

Justice Matters

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Chief Judge calls on Maryland's attorneys to help homeowners as foreclosures skyrocket

Chief Judge Robert M. Bell of the Maryland Court of Appeals has called on attorneys to provide free help to homeowners facing foreclosure. In July, he sent a letter to all attorneys practicing in Maryland asking them to provide pro bono services to homeowners in arrears.

Maryland ranks among the top 10 states with the highest foreclosure rates. It is this "foreclosure crisis" that prompted the call for increased pro bono efforts, Judge Bell said. "Many homeowners threatened with foreclosure cannot afford an attorney, and the resources available in the legal services community alone are inadequate to address the current need," Judge Bell said in his letter.

Since the letter went out in the beginning of July, more than 700 lawyers have signed up to take part in training seminars offered by the Pro Bono Resource Center of Maryland (PBRC). The Foreclosure Prevention Pro Bono Project will train lawyers in foreclosure law, which was recently changed in Maryland to give homeowners more time to resolve their problems.

This spring, the Maryland Legislature enacted emergency legislation to provide new protection to homeowners. The new legislation modifies the foreclosure process and provides new notice requirements, extended time periods for curing problems, and additional defenses.

In light of the legislation, the Standing Committee on Rules of Practice and Procedure reviewed procedural rules regarding foreclosure. In July, the committee approved changes to procedural rules to require lenders to provide direct notice to delinquent homeowners before taking possession of and selling their homes. The revisions make the Maryland Rules conform to the statutory amendments enacted by the General Assembly. And these changes give homeowners greater opportunity to settle their debts and avoid foreclosure. (The Rules Committee's order is online at mdcourts.gov/rules/rodocs/ro159.pdf.)



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Report shows family recovery court to be effective, cost-efficient

“The report confirms what we have seen in practice—family recovery courts produce better results than the traditional court approach in terms of keeping families together, and it’s also a cost-effective way to address the problem of substance abuse.”

Master Theodore M. Hart

Parents who took part in a special Maryland family drug treatment court program were much more likely to complete substance abuse treatment and become reunited with their children. Their children, as well, spent less time in foster care than those whose parents did not take part in the program. These are the findings of an intensive study of the Harford County family recovery court. The report was released in May during National Drug Court Month by an independent research firm.

The Harford County family recovery court (FRC) serves families involved with child welfare due to substance abuse. “Through this program, we hope to bring sobriety and quality of life to parents and, in turn, increase the likelihood of bringing families back together,” said Harford County Circuit Judge William O. Carr. To be eligible for the program, participating parents must be named in a Child in Need of Assistance (CINA) petition and be determined, through an assessment, to have a substance abuse issue.

The report also concluded that the program also saves taxpayers money—because FRC families used less foster care and were more likely to achieve reunification, these cases were less costly to the child welfare system than other CINA cases. Moreover, family recovery court parents spent less time in jail; therefore, the total cost savings per year of Harford County family recovery court operations was nearly \$317,000, or approximately \$12,000 per served family.

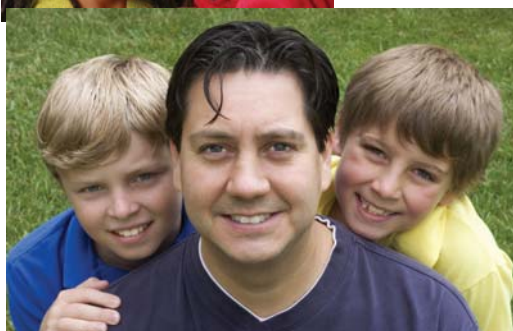
“The report confirms what we have seen in practice—family recovery courts produce better results than the traditional court approach in terms of keeping families together, and it’s also a cost-effective way to address the problem of substance abuse,” said Master Theodore M. Hart.

“We have a consistent team and a strong tradition of interagency cooperation. I am gratified to hear hard evidence that this program makes a difference in the lives of these families,” Judge Carr said.

Family recovery courts, like other drug treatment courts in the state, provide intensive treatment, supervision, and comprehensive judicial monitoring. Judge Carr oversees the Harford County team that includes the county’s Department of Social Services, the public defender’s office, local Legal Aid Bureau, treatment providers, and court personnel. Participants appear in court and their progress is evaluated throughout the rigorous nine-month program.

There are currently 39 drug courts in Maryland and more are planned. Harford County and Baltimore City have the state’s two family recovery courts.

A full copy of the Harford County family recovery court study is available online at mdcourts.gov/opsc/dtc/pdfs/harford_county_frc_0308.pdf



Judiciary welcomes four new appointees to appellate courts

Judges Adkins and Barbera move to Court of Appeals, Judge Matricciani and Graeff named to Court of Special Appeals

On June 25, Judge Sally D. Adkins was sworn in to serve on the Court of Appeals. She succeeds Judge Dale R. Cathell, who last July reached the mandatory retirement age of 70. Judge Adkins was joined less than two months later by fellow Court of Special Appeals Judge Mary Ellen Barbera when, on August 7, Gov. Martin O'Malley announced her appointment to fill the vacancy created by the retirement of Judge Irma S. Raker. There are now three women serving on the bench of the state's highest court.

