



The Anne Arundel County BARRISTER

The Newsletter of the Anne Arundel Bar Association

May 2009

Dates to remember

May 2

Barristers' Ball & Silent Auction

Chartwell Country Club
Severna Park

May 15

AABA ADR Committee

49 West St. Cafe
8:30 am

May 17

AABA Tailgate at the NCAA Div. I Men's Lacrosse Quarterfinals

Navy Marine Corps Stadium, Annapolis
See enclosed flyer for details

May 19

AABA Family Law Meeting

Attorneys' Lounge
Circuit Courthouse
5:00 pm

May 20

AABA Board of Trustees Meeting

Attorneys' Lounge
Circuit Courthouse
5:00 pm

May 29

AACBF Annual Spring Golf Tournament

Compass Pointe
See enclosed flyer for details



For meeting details, visit
www.aabar.org

Law Day celebrates Lincoln's Bicentennial

On Feb. 12, 1809, Abraham Lincoln was born in a one-room log cabin in southeast Kentucky. On May 1, 2009, the AABA, along with other local and state bar associations across the country,

President's Message
by Jonathan P. Kagan

will celebrate Law Day with a theme, "A Legacy of Liberty – Celebrating Lincoln's Bicentennial." This year marks the bicentennial of the birth of Abraham Lincoln who is regarded by many as our nation's greatest and most eloquent President. Lincoln devoted much of his adult life to the practice of law and was the quintessential American lawyer – President.

Law Day was established in 1958 by President Dwight D. Eisenhower as a national day set aside to celebrate the rule of law and how the legal system is essential to the freedoms that all Americans share. In 1968, May 1 was designated by joint resolution of Congress as the official day for celebrating Law Day.

This year, Gloria Wilson-Shelton, the Chair of the Community Services Division and the Law Day Committee, leads a team of more than 40 volunteer lawyers and judges into elementary, middle, and high schools

across Anne Arundel County to discuss the life and legacy of President Lincoln. While the Law Day presentations will certainly focus on the Emancipation Proclamation and the Gettysburg Address, the pre-

senters also will have an opportunity to highlight President Lincoln's legal career and influence the law had on his legacy. Like many of our Presidents, Lincoln had a long legal career before taking office. Barack Obama as our 44th President is the 26th lawyer – President. Admitted to the bar in 1836, Lincoln practiced law for nearly 25 years trying more than 5,000 cases and frequently arguing before the Illinois Supreme Court and once before the U.S. Supreme Court.

Lincoln's most well-known criminal trial was in 1858, when he defended Duff Armstrong on



Continued on page 4

Bar Foundation Spring Golf Tournament

Sign up now for the Annual Anne Arundel County Bar Foundation Golf Tournament, May 29 at Compass Pointe. See the enclosed flyer for details.

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The Barrister

Anne Arundel Bar Association

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Practice Notes...

Compiled by Hon. Philip Caroom


SPECIAL
TRAFFIC
EDITION

Traffic - boulevard rule - skateboards - last clear chance: The Court of Special Appeals (CSA) holds here that a skateboard is a vehicle within the meaning of traffic statutes. Accordingly, the trial court properly granted summary judgment finding deceased skateboarder negligent and denying applicability of last clear chance as a matter of law. Wooldridge v. Price, – Md. App. – (3/5/09).

Traffic - boulevard rule - a creeping exception: The Court of Appeals (CA) here recognizes an exception to the boulevard rule under certain circumstances – where a parked car blocked the disfavored driver's view of the intersection, he should not be presumed negligent due to creeping forward to get a better view. "We think the instant case presents one of those rare instances in which the conduct of the favored driver was properly subject to a jury's determination of its reasonableness and prudence under the circumstances." Grady v. Brown, – Md. – (4/7/09).

Traffic - driving revoked - no license: Reversing prior caselaw, the CA here holds that a driver cannot be convicted of driving with privilege revoked if he never was licensed. State v. Sullivan, – Md. – (3/9/09).

