistrate Tipton as she talks about decorum and procedure when appearing before a family magistrate. Admission is FREE for BABC members, Non-members – \$40*. Continental breakfast provided. BABC members may register by e-mailing info@baltimorebar.org. Non-members may register at www.baltimorebar.org or by calling 410-539-5936. Space is Limited – Register Early!

On Tuesday, February 26, 2019, from 12:30 p.m. - 2:00 p.m. in Room 504, Clarence Mitchell Courthouse, 100 N. Calvert Street, Baltimore, MD 21202, the Bar Association of Baltimore City's Family Law Committee, Mollie G. Caplis, Esq., Chair, presents Views from the Family Law Bench. Come hear from the Judges sitting in the Family Division of the Circuit Court for Baltimore City. Our guest speakers are: The Honorable Kendra Y. Ausby, Judge in Charge, The Honorable Dana M. Middleton, The Honorable John S. Nugent, and The Honorable Barry G. Williams. Lunch is generously sponsored by René Bronfein Ades, Esq., Mollie G. Caplis, Esq., Frederick Kobb, Esq., and Wright, Constable & Skeen, LLP. Admission is FREE for BABC members, Non-members – \$40*. BABC members may register by e-mailing info@baltimorebar.org. Non-members may register at www.baltimorebar.org or by calling 410-539-5936. Space is Limited – Register Early!

On Wednesday, February 27, 2019, from 12:30 p.m.- 2:00 p.m. in Room 504, Clarence Mitchell Courthouse, 100 N. Calvert Street, Baltimore, MD 21202, the Alternative Dispute Resolution Committees of the Bar Association of Baltimore City, James Motsay, Esq., Chair, and the Baltimore County Bar Association, William P. Konstas, Esq. Chair, present Mediation Styles from the Mediator's Perspective, the Attorney's Perspective and the Client's Perspective. Our guest speakers are: Andrew G. Bailey, Esq., Law Office of Andrew G. Bailey; William Burgee, Esq., Transaction Specialist, Housing and Community Development, City of Baltimore; and Jeff Trueman, Esq., Mediation and Settlement Conference Neutral. Each presenter will discuss from their perspective: What are the various styles that are seen in mediation from all sides? Why do you choose/like one style over others, What are the more successful styles used in mediation, When to change the form/style during a mediation and why. The program will be moderated by Alice G. Pinderhughes, Esq., Alice G. Pinderhughes, PA. Lunch is generously sponsored by Bouland & Brush, LLC, Farace & Scherr, PA, LP Senft & Associates/Baltimore Mediation, Elva Tillman, Esq., and Wright, Constable & Skeen, LLP. Admission is FREE for BABC and BCBA members, Non-members – \$40. BABC and BCBA members may register by e-mailing info@baltimorebar.org. Non-members may register at www.baltimorebar.org or by calling 410-539-5936. Space is Limited – Register Early!

**Non-members can join the BABC and apply this fee towards their membership dues. Join at www.baltimorebar.org. For more information, email info@baltimorebar.org.*

THE PRESIDENT'S MESSAGE

Continued from 12A

The reasons for such an increased prevalence in the legal profession are not clear, and causes are roundly debated. But whether responsibility lies with the stress of our job duties or with an adversarial system of justice, or whether we are a self-selected cohort (meaning that people prone to high-stress responses are those who choose to pursue legal careers in the first place), the effect is no less dramatic. We as a profession have identified a problem, and we as a profession must undertake a solution.

Bar associations can help. Just over a year ago, the Bar Association of Baltimore City's quarterly publication of The Barrister devoted an issue to Health and Wellness. The BABC's Health and Wellness Committee, this year chaired by Alison Schurick and Lydie Glynn, has undertaken programming to promote exercise and healthy living while developing camaraderie among members of the Bar. The BABC's efforts coordinate with those of larger associations, including the ABA, whose Working Group to Advance Well-Being in the Legal Profession developed a seven-point pledge for legal employers to promise to take specific steps to raise awareness and improve lawyer well-being, and the MSBA, which maintains a Lawyer Assistance Program – a free, confidential non-profit

counseling program for judges, lawyers, and other legal personnel.

