

**MARYLAND STATE BAR ASSOCIATION  
BOARD OF GOVERNORS MEETING MINUTES  
DECEMBER 21, 2010  
SENATE CHAMBERS STATE HOUSE  
STATE HOUSE CIRCLE  
ANNAPOLIS, MARYLAND**

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President Thomas D. Murphy called the meeting to order at 5:40 p.m. Thirty three (33) members of the Board of Governors were present.

**I. NEW BUSINESS**

Chief Judge Peter B. Krauser of the Court of Special Appeals of Maryland addressed the Board of Governors regarding recent changes at the Court of Special Appeals. In an effort to expedite the issuance of opinions each judge on the Court now has an assigned staff attorney. In addition, the Court is now emailing opinions and working on electronic filing of briefs. Other ongoing projects include the preparation of a manual for *pro se* litigants and the very successful mediation program. Chief Judge Krauser also addressed the practice of issuing full opinions and the rule prohibiting the citation of unpublished opinions. Chief Judge Krauser noted that the Court of Special Appeals currently has two open seats given the retirement of Judge Arrie W. Davis and the elevation of Judge Ellen L. Hollander to the United States District Court for the Northern District of Maryland.

**II. MINUTES**

The minutes of the last Board of Governors meeting held on November 23, 2010 at Bar Headquarters in Baltimore, Maryland were approved as presented.

**III. REPORT OF THE OFFICERS**

**A. REPORT OF THE PRESIDENT**

1. President Murphy reported on various recent developments, including the Maryland Peoples' Law Library release of a redesigned website, the appointment of David Rice to the U.S Bankruptcy Court, ongoing state and federal judicial appointment and election activities, and new Maryland traffic court procedures.
2. President Murphy reported on new federal laws which exempts attorneys from the FTC Red Flag Rule as well as providing FDIC protection for IOLTA accounts. Both laws have been signed by President Obama.
3. President Murphy reported on the Professionalism Commission's

Mentoring Program for new admittees, which was announced to new admittees at their recent admission ceremony.

4. President Murphy noted an upcoming fund raiser for a newly elected member of the Circuit Court of Maryland for Anne Arundel County and media reports regarding it.
5. President Murphy advised the Board of Governors of the recent inquiry by Chief Judge Robert B. Bell of the Court of Appeals to the Rules Committee as to its authority to change the common law on contributory negligence.
6. President Murphy reported that the final version of a survey on mandatory continuing legal education has been released after the MSBA submitted comments. The survey, to be submitted to all Maryland lawyers, was first proposed by President Murphy at the annual meeting of the MSBA in Ocean City in June 2010 and was approved by the Court of Appeals.

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

1. Mr. Carlin provided historical perspective on the venue of the Board of Governors meeting, the Maryland State House, including that it is the oldest State House in continuous use in the United States, and that it previously housed the Maryland Court of Appeals.
2. Mr. Carlin provided the membership report, including nine resignations, one deceased member, 14 new members, and 13 reinstatements, resulting in a current membership of 23,424 members. In addition the Board of Governors approved honorary membership status for Robert H. Reinhart of LaVale, Maryland.
3. Mr. Carlin requested an extension of the dues deadline to February 28, 2011 to allow additional time to achieve budgeted dues revenue. A motion to that effect was duly seconded and approved.
4. Mr. Carlin reported on two proposed new membership benefits: Infinite Conferencing, which would provide favorable rates for video and telephone conferencing for MSBA members, and Easy Soft legal software, which is offering a 10% discount to MSBA members and a sponsorship payment to the MSBA. Both benefits were approved by motion duly seconded and passed.
5. Mr. Carlin reported on the Young Lawyers Section's creation of an electronic version of the booklet on the Maryland Rules of Professional Conduct for new admittees. Lexis had previously produced the booklet

and had proposed increasing its charges substantially. The Young Lawyer Section's was thanked for its valuable contribution.

6. Mr. Carlin reported that MICPEL has signed over to the MSBA the various rights to royalties it had secured, and that the MSBA is now seeking assignment of all intellectual property rights held by MICPEL. Mr. Carlin also reported that the In Reach computer service for on-line purchase of legal education materials is now profitable.
7. Mr. Carlin reported that with the Professionalism Commission's assumption of responsibility for the Professionalism Course, the MSBA has now concluded its administration of the course, including all attendant financial responsibility.
8. Mr. Carlin concluded his report with a stirring rendition of the Beatles classic, "When I'm Sixty Four," in honor of President Murphy's 64<sup>th</sup> birthday. A good time was had by all.

**C. REPORT OF THE SECRETARY**

Secretary Michael J. Baxter reported that the materials discussed at this Board meeting had been previously reviewed at a prior Executive Committee meeting.

**D. REPORT OF THE TREASURER**

Treasurer John P. Kudel reported that the MSBA is on target to meet budget with year-to-date dues income of approximately \$2.6 million, representing 97% of the budgeted amount, and a budgeted but not yet expended amount of \$2,029,000.

**IV. EXECUTIVE SESSION**

The Board of Governors then went into executive session to conduct the election of officers for the upcoming year. Governor Arthur Schneider nominated current Treasurer John Patrick Kudel for the President-elect position. The nomination was accepted by unanimous vote of the Board of Governors. Past President Robert Gonzales nominated Deborah G. Schubert for the Treasurer position, and that nomination was accepted by unanimous vote of the Board of Governors. The Honorable Pamela J. Brown nominated current Secretary Michael J. Baxter for the Secretary position. That nomination was accepted by unanimous vote of the Board of Governors.

**V. ADJOURNMENT -** The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

*Michael J. Baxter*

Michael J. Baxter  
Secretary

