

**MARYLAND STATE BAR ASSOCIATION  
BOARD OF GOVERNORS COMMITTEE MINUTES  
TUESDAY, JANUARY 19, 2010  
CHIAPARELLIS RESTAURANT  
237 S. HIGH STREET  
BALTIMORE, MARYLAND 21202  
5:30 P.M.**

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President Thomas C. Cardaro called the meeting to order at 5:30 p.m. There were 37 Board Members present as well as the Parliamentarian and 4 Executive Staff.

**I. MINUTES**

The minutes of the last Board of Governors meeting held on December 15, 2009 were approved as submitted.

**II. REPORT OF THE OFFICERS**

**A. REPORT OF THE PRESIDENT**

1. President Thomas C. Cardaro referred the Board to various materials in the Board's handout, including, an article on upcoming appointments to the Maryland Federal Bench, an article on the fiscal affairs of the Maryland Office of the Public Defender, and an article on Attorney General Douglas Gansler's proposal to end contested Circuit Court elections. President Cardaro also discussed a letter received from the Honorable Lynne J. Battaglia of the Court of Appeals of Maryland regarding mandatory continuing legal education.

2. President Cardaro reported on the ongoing search for a replacement for retiring Bar Counsel, Melvin Hirshman, and a request received from Assistant Deputy Bar Counsel, Glenn M. Grossman, for an endorsement from the Maryland State Bar Association. President Cardaro also reported that the Attorney Grievance Commission Chairman has advised that the identities of applicants for the Bar Counsel position are confidential under state law and therefore cannot be disclosed to the MSBA. Upon motion it was decided that President Cardaro would send a letter to Chief Judge Bell requesting that all applicants be advised of their opportunity to contact the Maryland State Bar Association regarding their applications. A motion to endorse Mr. Grossman as highly qualified for the position on behalf of the Maryland State Bar Association was postponed pending the response from Judge Bell to President Cardaro's letter.

3. President Cardaro next introduced Dean Phoebe Haddon, from the University of Maryland School of Law. Dean Haddon spoke briefly about her vision for the University of Maryland School of Law and strategic planning concepts being implemented at the School of Law.

4. President Cardaro addressed a resolution of the Delivery of Legal Services Section Council which supported proposed legislation increasing filing fee surcharges to fund public service legal activities in Maryland. President Cardaro reported that the Executive Committee of the MSBA supports a leadership role of the MSBA in finding funding solutions for public service law in Maryland and that the MSBA would consider legislation on the topic when it is filed. President Cardaro also reported on a resolution submitted by a member of the Board of Governors regarding the Health Claims Alternative Dispute Resolution Office. The resolution has been forwarded to the Litigation Section and the Negligence, Insurance and Workers Compensation Section for comment and the resolution will be considered in the February Board of Governors meeting.

#### **B. REPORT OF THE EXECUTIVE DIRECTOR**

1. Executive Director Paul V. Carlin advised the Board of the upcoming dinner meeting with the Chief Judges and Law School Deans set for January 26, 2010.

2. Mr. Carlin presented the membership report indicating that the MSBA currently has 24,345 members.

3. Honorary membership was approved for Richard R. Tighe.

4. The Executive Director reported on MICPEL, including a business plan initiated by MICPEL to raise funds which was not successful, and the possibility of MICPEL's finances worsening. Mr. Carlin also reported that the MICPEL Board of Trustees would meet January 27, 2010, perhaps to decide on its long term future. Marshall Paul has agreed to advise the MSBA on the impact of the potential dissolution of MICPEL on the MSBA. Upon motion the Board authorized the creation of a multi-disciplinary committee appointed by President Cardaro, to address these issues.

5. Mr. Carlin reported that the membership of the Construction Law Committee had reached 41, and that they continued to work towards establishment of a Construction Law Section.

#### **C. REPORT OF THE SECRETARY**

Secretary Henry E. Dugan, Jr. reported that there had been an Executive Committee held on January 5, 2010 and that the Executive Committee had discussed the issues being presented to the Board of Governors. Secretary Dugan also reported on the efforts of the Executive Committee to streamline and organize the presentations of issues to the Board of Governors.

#### **D. REPORT OF THE TREASURER**

1. Treasurer John P. Kudel reported that year-to-date MSBA dues income was \$2,710,098.00 which was just 3% short of projected dues income for the entire year, resulting in a budgeted but not yet expended amount of approximately \$1,641,000.00.

**E. REPORT OF THE PRESIDENT ELECT**

1. President Elect Thomas D. Murphy noted that the Minutes of the meeting were being taken for the first time by Secretary Nominee Michael J. Baxter.

**III. REPORTS OF STANDING COMMITTEES**

1. Paul Ethridge, Chair of the Committee on Laws reported that the Committee on Laws had met and had considered several prefiled bills, including House Bill 106, which proposed increasing the surcharge on civil filing fees to improve funding for the Maryland Legal Services Corporation Fund. The Committee on Laws recommends support of that bill and creation of an MSBA and/or Legislative task force to study ways to find more permanent funding sources for public legal services in Maryland. The Committee on Laws also recommended opposition of two bills including House Bill 24 and House 60. The recommendations of the Committee on Laws, constituting a motion, were approved by the Board with Kathy Howard and Stanford Gann abstaining.

**IV. REPORTS OF SPECIAL COMMITTEES - NONE**

**V. REPORTS OF SECTIONS - NONE**

**VI. UNFINISHED BUSINESS & GENERAL ORDERS - NONE**

**VII. NEW BUSINESS**

1. Richard Montgomery, Director of Legislative Relations reported on ongoing efforts to protect the Real Property Fund from withdrawals in order to balance the state budget.

2. Sharon Goldsmith, Executive Director of the Pro Bono Resource Center, reported on activities of the PBRC and on Maryland lawyer pro bono reporting. She noted that over 99% of the Maryland lawyers submitted pro bono reports and that approximately 60% of full time Maryland lawyers rendered pro bono services during the past year.

3. Jason Hessler, Chair of the Young Lawyers Section, reported on the upcoming Polar Bear Plunge benefitting the Maryland Special Olympics in which the MSBA Young Lawyers Section is involved. The "Plunge" is scheduled for January 30, 2010 and all are encouraged to support the event.

**VIII. ANNOUNCEMENTS**

**IX. ADJOURNMENT**

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Michael J. Baxter  
Assistant to the Secretary