"Judge Adkins and Judge Barbera come to the Court of Appeals experienced in the ways of the appellate court and its needs," Chief Judge Robert M. Bell said. "Their skills and experience provide them with the requisite skills needed to hit the ground running, and the Court welcomes them to the bench."

The governor also announced two appointments to the Court of Special Appeals on August 7: Judge Albert J. Matricciani, Jr., and Judge-designate Kathryn Grill Graeff. Judge Matricciani was elevated from the Baltimore City Circuit Court to fill the at-large vacancy created by the elevation of Judge Barbera. Judge-designate Graeff will fill the vacancy created by the retirement of Judge J. Frederick Sharer representing the Third Appellate Judicial Circuit (Allegany, Carroll, Garrett, Frederick, Howard, and Washington counties).

"These newest members of the Court of Special Appeals each bring a keen intellect, a strong work ethic, and an impressive history of dedicated public service," Chief Judge Peter B. Krauser said. "The Court is pleased to welcome them."

Judge Adkins

Prior to her elevation to the state's highest court, Judge Adkins had served on the Court of Special Appeals since 1998. On the Court of Appeals, she represents the First Appellate Circuit, which includes Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties.

During her time as a member of the Court of Special Appeals, Judge Adkins wrote more than 140 published opinions and approximately 750 unpublished opinions, and

served as chair of the Maryland Commission on Judicial Disabilities from 1999 to 2006. Before being named to the Court of Special Appeals, she was an associate judge for the Circuit Court for Wicomico County from 1996 to 1998, where she initiated and developed a child custody mediation program.

Judge Adkins was in private practice before joining the bench. She handled diverse civil law matters for individual and corporate clients, divorce, custody, and estate planning matters for individuals, including seniors and lower- to middle-income women, and a variety of business law matters—including contract disputes, corporate and real estate transactions, tax planning, and employment cases—for small and medium-sized businesses. Her *pro bono* work included cases for indigent clients and charitable groups concerning wills, powers of attorney, health care directives, small estates, and contracts. Judge Adkins received her undergraduate degree from Lawrence University in 1972 and her law degree from the University of Maryland School of Law in 1975.

"The journey from University of Maryland School of Law to private practice, to Circuit Court for Wicomico County, to the Court of Special Appeals, and now to the

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Judge Sally D. Adkins is assisted by her daughter Emily Bostian as she is sworn in as the newest member of the Court of Appeals by Gov. Martin O'Malley.

Statewide civil domestic violence database launched

By Clifton Files, J.D., M.S.W.

The Maryland Judiciary became one of the first states with a comprehensive database of civil orders of protection when it launched the Domestic Violence Central Repository this summer.

This central database for District and Circuit Court judges and staff will store all domestic violence orders, produce statistics, enhance enforcement, and will improve the courts' ability to respond effectively, promptly, and in a coordinated manner to domestic violence cases. It eliminates conflicting or simultaneous orders by improving communication between District and Circuit Courts that share concurrent jurisdiction over domestic violence cases, and will improve Maryland's ability to implement the full faith and credit provisions of the Violence Against Women Act. The database permits authorized users to request reports on Peace and Protective Orders, providing valuable information about domestic violence in Maryland.

Maryland's law enforcement agencies will now be provided with real-time secure access to imaged copies of District and Circuit Court's peace and protective orders. This will facilitate faster service of orders by serving agencies, as well as provide law enforcement officers quick access to existing orders as part of the Judiciary's continuing efforts to ensure victim and officer safety. Law enforcement officers will be able to verify the existence and content of an order at any time, even on-site when they respond to domestic violence calls, and thus will be able to make immediate arrests when violations occur.

The database is the result of an intense effort that began two years ago when the Department of Family Administration was awarded a grant by the Office of Violence Against Women to develop a statewide database. The Administrative Office of the Courts (AOC) and the Maryland Network Against Domestic Violence (MNADV) coordinated with an advisory committee and held six regional focus groups to discuss and consider recommendations on policies, procedures, and uses for the database.

The grant has enabled Judicial Information Systems (JIS) to complete the design and development of the database. Eventually, the database will interface with the Maryland State Police System, which inputs Maryland data into the FBI's National Crime Information Center. Clifton Files, J.D., M.S.W., is domestic violence specialist for the Department of Family Administration.

The screenshot shows a web browser window titled "Portal to Court Records" with a sub-header "Maryland Protective/Peace Order Search". The interface includes a navigation menu with "Portal Home", "Case Search", "Judgments/Liens", "Orders", "Logout", "FAQ", and "Help". A disclaimer states: "Use of the Maryland Protective/Peace Order application is strictly for official court and law enforcement purposes. Unauthorized use could result in removal of access at the Judiciary's discretion as well as any other penalties provided by law." The search form contains the following fields and options:

- Name:** Last (text input: test), First (text input: mister), Middle (text input).
- Exact Match on Last Name
- Party Type:** Respondent (dropdown menu)
- Search By:** Latest Action (dropdown menu)
- Court System:** All (radio button), Circuit Court Only (radio button), District Court Only (radio button)
- County:** Default All (dropdown menu)
- Order Issue Date:** Range (from-to): (text input), Exact Date: (text input), Format: MM/DD/YYYY
- Buttons: Search, Clear

Below the main form, there is a section for "Search By Case Number" with a "Case Number" text input, a "Court" dropdown menu (set to District Court), and "Search" and "Clear" buttons.