Traffic - nonemergency police accident - no immunity: A county police officer who ran a red light, causing an injury, was not entitled to immunity as he might have been if causing the accident during emergency duty. Prince George's County v. Brent, – Md. App. – (3/27/09).

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. Philip Caroom, Court House, P.O. Box 2395, Annapolis, Md. 21404 or by email to ctcaro44@aacounty.org. 

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Top 10 Reasons I Did Not Become a Doctor

Bar Weekend participants had a lot of fun

After lengthy analysis and intense scrutiny of the hundreds of answers submitted by Bar Weekend participants March 13-15 at Nemaquin, Pa., the Bar Weekend Shenanigans Committee decided on the following "Top 10 Reasons I Did Not Become A Doctor":

10. Because then I would realize that Grey's Anatomy is really fake. (Stacey Rice)
9. College lab courses conflicted with nap time and lacrosse practice. (Darren Burns)
8. Because I wanted to be a member of the AABA. (Eileen Powers)
7. It would make my parents happy. (Teju Rau)
6. Mistaken impression that doctors work

longer hours and make less money. (Darren Burns)

5. Naked old people, naked fat people, and puss. (Bill Roessler)

4. Hands not blessed by God. (Dan Melin)

3. There was that incident with the corpse.... (Teju Rau)

2. Scrubs are so unflattering. (Eileen Powers)

And, the NUMBER 1 reason I Did Not Become A Doctor is.....

1. The vicious doctor jokes! Who needs all that negativity?! (Darren Burns)

The winning submissions were read at the Sunday Morning Farewell Breakfast. ■

"College lab courses conflicted with nap time and lacrosse practice."

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President's Message...

Continued from page 1

Regarding the role of lawyers, Lincoln is quoted as saying to his peers to "resolve to be honest at all event; and if in your own judgment you cannot be an honest lawyer, resolve to be honest without being a lawyer."

charges of murder. Lincoln demonstrated his skills as a creative trial attorney by utilizing the rule for judicial notice to cross-examine the prosecution's key witness. After the witness testified to having clearly seen Lincoln's client commit the crime with the moonlight overhead, Lincoln produced a Farmer's Almanac to show that the moon on that date was at such a low angle that it could not have produced enough light to see anything clearly. Based on this evidence, the defendant was acquitted.

As an attorney and throughout his political career "Honest Abe" was known for his truthfulness and integrity. Lincoln was adamant about defending the integrity of the legal profession and he asserted that, "There is a vague popular belief that lawyers are necessarily dishonest." Regarding the role of lawyers, Lincoln is quoted as saying to his peers to "resolve to be honest

at all event; and if in your own judgment you cannot be an honest lawyer, resolve to be honest without being a lawyer."

The legal profession has come a long way in the last 150 years since Lincoln defended the integrity of the profession. Perceptions, however, still exist in the recent past that in today's society lawyers are dishonest and overpaid. (See survey conducted by Columbia Law School published April 2002). While respondents were distrustful, a majority thought lawyers perform a beneficial role in society. An analysis of the Columbia Law survey and the root cause of the sometimes negative image of the legal profession in our society is a complex debate beyond the scope of this article. Many commentators believe that the cause of this distrustful image may not be based on actual experiences with lawyers in the legal

Continued on page 5



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- Quoted from *Smith v. Continental Casualty Co.*,
289 F.Supp.2D 706 (D. Md. 2003)

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President's Message ...

Continued from page 3

process but the public's distrust of the law itself.

For example, many citizens do not understand the exclusionary rule, whereby key evidence of a crime may have to be suppressed and excluded from trial if it was the result of an illegal search and seizure. With so many loopholes and technicalities in the law, it is easy to understand how a portion of the public could come to distrust the law – and, thus, the lawyers whose job it is to see that those laws are followed.