But beyond formal programming, bar associations offer attorneys and judges an opportunity to connect with each other, to escape the isolation that inevitably accompanies a profession that has become increasingly dependent upon electronic communications and "screen time." Bar association social and professional events give us the opportunity to connect with each other, to commiserate with others who actually do understand what it is like to prepare for and try a three-week trial, and to lighten the burden of our responsibilities. Bar associations promote professionalism and mutual respect among opposing counsel, hopefully relieving some of the natural stress of the adversarial interactions that are integral and necessary to our justice system. The bar association offers a network of support, and in the Bar Association of Baltimore City, a lawyer can almost always find a sympathetic ear. The Hazelden Betty Ford study's 2016 statistics remain a wake-up call. We cannot expect to change the entire profession overnight, but through our Bar Association work we can continue to support our colleagues on the Bench and in the Bar, and we can begin to heal, one lawyer at a time.

MARK YOUR CALENDARS!

FEBRUARY 13

CLE – Medicare Perils & Pitfalls: Protecting Your Clients and Yourselves During the Settlement Process

FEBRUARY 18

YLD Public Service Event at The Book Thing of Baltimore

FEBRUARY 19

Black History Month Program

FEBRUARY 27

CLE – Mediation Styles from the Mediator's Perspective, the Attorney's Perspective and the Client's Perspective

FEBRUARY 28

YLD Happy Hour & Networking Event at Phillips Seafood Restaurant

MARCH 19

Women's History Month Program

MARCH 22

Deadline for Nominations for Government/Public Interest Lawyer of the Year Award

MARCH 28

Baltimore Bar Foundation's Spaghetti Opera Night at Chiapparelli's

MARCH 30

Greenmount Cemetery Tour

APRIL 9

Constitutional Law Seminar – Maryland Constitution

APRIL 13

Annual Law Day for Seniors

APRIL 17

Annual Multi-Jurisdictional Family Law Dinner

APRIL 18

Government & Public Interest Lawyers Annual Reception

APRIL 23

CLE – YLD Breakfast with the Bench – Magistrate Hope Tipton – **NEW DATE!**

MAY 30

BABC, YLD and Baltimore Bar Foundation Annual Meeting

MAY 31

Baltimore Bar Foundation Grant Application Deadline

JUNE 24

Baltimore Bar Foundation Annual Golf Outing Fundraiser

OCTOBER 1

BABC Annual Crab Feast at Bo Brooks

NOVEMBER 26

25th Annual Past Presidents' Luncheon

DECEMBER 7

New York City Bus Trip

DECEMBER 10

YLD Annual Holiday Party for Children Living in Shelters

JANUARY 13, 2020

Supreme Court Group Admission

CITY BAR BRIEFS

Black History Month Program – The Importance of Minority & Specialty Bar Associations in the Legal Profession & Museum of Baltimore Legal History Renovation Campaign

The Bar Association of Baltimore City, Alliance of Black Women Attorneys, Monumental City Bar Association, and the Library Company of the Baltimore Bar are co-sponsoring a Black History Month Program - The Importance of Minority & Specialty Bar Associations in the Legal Profession, on Tuesday, February 19, 2019 in Room 504 Clarence Mitchell Courthouse, 100 N. Calvert Street, Baltimore, MD 21202 from 12:00 noon to 2:00 p.m. Our guest speakers are: The Honorable Sidney A. Butcher, District Court of Maryland for Anne Arundel County; Aaron DeGraffenreidt, Esq., Baltimore City Department of Law; Letam Duson, Esq., The Carter Law Offices, LLC; The Honorable Donna Hill Staton, Co-Founder, Decision Point Strategy Group & Point Law; Jeanne D. Hitchcock, Esq., Special Advisor, Johns Hopkins University and Medical Systems; and Patrick A. Roberson, Esq., Humphreys, McLaughlin & McAleer. The program will be moderated by The Honorable Lynn Stewart Mays, Circuit Court for Baltimore City. Admission is FREE. Lunch provided. Limited space available – Register Early! RSVP required to info@baltimorebar.org. The Museum of Baltimore Legal History Renovation Campaign includes: making the museum ADA compliant, updating exhibits on Women, African-Americans and Legal Legends, adding exhibits on other minority lawyer groups, and removing standing exhibits and replace them with digital/interactive ones. Please send checks made payable to: Courthouse and Law Museum Foundation c/o Marc P. Blum, Esq., 233 East Redwood Street Suite 100 Baltimore, MD 21202. Make sure to designate your check to the “Baltimore Legal Museum Renovations.”