Maryland State Law Library updates Web site

By Steve Anderson

The Maryland State Law Library has updated its Web site, thanks to the hard work of staff members Mary Jo Lazun and Ruth Henderson, and guidance from Theresa Thomas of the Court Information Office. The site contains updated and enhanced information about the Law Library's services, collections and research tools—and all are arranged in a more structured format.

For the first time, the site includes descriptions of services and resources of interest to particular groups of Law Library users, such as Judiciary employees or self-represented litigants. It is hoped that these “Just for . . .” pages will provide library users with relevant information in an efficient manner.

The Law Library's catalog and journal portal pages incorporate the new design elements, as do the “start pages” of the Law Library's public computers. Explore online and make use of the Library's many services and resources by visiting the Web site at mdcourts.gov/lawlib/. Steve Anderson is director of the Maryland State Law Library.



Foreclosures, from 1

The Foreclosure Prevention Pro Bono Project is a partnership that includes Gov. Martin O'Malley, Congressman Steny Hoyer, Attorney General Douglas Gansler, the Maryland State Bar Association, the Pro Bono Resource Center of Maryland, the state Department of Housing and Community Development, the state Department of Labor, Licensing and Regulation, Civil Justice, Inc., St. Ambrose Housing Aid Center, MICPEL (Maryland Institute for Continuing Professional Education of Lawyers), and other staff and pro bono referral programs across the state. The organizations are working together to recruit, train and integrate pro bono lawyers into the foreclosure process with the goal of both preventing the loss of homes where possible and helping homeowners transition from homes they can no longer afford.

“This is one of the most important pro bono initiatives of our time,” Judge Bell said. “In its absence, the thousands of individuals and families now at risk would almost surely move from being homeowners to becoming homeless.”

The Project's efforts—including foreclosure law training for volunteers—and Judge Bell's appeal have been reported and praised by the media, and have mobilized Maryland's legal community. “Foreclosure impacts everyone,” Judge Bell said. “Families are uprooted, property values are reduced, vacant and abandoned properties increase along with attendant crime, public revenues for the support of important services are lost, and court dockets become overwhelmed.”

For more information about the training or to volunteer their services, attorneys have been directed to visit the Pro Bono Resource Center's Web site at www.probonomd.org, and go to “Foreclosure Prevention ProBono Project.”



Judiciary welcomes four new appointees

Court of Appeals, has been immensely satisfying,” said Judge Adkins. “I know that cases are about people whose individual lives will be impacted by our decision. This fact always reminds me of the importance of what we are asked to do. I welcome the challenge of living up to the court’s long tradition of fairness, scholarship, and judicial excellence.”

Judge Adkins is a recipient of several awards, including the Dorothy Beatty Memorial Award from the Women’s Law Center of Maryland, and the Rita C. Davidson Award from the Women’s Bar Association of Maryland. She was named a Woman of the Year by the Salisbury Business and Professional Women in 1998 and has received a certificate of recognition from the Wicomico County Commission for Women.

Judge Adkins has been very involved in civic life. From 1995 to 2005, she served as director and secretary of OUR Community, a non-profit corporation to improve racial understanding and provide training for developing diversity in community leadership. She has also served as director of the Mid-Delmarva Family YMCA and of Coastal Hospice, Inc., and has been a member of the Wicomico County Ethics Commission, Salisbury Chamber of Commerce, and the board of directors of the Legal Aid Bureau. She has also lectured at various continuing legal education and Maryland Judicial Institute programs.

Judge Barbera

Before her elevation to the Court of Appeals, Judge Barbera had served on the Court of Special Appeals since 2002. In the past six years, she has heard approximately 1,500 cases and authored nearly 500 opinions for the Court, 55 of them published.

After earning her undergraduate degree from Towson University, Judge Barbera taught in the Baltimore City Public School System while attending the University of Maryland School of Law at night. She received her law degree in 1984, and after clerking for Judge Robert L. Karwicki of the Court of Special Appeals, she joined the Maryland Office of Attorney General Criminal Appeals Division. She represented the State of Maryland in nearly 600 criminal appeals during her tenure there, and in 1989 was named deputy chief of the division. From 1999 to 2002, Judge Barbera served as legal counsel to Governor Parris N. Glendening.



Dan Clark

Judge Mary Ellen Barbera

Chief Judge Bell selected Judge Barbera to serve on the Judicial Ethics Committee and the Judicial Compensation Committee, and to chair the Criminal Law and Procedure Committee of the Maryland Judicial Conference. Judge Barbera also has served on numerous committees of the Maryland State Bar Association, including the special committee on anti-discrimination matters and the standing committee to draft pattern jury instructions in criminal cases.

In addition to her work on the bench, Judge Barbera is a frequent lecturer at the Judicial Institute, and has taught Constitutional criminal procedure at the American University Washington College of Law and appellate advocacy at the University of Baltimore School of Law. In 1998, the University of Baltimore School of Law gave her an award for Outstanding Teaching by an Adjunct Faculty Member.

Judge Barbera has been recognized for her consistent leadership and public service. This year, she received the Robert C. Heeney Award from the Criminal Law and Practice Section of the Maryland State Bar Association. The *Daily Record* gave her the Maryland Leadership in Law Award in 2007, and recognized her as one of Maryland’s Top 100 Women in 2008. In 1998, she received the Distinguished Service Award from the Maryland State’s Attorneys’ Association.

