

# Justice Matters

A publication from the Maryland Judiciary

Vol. 11, Issue 1 May 2007

## "Quiet" Session Yields Some Successes for Judiciary

by Suzanne Delaney, Esq.

Just as the spring foliage made its entry into Annapolis, legislators made their exit from the halls of the Maryland General Assembly and reappeared in their districts throughout the state. While compared to the last two sessions—the 2007 session of the Maryland General Assembly was fairly quiet for the courts—the Judiciary did have some success.

In addressing the successes, Judge William D. Missouri, chair of

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photo courtesy of Governor's Photo Office

Governor Martin O'Malley signs the e-citation bill SB 587/HB 459.

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## Legislation and State Courts

Chief Judge Robert M. Bell testifies at a Congressional hearing on court security with John F. Clark, U.S. Marshall's Service, and Federal Judge David Bryan Sentelle. The Court Security Improvement Act of 2007 would: create a new grant program to assess and enhance state court security; establish state court national incident reporting and threat assessment databases; authorize state courts to apply directly for discretionary federal funding; and ensure that state courts are consulted in the planning for disbursement of federal funds to state executive agencies.



photo courtesy of the National Center for State Courts

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## District 4 NAWJ Honors Court of Appeals Judge Irma S. Raker

by Hon. Marcella A. Holland

The Maryland Chapter of the National Association of Women Judges (NAWJ) hosted its District 4 conference March 16-18 at the Hyatt in Cambridge. The highlight of the conference for Maryland attendees was the presentation of the Lady Justice Award to Judge Irma S. Raker of the Maryland Court of Appeals. The award was given in recognition of not only her years of service as a judge, but also her consistent support of issues important to women in general and women judges in particular. The award was presented by Maryland Chapter President Cathy Serrette, after glowing, insightful remarks from our Chief Judge Robert M. Bell. Conference Chair, Administrative Judge Marcella A. Holland, reports that all attendees had a wonderful time not only at the reception, but during the conference itself, and were especially complimentary in remarks about Saturday's seminar on Judicial Independence, which featured not only Judge Raker, but Judge M. Brooke Murdock, and Bert Brandenburg of the Justice At Stake organization.



photo courtesy Hon. Robert M. Bell

Judge Holland is administrative judge for the Circuit Court for Baltimore.

June 13-15, Clarion Resort, Ocean City

## Joint Bench-Bar Conference

### ■ Wednesday, June 13

- Business meeting (morning)
- Educational sessions for Appellate, Circuit and District Judges (afternoon)
- Reception for all participants and guests (evening)

### ■ Thursday, June 14

- Joint sessions (morning)
- Educational sessions for judges (afternoon)

### ■ Friday June 15

- Joint sessions
- Judicial education topics include**  
 roles of children's attorney ■ recent notable decisions ■ drug treatment courts ■ e-citations ■ legislative summary ■ ASTAR ■ gangs in Maryland ■ credit card disputes

# Judges Who Mentor Make a “Meaningful Difference”

*There are many judges who share their time, talent, and experience to help others. The following are examples of judges who mentor young people who are interested in law as a career.*

Judge Clayton Greene, Jr., of the Maryland Court of Appeals mentors a student who is finishing the 10th grade at a public high school in Anne Arundel County. “For more than 25 years, I have volunteered as a guest lecturer to students in large groups at various public and parochial schools throughout the state, but I found it increasingly difficult to make a meaningful difference that way because there was no follow-up or one-on-one interaction with students. So, I decided to try a different approach,” he said. In 2005, he asked community leaders in his hometown of Freetown to identify students who were interested in law or law enforcement. He made several calls to students. Julian, then in eighth grade, followed up enthusiastically, proclaiming that, “I want to be a lawyer.”

“I started by talking with him one-on-one and then with his guidance counselor,” Judge Greene says. “Julian is so very talented, in so many ways—he is gifted musically, he plays piano, and sings in the church and school choirs. In addition, he is a youth minister at his church, and he possesses amazing oratorical skills. With all this talent, he simply needed some direction, helpful suggestions about focusing and prioritizing to achieve his goals.” Their early discussions began with an analysis of Julian’s grades and what he thought his teachers expected of him. Afterwards, Judge Greene encouraged Julian to meet with his teachers and come to a clear understanding of what he needed to do in order to improve his grades. “He was an A-B-C-D student. Now, Julian is earning straight A’s with a 4.6 GPA. Also, he takes AP and college prep honors courses, and he is active in student government.”



photo by Molly Kalifut

Judge Greene stays in touch with his mentee by phone.