Although anti-lawyer sentiment has existed since the times of Lincoln, we, as attorneys, can only strive to continue to set and abide by the highest ethical standards (much like Lincoln did). Law Day provides our profession the opportunity to reach out into the community and highlight the benefits of the profession as part of the rule of law in our society. Special thanks to the Law Day Committee and all volunteer lawyers and judges for taking part in this most important effort. 

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Homeless Support Services Day

*AABA lends a hand
Annapolis High School
Saturday, March 28*

Left: AABA President Jonathan Kagan, Administrative Law Judge Dan Andrews and Anita Bailey from the Legal Aid Bureau were on hand to lend support.

Tailgate at the NCAA Division I Men's Lacrosse Quarterfinals May 17, 2009, Noon, at the Naval Academy Stadium

The New Lawyers Committee will host a Tailgate at the two Quarterfinal Games (3:00 and 5:00 p.m.) The teams have not yet been announced.

Cost: \$25/person includes: game ticket, barbecue from Adams Ribs w/beer & soft drinks before and after the game. Children under 3: Free to the game and Tailgate. Children 3 - 18: Free to the Tailgate, ticket price \$10

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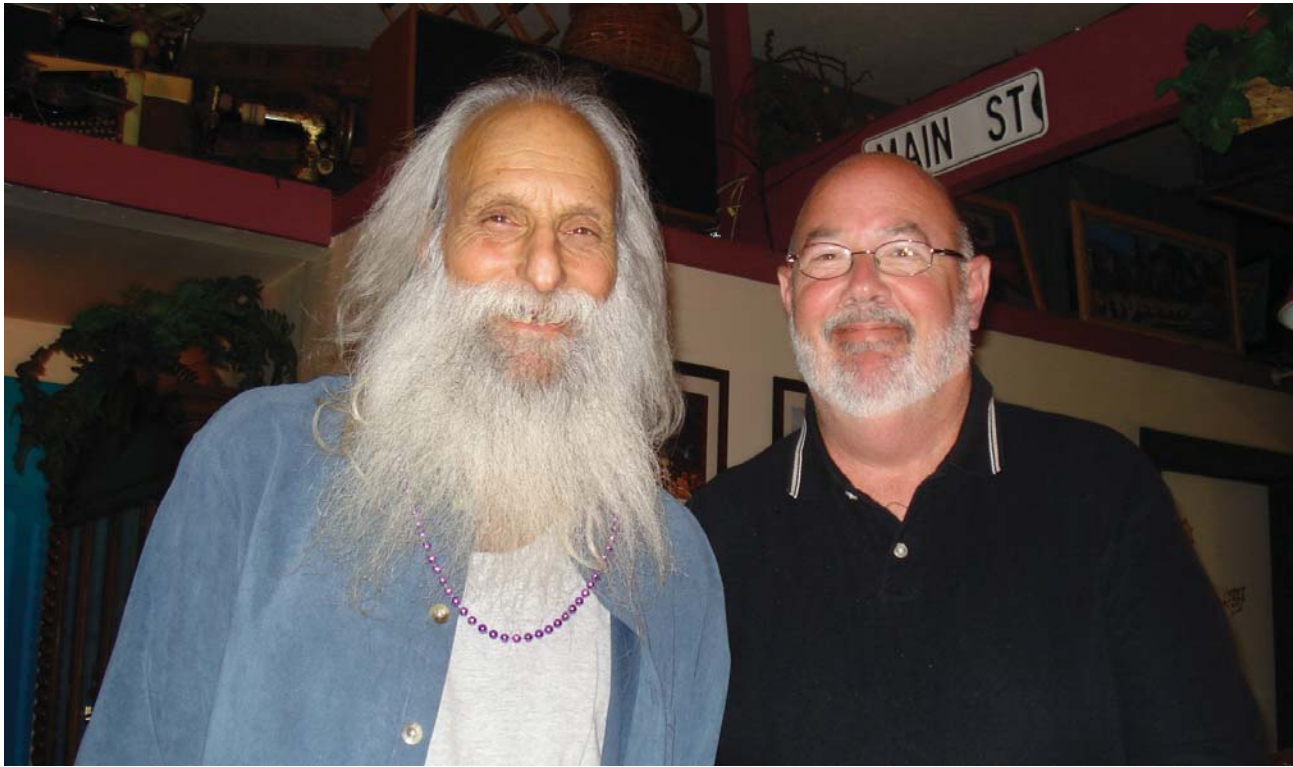
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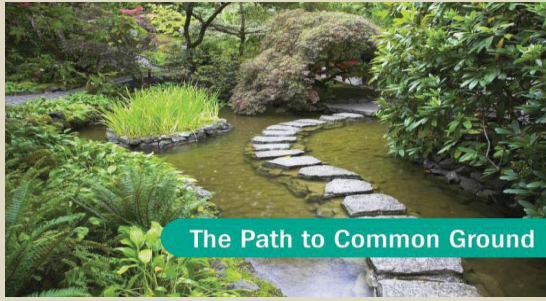
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The following applications were approved for membership in the AABA at the February Board of Trustees meeting:

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NSA, CIA, DOD/DOHA, & MILITARY SECURITY CLEARANCE APPEALS: Representation of federal employees, contractors and military personnel facing denial or revocation of security clearances or SCI access. Pre-application counseling and security questionnaire preparation assistance. Company security officer briefings by former Intelligence Community officer & instructor. Mark F. Riley, Esq., 410-280-9615, www.SecurityClearanceAppeals.com

POLYGRAPH EXAMINATIONS: Criminal/civil /pre-employment, APA/MPA Certified. Retired M.S.P. Kelley Investigative Security Services. 410-778-0531 or 410-708-3330.

C.P.A. - Clients with back taxes, delinquent tax returns, audits and other IRS problems. MYOB and Quickbooks support. Call J.E. Leanos & Co., CPA's, 410-269-6640.

BILLING/BOOKKEEPING: PCLaw, Quickbooks, Amicus Attorney and more. Flexible, experienced, on/off site. Call DataSure at 410-271-3976.

ADOPTION: Available to consult, assist in, and handle referrals in all types of adoptions. John Greene, Annapolis, 410-268-4500. www.families thru adoption.com

ECONOMIST: Lost income for personal injury, wrongful death, employment and discrimination cases. Valuations of small businesses and pensions for divorce and contract disputes. University Professor with extensive experience. Dr. Richard B. Edelman, 8515 Whittier Blvd, Bethesda, MD 20817. 301-469-9575 or 1-800-257-8626. Visit www.economic-analysis.com. VISA/MC.

INTELLECTUAL PROPERTY: Questions about Copyrights, Trademarks, Patents & Trade Secrets answered at www.copyrights-attorney.com or contact Douglas Clark Hollmann--LawEur@aol.com--410-263-6161--116 Cathedral St., Ste. D, Annapolis, MD 21401 -- admitted MD, NY & DC State & Federal Courts.

APPEALS: Court of Appeals, Court of Special Appeals, circuit courts and administrative agencies. Brief writing - oral argument. Unbundled services and appellate consulting. Teri Spradlin-Dahn at Rifkin, Livingston, Levitan & Silver, LLC, 225 Duke of Gloucester, Annapolis. 410-269-5066.

EXPERT WITNESS AND LITIGATION Support Services: Over 30 years experience in business, commercial and taxation matters. John P. McKim, Certified Public Accountant/Accredited Business Valuation 410-263-1204.

NATIONAL SECURITY, CLEARANCE APPEALS and Federal Contracts Matters. Representation of Clients in matters involving NSA and the Intelligence and Defense Communities including defense of security clearance/SCI revocation or denial; adverse personnel actions; Foreign Ownership, Control or Influence (FOCI) issues; Inspector General investigations; new business startup; and business issues. Contact Dennis J. Sysko, Esquire at 410-768-9300 or djsysko@henault-sysko.com.