She serves on the executive council of the Montgomery County Inns of Court and regularly volunteers as a teen court judge in Montgomery County. Judge Barbera

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is on the executive committee of the Citizenship Law-Related Education Program (CLREP) and has volunteered with CLREP's Summer Center for Law and Government for high school students.

Judge Matricciani

Before his elevation to the Court of Special Appeals, Judge Matricciani had served as a judge for the Baltimore City Circuit Court since 1995. He will serve at-large on the Court of Special Appeals, and fills the vacancy created by the elevation of Judge Barbera.

As an associate judge for the Baltimore City Circuit Court, Judge Matricciani has served as the judge in charge of the Family Division and director of the Business and Technology Case Management Program. Judge



Judge Albert J. Matricciani, Jr.

courtesy Judge Matricciani

Matricciani was instrumental in developing the statewide Business and Technology Case Management Program, which adjudicates business and technology disputes.

Judge Matricciani is also an adjunct professor at the University of Maryland School of Law.

From 1980 to 1995, Judge Matricciani had a private law practice focused on civil litigation, family law, and alternative dispute resolution. Between 1974 and 1980, he worked for the Legal Aid Bureau on mental health law and consumer law matters.

Judge Matricciani has received numerous honors, including the Judge Rosalyn B. Bell Award for outstanding achievement in Family Law from the Women's Law Center of Maryland, Inc. in 2000, and Maryland's Top Leadership in Law Award from the Daily Record in 2004.



courtesy Judge-designate Graeff

Judge-designate Kathryn Grill Graeff

Judge-designate Graeff

Judge-designate Graeff will represent the Third Appellate Judicial Circuit on the Court of Special Appeals, which includes Allegany, Carroll, Garrett, Frederick, Howard, and Washington counties.

Before being named to the bench, Judge-designate Graeff was chief of the Criminal Appeals Division of the Maryland Office of the Attorney General. She has represented the State of Maryland since 1990 in criminal matters before state and federal appellate courts, including the United States Supreme Court. Attorney General Douglas F. Gansler awarded Judge-designate Graeff an Exceptional Leadership Award to acknowledge her consistently superior performance in the Office of the Attorney General.

In addition to her work for the State of Maryland, Judge-designate Graeff has taught courses on legal analysis, research, and writing at the University of Maryland School of Law. Judge-designate Graeff also serves as a volunteer settlement officer for the Baltimore City Circuit Court, where she has mediated civil cases since 1999. From 2006 to 2007, she chaired the Criminal Law and Practice Section Council of the Maryland State Bar Association. Prior to joining the Attorney General's Office, Judge-designate Graeff was a litigation associate at Smith, Sommerville & Case. She specialized in products liability, commercial litigation, and general civil litigation.

Helping Matters

Helping Matters profiles Judiciary employees who volunteer in their communities. Nominate yourself or a fellow employee for *Helping Matters* by writing to justicematters@mdcourts.gov.

Maryland Judiciary for a Cure Team

A Nice Day for a Walk

The Maryland Judiciary for a Cure (MJC) team joined more than 40,000 other participants in the Susan G. Komen National Race for the Cure in Washington, D.C., on June 7. Spirits were high, as were the blazing summer temperatures throughout the 5K event.

The Women (And Men) Who Made the Team

The MJC team included Judiciary employees, family members and friends: Jennifer Boswell, Olga Tsipenyuk, Mary Riehl, Bobbie Warnken, Anupama Sinha, Tammy Sitar, Amber Venanzi, Jessica Pitts, Karen Boyd, Debbie Davis, Jessica Davis, Gordon Myers, Jennifer Myers, Kasey Myers, Genia Planck, Myla Planck, Rose Willett, Judge Michael Conroy, Renee Bresnie, Marti Neuenschwander, Joan Baer, Connie Winkel, Diana Siedel, Erika Smith, Laurel Smith, Faye Gaskin, Delaney Burkart, Bev Miller, Patricia Biddison, Wendy Wilson, Diana Newcomer, Yolanda Estep, Kathy Ruge, and Mylita Jacob.

How They Did It

MJC team members petitioned employees throughout the Judiciary to sponsor their walk—these donations topped \$9,300.

Why They Walk

“MJC was originally formed to honor a fellow employee who lost her personal battle with breast cancer,” said Mylita Jacob, team captain. “It has gone on to provide so many others who have been touched by this disease with an opportunity to participate in the ongoing battle for men and women everywhere. It’s an example how the most extraordinary results can come from the most devastating experiences. This is the highest honor we can pay those we have lost.”



courtesy Mylita Jacob

Total for the Event

Overall, the Komen event raised more than \$4.9 million to fund breast-cancer research, education and treatment—most of the funds will stay in our region.

An Insider's View

Jacob said, “It was emotional, gratifying and humbling to be a part of such a passionate group who is determined to triumph over breast cancer. And what a wonderful team! We really had such a great time. Next year we really have to make a team sign so we can hear our name being called as we walk by!”

What's Next?

“Our team sends a big thanks to everyone who supported this event and we hope that you will continue the support and think about joining us for the race next year. We have another year to think about how to make this event even bigger and better!”