At times, they meet in person, especially in the summer, but their main contact is by phone. “He calls me at least two times a month—he is very good about that,” Judge Greene said. “Any question he has, he knows he can contact me, at the office or at home.” Judge Greene has introduced Julian to a new world. Last summer, at Judge Greene’s urging, Julian agreed to attend the Maryland State Bar-CLREP program at the University of Maryland School of Law. Further, to expose Julian to legal concepts, this summer, Judge Greene encouraged Julian to apply for a job working in a local law firm. He applied for and was offered a job this summer with the Annapolis law firm of Hillman, Brown, and Darrow.

“Mentoring can be a lifetime commitment,” Judge Greene said. “In many respects, it is like raising another child, being available, accessible, and supportive. I look forward to his high school graduation, college, and law school.” According to Judge Greene, “Julian is on a clear path to realizing his dream of becoming a lawyer.”

Prince George’s County District Judge Jean Szekeres Baron met Sha’Donna Clagett five years ago by chance, and was immediately drawn to her determination. “She had her undergraduate degree and really, really wanted to go to law school,” Judge Baron recalled. Clagett was working at a law firm, but needed help and guidance with the next step.

“We went through the application process together, she was accepted at Howard, and then we went through law school together. Throughout, we have talked about what courses to take, what summer jobs would be beneficial, and I offered encouragement when needed, especially during the first, bumpy year at law school.”

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# ASTAR Judges Learn

by Hon. Glenn T. Harrell, Jr.

*The ASTAR program provides a high-level scientific, technological, and medical curriculum to trial court judges to better equip them to understand and preside over cases that involve such issues.*

The cadre of 23 Maryland judges who completed the first phase of training conducted by the Advanced Science and Technology Adjudication Resource (ASTAR) project visited the Lawrence Berkeley National Laboratory in Berkeley, Calif., last month. The five-day conference hosted by the National Lab was the first training event of the project's Platform B, the advanced level of instruction contemplated by ASTAR. The judges heard addresses by Nobel Laureates Dr. Steven Chu (Applied Physics, 1997), the current director of the lab, and Dr. George Smoot (Physics, 2006), the discoverer of the "Big Bang" theory, and were instructed by resident scientists in the areas of nanotechnology, synthetic biology and environmental bio-remediation.

Highlights of the visit included guided tours of the Molecular Foundry, where much of the nanotechnology and molecular biology research takes place, and the Advanced Light Source (ALS), where highly intense light beams are produced to aid in scientific and technological research. The light generated at the ALS in the X-ray region of the electromagnetic spectrum is one billion (with a "b") times

brighter than that generated by the sun. The Advanced Light Source is housed where Dr. Ernest O. Lawrence, the founder of the lab, built his 184-inch cyclotron, an advanced version of his first cyclotron for which he received the Nobel Prize in Physics in 1939. The ALS currently operates the world's first third-generation synchrotron light source in its energy range, making previously impossible studies possible.

The judges returned to Maryland with a greater understanding of cutting-edge scientific theory and the newest technologies associated with these theories. Such theories and technologies include the ability, at least in a laboratory environment, to genetically engineer microorganisms that can clean up environmental contamination, and the identification of new characteristics of a substance at the nano (very small) level that are different from the characteristics displayed by the same substance at the natural (or macro) level. As a result, the judges further sharpened their skills and abilities to act as both trier of fact and of the law in cases presenting science and technology issues that may come before them.

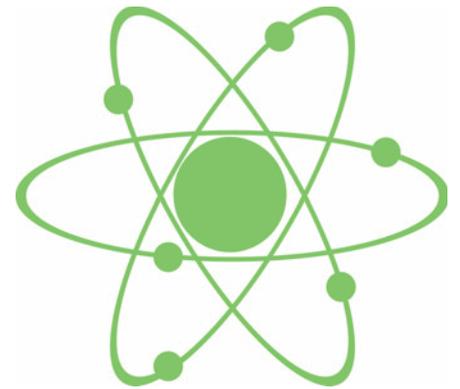
**Judge Harrell of the Court of Appeals serves as an ASTAR leadership director.**



# about Nanotechnology



photo courtesy of Hon. Paul A. Hackner



Unless noted, all photos by  
Hon. Robert M. Bell



# Quiet Session Yields

(continued from page 1)

the Judicial Conference Legislative Committee said, “The first session of a new term of the General Assembly is always uniquely challenging. We are not only working on issues, but are also educating new legislators about the Judiciary and the work we do.”