YLD seeking volunteers for The Book Thing of Baltimore

The BABC's YLD Public Service Committee will be volunteering on President's Day, Monday, February 18, 2019 from 10:00 a.m. - 12:00 noon at The Book Thing of Baltimore, 3001 Vineyard Lane, Baltimore, MD 21218. Volunteers will be sorting and stocking donated books. Interested volunteers should contact Lauren Lake at yldpublicservice@gmail.com.

Baltimore Bar Foundation Spaghetti Opera Night on March 28

The Baltimore Bar Foundation, Inc., cordially invites you to Spaghetti Opera Night on Thursday, March 28, 2019, at Chiapparelli's Restaurant, 237 S. High Street, Baltimore, MD 21202 beginning with a cash bar at 6:00 p.m., followed by dinner and opera at 7:00 p.m. This event will feature live operatic arias as you dine. Tickets are \$85 per person (guests welcome) and includes appetizers, salad, choice of entrée, dessert and wine, soft drinks, coffee and tea with dinner. Space is limited – register early! To purchase tickets, or for information on sponsorship opportunities, go to www.baltimorebar.org.

Call for Nominations for BABC's Annual Government & Public Interest Lawyer of the Year Award

The Bar Association of Baltimore City's Government & Public Interest Lawyer of the Year Award is presented to a member of the Bar (does not have to be a member of the BABC) who selflessly serves the public good as a government or public interest lawyer, and excels in furthering the agency's goals. Nominations are due no later than 4:30 p.m. on Friday, March 22, 2019. To fill out a nomination form, visit www.baltimorebar.org. The award will be presented at the Government and Public Interest Lawyers' Committee's 14th Annual Awards Reception on Thursday, April 18, 2019 from 5:30 – 7:00 p.m. in the Clarence Mitchell Courthouse, 2nd Floor, Kaplan Court. More details coming soon!

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For information about our sponsorship program, visit us at www.baltimorebar.org, email info@baltimorebar.org, or call Bar headquarters at 410.539.5936.

Special Thanks to Our Annual Corporate Sponsors

The Bar Association of Baltimore City encourages its members to patronize the following businesses that generously support our organization. When you contact our sponsors, please mention this ad and that you are a member of the Bar Association of Baltimore City.

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The Alternative Dispute Resolution Committees of



The Bar Association of Baltimore City & The Baltimore County Bar Association
James Motsay, Esq., Chair William P. Konstas, Esq., Chair

Present

Mediation Styles from the Mediator's Perspective, The Attorney's Perspective and the Client's Perspective

Wednesday, February 27, 2019
Clarence Mitchell Courthouse
100 N. Calvert Street, Room 504
Baltimore, MD 21202
12:30 p.m. – 2:00 p.m.

Each presenter will discuss from their perspective: What are the various styles that are seen in mediation from all sides? Why do you choose/like one style over others. What are the more successful styles used in mediation. When to change the form/style during a mediation and why.

Guest Speakers

Andrew G. Bailey, Esq.
Law Office of Andrew G. Bailey

William Burgee, Esq.
Transaction Specialist
Housing and Community Development,
City of Baltimore

Jeff Trueman, Esq.
Mediation and Settlement Conference Neutral

Moderator

Alice G. Pinderhughes, Esq.
Alice G. Pinderhughes, PA

Lunch Generously Sponsored by

Boulard & Brush, LLC Elva Tillman, Esquire
Farace & Scherr, PA Wright, Constable & Skeen, LLP
LP Senft & Associates/Baltimore Mediation

Space is Limited – Register Early! Admission is FREE for BABC and BCBA members. Non-members - \$40. RSVP to info@baltimorebar.org. Non-members may register at www.baltimorebar.org.