Benchmarks



Appointments

Hon. Henry Richard Duden, III, was appointed to the Anne Arundel County District Court, filling the vacancy created by the elevation of Hon. Jeffrey Michael Wachs.

Hon. Eileen A. Reilly was appointed to the Anne Arundel County District Court, filling the vacancy created by the retirement of Hon. Vincent A. Mulieri.

Hon. Shaèm C. P. Spencer was appointed to the Anne Arundel County District Court, filling the vacancy created by the retirement of Hon. James W. Dryden.

Hon. Marcus Z. Shar was appointed to the Baltimore City Circuit Court, filling the vacancy created by the elevation of Hon. Albert J. Matricciani, Jr., to the Court of Special Appeals.

Hon. Edward Gregory Wells was appointed to the Calvert County District Court, filling the vacancy created by the retirement of Hon. Stephen L. Clagett.

Hon. Bonnie Gullatt Schneider was appointed to the Cecil County District Court, filling the vacancy created by the retirement of Hon. James C. McKinney.

Hon. Leo E. Green, Jr., was elevated to the Prince George's County Circuit Court, filling the vacancy created by the retirement of Hon. Richard H. Sothoron, Jr.

Hon. Tiffany Hanna Anderson was appointed to the Prince George's County District Court, filling the vacancy created by the elevation of Hon. Beverly J. Woodard.

Hon. G. Richard Collins was appointed to the Prince George's County District Court, filling the vacancy created by the elevation of Hon. Crystal Dixon Mittelstaedt.

Hon. Lawrence V. Hill, Jr., was appointed to the Prince George's County District Court, filling the vacancy created by the elevation of Hon. Leo E. Green, Jr.

Allegany County Circuit **Judge Gary G. Leasure** was appointed circuit administrative judge for the Fourth Judicial Circuit (Allegany, Garrett and Washington counties) following the announcement of the impending retirement of **Judge Frederick C. Wright, III**, who has been circuit administrative judge since 1985.

Also in the Fourth Judicial Circuit, Washington County Circuit **Judge John H. McDowell** was appointed as county administrative judge. He follows **Judge Frederick C. Wright**, who had served in the position since 1985 and stepped down in anticipation of his impending retirement.

Retirements

Hon. Floyd L. Parks, Kent County District Court.

In Memoriam

Hon. E. Allen Shepherd, Prince George's County Circuit Court, from 1995-2007.

Hon. Robert Styron Heise, Anne Arundel County People's Court, from 1958-1971, Anne Arundel County District Court, 1971-1981, Anne Arundel County Circuit Court, 1981-1989.

Judiciary hosts summer students

At the end of July, the Maryland Judiciary welcomed high school students from the Summer Center for Law and Government. During the two-week session, students learned about the legal system at the state and federal level and observed criminal and juvenile court dockets. They also met with several judges, including retired Baltimore County Circuit Court Judge John Fader, Howard County Circuit Court Judge Diane O. Leasure, Baltimore City Circuit Court Judge Wanda Keyes Heard, and Chief Judge Ben C. Clyburn of the District Court of Maryland, and visited Baltimore City Circuit Court Judges David W. Young and Michele Bryant in their courts. At the end of the two-week program students presented arguments before Court of Appeals Judge Clayton Greene, Jr., who presided over a mock trial in the Court of Appeals courtroom.

The Summer Center for Law and Government is offered by the Citizenship Law-Related Education Program in conjunction with the Maryland State Department of Education. The Summer Center is open to rising ninth, tenth, and eleventh graders who are in gifted and talented, honors, or advanced placement social studies or government, or students who have demonstrated strong academic potential and interest in law and government. Each year, the Summer Center focuses on a topic that is timely and of particular interest to students. The 2008 program

examined students' first amendment rights in light of the *Morse et al. v. Frederick Supreme Court* opinion.

The 18 students hailed from Baltimore, Howard, Montgomery, Prince George's, Harford, and Frederick counties. Any public or private Maryland school student may apply for this annual program. For more information, visit the Citizenship Law-Related Education Program Web site, www.clrep.org.



Judge Clayton Greene, Jr., of the Court of Appeals hears students' arguments

Volunteers help students learn about courts

Judges and Judiciary employees help high school students across the state each year by volunteering with the Mock Trial Competition. Students compete in mock trials held during the school year in District and Circuit courtrooms, and the two top-ranking teams vie for the state championship competition held at the Court of Appeals. Sponsored by the Citizenship Law-Related Education Program, in cooperation with the Maryland State Bar Association and the Maryland Judicial Conference, the program is successful because of these dedicated volunteers, including the following:

Hon. Robert M. Bell; Hon. John Grason Turnbull, II; Hon. Thomas J. Bollinger, Sr.; Hon. John O. Hennegan; Hon. Lawrence R. Daniels; Hon. Kathleen Gallogly Cox; Hon. Robert N. Dugan; Hon. Susan Souder; Hon. Ruth A. Jakubowski; Hon. Michael J. Finifter; Hon. Vicki Ballou-Watts; Hon. Mickey J. Norman; Hon. Robert Edward Cahill, Jr.; Hon. Timothy J. Martin; Hon. Judith C. Ensor; Hon. H. Patrick Stringer, Jr.; Hon. James L. Sherbin; Hon. Timothy J. McCrone; Hon. Diane O. Leasure; Hon. Neil E. Axel; Hon. G. Edward Dwyer, Jr.; Hon. John H. Tisdale; Hon. Julie Stevenson Solt; Hon. Theresa M. Adams; Hon. Keith E. Mathews; Hon. Philip T. Caroom; Hon. Paul G. Goetzke; Hon. Michele Dane Jaklitsch; Hon. Ronald A. Silkworth; Hon. William D. Missouri; Hon. Sherrie L. Krauser; Hon. Larnzell Martin, Jr.; Hon. Michele D. Hotten; Hon. Sean D. Wallace.*

*Judges' names provided by the Citizenship Law-Related Education Program

MACRO celebrates 10 years of ADR growth in Maryland

By Lou Gieszl

On May 12, the Mediation and Conflict Resolution Office (MACRO) hosted a celebration honoring Chief Judge Robert M. Bell of the Court of Appeals for his leadership in the area of alternative dispute resolution (ADR). “We in Maryland are so fortunate to have Judge Bell at the helm of our courts; he is a true champion who sees ADR as part of a broader access to justice vision,” said Rachel A. Wohl, Esq., executive director of MACRO.

The event marked the 10th anniversary of the formation of the Maryland Alternative Dispute Resolution (ADR) Commission, a multidisciplinary group created and actively chaired by Judge Bell from 1998 through 2001. Working collaboratively with hundreds of Marylanders, the 40-member ADR Commission developed and began implementing a consensus-based practical action plan to advance the appropriate use of mediation and conflict resolution in courts, communities, criminal and juvenile justice programs, state and local government agencies, schools and universities, and businesses statewide.

The ADR Commission published an award-winning practical action plan titled *Join the Resolution* in 1999 that documented a statewide consensus and charted a course to create a new culture of conflict resolution in Maryland. The final chapter called for the creation of MACRO, a permanent state office of dispute resolution to carry out the ADR Commission’s vision.

The event in May offered a chance to reflect on the extraordinary progress that has been made within the past 10 years:

- Major expansions in court-based ADR services;
- Innovative community-based mediation programs that are thriving statewide;
- Increased use of mediation and community conferencing in criminal and juvenile matters;
- Growing use of collaborative processes in government;
- Development of conflict management programs at the school and university levels; and
- Creation of the Maryland Program for Mediator Excellence, a statewide framework helping mediators at all skill levels to improve their practice and exercise leadership.

Noting that more progress is still to be made, Judge Bell gave credit to the judges, lawyers, mediators, educators, community members, and court employees who create opportunities for Marylanders to find solutions and resolve their own disputes outside the litigation process.

“It’s only through the dedication, hard work, and perseverance of our ADR proponents and providers that we have been able to make such progress,” Judge Bell said. “We in the Judiciary do an exceptional job of handling those cases that really ought to be in court, and we owe a debt of gratitude to our skilled community of conflict resolvers who step in to assist with the many other disputes that are more appropriately resolved through mediation and collaboration.”

For more information about MACRO or ADR services statewide, call (410) 260-3540 or visit MACRO online at mdcourts.gov/macro. Lou Gieszl is deputy executive director of the Maryland Mediation and Conflict Resolution Office (MACRO).



Rachel Wohl and Chief Judge Bell display the “map” of ADR’s 10-year growth in Maryland.

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Congratulations

The *Daily Record* presented its third annual “Unsung Legal Heroes” awards in June. An external panel of judges selected the winners based on career accomplishments, impact on his or her office, and community involvement. Among the 29 recipients statewide were four members of the Judiciary:

Tonya Baroudi, Circuit Court for Prince George's County law librarian;

Bernice Bernstein, Maryland State Law Library law librarian;

Jill Smith, Circuit Court for Prince George's County paralegal; and

Iris Wyvill, Circuit Court for Prince George's County legal secretary.

Howard County Circuit Judge Diane O. Leasure won the Anselm Sodaro Judicial Civility Award from the Maryland State Bar Association. The award was presented at the MSBA's annual meeting in June. Judge Leasure is the third recipient from Howard County since the award began in 1998.

During its annual business meeting in June, the Maryland State Bar Association recognized **Prince George's County Circuit Judge Julia B. Weatherly** for her efforts to encourage access to justice in the county.

The **Maryland State Law Library** won the 2008 American Association of Law Libraries Publications Award, Print Division, for its 2007 annual report. The award honors achievement in creating in-house library materials that are “outstanding in quality and significance.”

Allegany County Circuit Court Judge Gary Leasure was honored by the Allegany County Bar Association for 25 years on the Circuit Court bench, and in July was presented with an engraved pewter bowl recognizing his service.

Send submissions to justicematters@mdcourts.gov.



Dedication held for Ruben Courthouse



In May, colleagues, friends and family gathered to dedicate the L. Leonard Ruben District Court Building in downtown Silver Spring. Chief Judge Robert M. Bell of the Court of Appeals and Chief Judge Ben C. Clyburn of the District Court of Maryland joined with other state leaders to unveil the new name for the courthouse, which opened in September 2004.