Included in those successes were the expansion of the Eastern Shore truancy program to Prince George’s and Harford counties, passage of Judicial Conference legislation regarding e-recording, expungement, and jury selection and service, but most notably, was passage of e-citation legislation spearheaded by Judge Ben C. Clyburn, Chief Judge of the District Court (see below for brief legislative summaries). “It is a rarity that such a comprehensive and novel proposal involving so many stakeholders is introduced and passed in one session. Kudos to Judge Clyburn,” said Chief Judge Robert M. Bell of the Maryland Court of Appeals.

“We worked hard last summer to pull together all the stakeholders, from law enforcement to transportation agencies to the legal community, to articulate and resolve collaboratively all potential obstacles, and to educate the players and garner widespread support,” Judge Clyburn said.

“In addition, the Judicial Conference Legislative Committee once again did an excellent job of representing our interests downtown,” Judge Bell said. “The committee works hard each session and is particularly sensitive to our role and limitations in the process,” he said.

While most of the talk during this year’s session of the Maryland General Assembly was about the anticipated structural deficit next year, the Judiciary received a modest budget increase and some bills of interest did pass. Overall, the 2008 operating budget allocated to the Judiciary this year is \$390,310,702. This is an increase of \$12,885,204 over the 2007 appropriation. In addition to the operating budget and despite mounting state fiscal concerns, the District Court was

successful in procuring capital funds for a new District Court location in Catonsville.

The following is the status of the Judiciary’s legislative package for 2007 and other bills of interest:

## Court-Related Bills that Were Passed by the General Assembly

### **SB 587/HB 459 - District Court - Citations (Judicial Conference Legislation) - Chapter 605**

This legislation authorizes the issuance of a traffic citation in an electronic format. This legislation provides the option of eliminating the citizen signature requirement on an electronic citation. Allowing citations to be filed electronically will save time, paper, and staff resources for police agencies and the court. In addition, e-citations will provide a more legible, and therefore, more accurate record of alleged offenses and information to citizens and the court. Further, officer safety will be greatly enhanced with the conversion of paper citations to electronic traffic citations.

### **SB 299/HB 278 - Expungement - Civil Offenses or Infractions (Judicial Conference Legislation) - Chapter 388**

This bill provides that a person who has been charged with a civil offense or infraction, except a juvenile offense, as a substitute for a criminal charge, may file a petition for expungement under the same circumstances as someone

charged with a crime. This legislation also applies retroactively to individuals charged with civil offenses or infractions occurring on or before the bill’s effective date.

### **SB 143/HB 331 - Real Property - Electronic Recording Pilot Program (Judicial Conference Legislation) - Chapter 234**

This legislation authorizes the Administrative Office of the Courts to establish a pilot pro-



# Some Successes, from page 1

gram for electronic recording of land record instruments, to be governed by Maryland Rule 16-307. The program may waive or modify any method, procedure, or clerical or technical requirement for recording or indexing. The program will be paid for by the Circuit Court Real Property Records Improvement Fund.

## **SB 142/HB 302 - Jury Selection and Service (Judicial Conference Legislation) - Chapter 13**

This legislation makes a few administrative and stylistic changes to the comprehensive jury legislation passed in the 2006 legislative session. These changes include additional fields on the juror qualification form, altering limitations on frequency of jury service to include service on a grand jury and changing references to postponement of service to rescheduling of service.

## **SB 413/HB 930 - Jessica's Law - Sexual Offenses - Parole Eligibility and Mandatory Minimum Sentences- Chapter 494 and 495**

This legislation provides that a person at least 18 years old convicted of first or second degree rape or sexual offense where the victim was a child under 13 years old is not eligible for parole while serving the mandatory minimum portion of their sentence.

## **SB 472 - Mental Hygiene Law - Court Records Relating to a Petition for Emergency Evaluation - Confidentiality - Chapter 557**

This legislation makes all court records related to a petition for emergency evaluation of an individual believed to have a mental disorder and who presents a danger to the life or safety of the individual or others is confidential and may not be divulged unless by court order on good cause shown. This does allow for certain exceptions including court personnel, the petitioner, evaluator's counsel, etc.

## **SB 685/HB 337 - Criminal Procedure - Pretrial Release - Posting of Bond Without Appearance of Defendant - Chapter 178**

This bill allows a defendant, after appearing in person before the commissioner or judge in a case, to post bond by means of electronic transmission or hand delivery of documentation without appearing before the commissioner

or judge. This legislation changes the bond posting procedure notwithstanding Maryland Rule 4-217(g), which provides that a bond must be executed and acknowledged by the defendant. The posting of the bond in this manner must be authorized by the county administrative judge, for Circuit Court, or by the Chief Judge of the District Court.