The husband of former Maryland State Senator Ida G. Ruben, Judge Ruben began his judicial career in 1974, serving 10 years on Montgomery's District Court and 10 years on the Circuit Court. He retired in 1995 but continued to help with heavy caseloads by hearing cases several times a month. Judge Ruben died March 21, 2007, on his way to hear cases in the building now named for him. He died a few days short of his 82nd birthday.

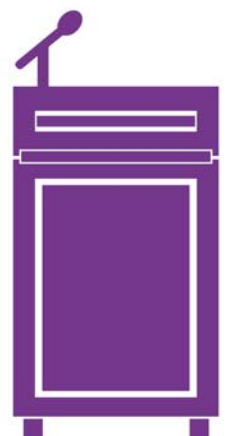


photos: Jason Clark

Speakers Bureau seeks new members

The Maryland Judiciary's Speakers Bureau is updating its rosters, and the Public Awareness Committee is cordially inviting judges and court officials from across the state to join this important public education effort. Members of the Speakers Bureau meet with civic groups, social organizations, professional associations, schools, and other groups to discuss a variety of judicial topics. Community requests for speakers are matched with judges and court officials who have expressed an interest or expertise in a variety of subject areas.

The Speakers Bureau was created to help promote a greater understanding of Maryland's judicial system and its role in the community. To join the Speakers Bureau, please contact the Court Information Office at cio@mdcourts.gov. The Court Information Office will contact you to discuss your geographical preference, availability and topics you would like to discuss.



In The Long Term

Mary Alice Shankle – Frederick County’s chief deputy recalls an office without cash registers

One of Mary Alice Shankle’s fondest memories during her 36 years with the Maryland Judiciary came in 2000, when she was asked by Frederick County Circuit Court Clerk Sandra Dalton to serve as chief deputy.

“This is a career I would have never thought possible,” Shankle said. In 1972, she had been a stay-at-home wife and mother for five years when a friend told her about an opening in the Frederick County Circuit Court. Shankle had worked at an insurance company after high school and had “kept up my office skills.” Still, “it was not the best time to start a full-time job,” she said. It was August and her younger daughter was about to start kindergarten. But when she was offered a job as a deputy clerk almost immediately after interviewing with then Clerk of the Circuit Court Ellis Wachter (hiring procedures and rules were different in 1972), she accepted.

The staff was about a quarter of the size it is now. There were other differences, as well. “It was a number of years before we got a cash register,” Shankle recalled. There were, of course, no computers—“We got *one* in 1990”—work was done on manual typewriters. There was one electric typewriter, but not the kind with correction tape. Tax stamps were like postage stamps and the Clerk’s Office had to purchase them individually from the comptroller’s office. “It was a job just to hand-write receipts for all the licenses,” Shankle said. Marriage licenses were \$3: \$1 when people applied, and \$2 when they picked the license up.

In 1974, Charles C. Keller was elected Clerk, and Shankle worked for him as a deputy clerk, assistant chief deputy, and office manager. During that time, the chief deputy was Darryl Stup. The chief deputy position was vacant from 1996-2000.

“I appreciate each step working at the Clerk’s Office,” Shankle said. “However, being appointed chief deputy was a humbling experience. I felt very honored to be given the opportunity, the trust and the challenge presented. Each day has been an opportunity to assist the Clerk, the staff, members of the Judiciary, the attorneys, title industry, and the public. I am very grateful for this opportunity.”

And now? “It’s a good time for me to retire. It’s a good time for someone who’s going to be here for the long run to get in on the ground floor,” she said. “There are so many changes at the Judiciary. There are going to be new cash registers.... The timing is right for me now. Ever since I made the decision to retire, I’ve found contentment with that decision,” she said.

“I’ve loved it. I’m going to miss it,” Shankle said. “I’m honored and blessed to have had the opportunity. Sandy has been wonderful to work for. I was honored when she asked me to be chief deputy, and I hope she has never regretted that decision.”

Just before her last day, amid the celebrations in the office, Shankle looked ahead to her first day away from the Judiciary. “I know I’ll wake up Tuesday morning thinking that I need to get dressed and go to work.” She and her husband took a quick trip to ease into retirement, and she plans to devote her time to family—hosting visits and traveling to be with them—and volunteering with her church.



Mary Alice Shankle (center) is joined at her retirement celebration by Judge G. Edward Dwyer, Jr., Frederick County administrative judge; Judge Julie Stevenson Solt; Judge John H. Tisdale; retired Judge William W. Wenner (CSA); Judge Theresa M. Adams; Clerk of the Circuit Court Sandra Dalton

William “Bill” Hill – Baltimore County court clerk fulfills career of “firsts”

Sometimes a 30-year career is launched in an almost random way: Because his cousin worked for the courts, William “Bill” Hill applied for an opening at the Baltimore City Supreme Bench (the previous name for the Circuit Court) in 1977. He was hired, and as he rotated through several areas, including legal, court clerk, accounting, and land records, Hill was able to “get an overall take” on the profession—and he realized he had found a vocation.

He joined the Judiciary after serving in Vietnam in the infantry. “I believe in serving my country, and I served with honor,” Hill said of his 18 months of combat duty. “But it’s an experience I would never ever wish on anyone.” When he left the military, Hill “took a year and a half off” to find a path in civilian life—which ended when he took the job with the court.

When he retires in September, Hill will have served under more than 15 judges in Baltimore City and Baltimore County, and says he has “the greatest respect” for them all. He currently serves under Baltimore County Circuit Judge Vicki Ballou-Watts. “I have truly enjoyed working with Bill. He takes pride in his work, he’s resourceful and he has a great sense of humor. These are qualities that have made him an asset to the judges he has worked with and to the court system as well. We will miss him,” said Judge Ballou-Watts. “She’s been a joy to work for, and she’s my best friend,” Hill said. “We feed off of each other in the best way.”

Hill has logged a number of “firsts” during his Judiciary career. He became the first African-American bailiff at the Baltimore County District Court in 1982 after Judge William Murphy, Sr., and Juanita Jackson Mitchell, the wife of Sen. Mitchell, suggested he apply. “There were few people of color at that time there, and I had observed that maybe it was my calling to accept [the position of bailiff],” Hill recalled. He had some concerns about how he might be received as a minority, but found “it was very friendly.



Dan Clark

Hill will have served under more than 15 judges in Baltimore City and Baltimore County.

“Maybe it’s because I’m a people person,” Hill said. “Also, I’m always a professional. No one on the job has ever seen me without my suit jacket.”

Baltimore County District Court did not have courtroom clerks at the time, and Hill was one of the first to be selected to train when the position was established and became the first and is still the only African-American male courtroom clerk in the Baltimore County Circuit Court.

Hill moved to the Baltimore County Circuit Court in 1990 when Judge Christian M. Kahl (now retired) was elevated from the District Court and asked Hill to join his staff as courtroom clerk. He has enjoyed the courtroom responsibilities, particularly working with jurors. “I want to help them feel good about serving by making sure they’re comfortable, and being available to help,” he said.

With retirement quickly approaching, Hill will focus on increasing his volunteer work with Our Daily Bread, Sheppard Pratt and other organizations. “I’ve been blessed with a lot of doors open to me. It’s time for me to give back.” For relaxation, Hill plans to travel, with the Bahamas as a favorite destination.

In The Long Term recognizes and profiles long-term Judiciary employees and their contributions to the Maryland courts. Please contact us with suggestions for employees to include in future issues: justicematters@mdcourts.gov.

District Court Chief Judge has some 'fishy' duties

With the oversight of both civil and criminal cases ranging from misdemeanors to limited felonies across 34 locations and 12 districts statewide, Chief Judge Ben C. Clyburn of the District Court of Maryland has a full array of responsibilities.

But few citizens know that the chief judge is also responsible for helping the Department of Natural Resources (DNR) protect Maryland's wildlife, waterways and public lands. "The District Court has exclusive jurisdiction over many DNR infractions," Judge Clyburn said. "That includes boating violations on more than 17,000 miles of state waterways, as well as infractions such poaching, and the illegal taking of endangered species like black bear, crabs, or rockfish," Judge Clyburn said.

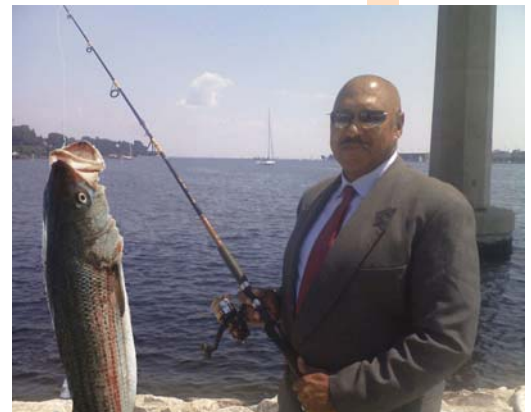
While most hunters and fishermen obey the law, those who violate DNR's restrictions come to District Court. "DNR or any other law enforcement officer who has jurisdiction can issue a citation or arrest in certain situations, and those cases are heard in District Court," Judge Clyburn said.

Also, in conjunction with the DNR, the District Court annually reviews fine schedules to determine how best to deter poaching. For example, last year Judge Clyburn increased the prepayable fines for violating the regulations on striped bass (rockfish) "to better reflect really the loss that you have when you steal a fish out of the ecosystem," said Gina Hunt, deputy director of the fishery service for DNR.

It may seem ironic that Judge Clyburn is responsible for increasing fines for rockfish violations. He is, after all, widely known as an avid fisherman and his prey of choice is ... rockfish.

"I basically worship rockfish," Judge Clyburn said, who started fishing at the age of five. "I grew up on a farm. I fished every day except Sundays." He believes that his passion for fishing has helped make him more aware of the importance of protecting Maryland's natural resources—not just for sportsmen but also for the many people who make their living from the land and water.

"The Chesapeake Bay plays a vital role for the entire state. It's considered one of the economic engines of the state of Maryland," Judge Clyburn said. The DNR is the lead agency in Maryland's effort to restore the Chesapeake Bay, the state's number one environmental priority. The DNR manages nearly one-half million acres of public lands, as well as the state's waterways, forests, fisheries and wildlife. "These are resources held for all Marylanders. Everyone benefits from having a better ecosystem, more sustainable fisheries, and enforcement of our natural resources laws," Hunt said.



Chief Judge Ben C. Clyburn. This photo has been enhanced, with the Chief Judge's permission, to illustrate a prize catch.