## **SB 1034 - Silver Spring District Courthouse - Renaming - Chapter 302**

This legislation calls for the renaming of the District courthouse in Silver Spring to the Judge L. Leonard Ruben District Courthouse.

## **HB 792 - Suspension of Attorney Licenses - Chapter 256**

This bill alters the definition of "licensing authority" to specifically include the Court of Appeals in provisions authorizing the Child Support Enforcement Administration to require a licensing authority to suspend certain professional licenses for failure to pay child support.

## **HB 1109 - District Court - Amount in Controversy - Chapter 84**

This bill expands the District Court's original civil jurisdiction by increasing the limit on the amount of debt or damages that may be claimed in contract, tort, or attachment before judgment cases from \$25,000 to \$30,000.

## **HB 1325 - Juvenile Law - Truancy Reduction Pilot Programs - Chapter 648**

This bill authorizes the establishment of a Truancy Reduction Pilot Program in the juvenile court in Harford and Prince George's counties and extends the authorization for existing truancy reduction programs in Dorchester, Somerset, Wicomico, and Worcester counties.

## **HB 992 - Drug- Related Offenses - Parole Eligibility for Second Offenders - Vetoed by the governor**

This bill repeals the prohibition against parole applicable to a 10-year mandatory minimum, non suspendable sentence of incarceration for a second-time violation of distributing narcotics or hallucinogens, if the person was not convicted of a crime of violence arising out of the incident that resulted in the mandatory minimum sentence.

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## The Courts in History

# On the Courthouse Lawn

by Hon. Dennis M. Sweeney

*Justice Matters* frequently features Maryland historic courthouses and the unique treasures that can be found in and around these buildings, some of which date back to the early days of Maryland's rich history. However, a recent book by University of Maryland School of Law Professor Sherrilyn A. Ifill discusses another aspect of Maryland courthouse history that is disturbing and thought-provoking for all Marylanders concerned with justice.

In her book, *On the Courthouse Lawn* (Boston: Beacon Press, 2007), Professor Ifill focuses on the lynchings throughout the United States that took the lives of nearly 5,000 black Americans between 1890 and 1960, and more specifically, the lynchings that occurred in Maryland's counties in the first third of the twentieth century. While the Eastern Shore counties produced the most notorious cases—some that stirred national attention—no area of Maryland was immune, and the author notes that 13 of Maryland's counties had at least one lynching during the period she studied.

Professor Ifill examines closely two lynchings. The first is that of George Armwood, who was arrested in 1933 for the alleged assault of a white woman in Somerset County. After his arrest, Armwood was taken to Baltimore to be held there for safekeeping since there was an immediate concern for mob violence. However, the circuit court judge ordered that Armwood be returned to Princess Anne to be kept in the local jail. Predictably, as soon as word of Armwood's return became known, an angry group of white citizens formed outside the jail. The local judge addressed the crowd and later, saying that he saw nothing in the situation to be concerned about, went on to a dinner party. The mob, said by witnesses to number 2,000, proceeded to ram through the jail door, dragged Armwood out, mutilated him, hung him, and then doused his body with gasoline, setting the body on fire in front of the courthouse.

The other case is that of Matthew Williams, a Wicomico County laborer who was accused in 1931 of shooting his white employer over a dispute regarding wages. Williams was himself shot in the incident, and after his arrest, he was

taken to the Peninsula Hospital where he was held in the "Negro Ward" in a straitjacket to prevent his escape. Shortly thereafter, a mob of white citizens assembled at the courthouse in Salisbury, then marched to the hospital and dragged Williams from his bed. He was marched back three blocks to the courthouse while one member of the mob repeatedly stabbed him with an ice pick. After being killed, Williams's body was tied to a lamppost, drenched with gasoline, and set on fire on a corner near the black neighborhood—as one witness explained, "So all the colored people could see him."

Professor Ifill examines the reactions of the various members of the community to these and other Maryland lynchings. She finds that there was a conspiracy of silence and denial by most members of the community, from the local media, to the police, to prosecutors and even to the judiciary. The people in Wicomico County blamed unknown "outsiders" from Somerset County for the Williams killing. In the Armwood case, the suggestion was made that it was all the fault of a few people coming up from Virginia's Eastern Shore. No one was ever prosecuted for these crimes, and the local prosecutors and judges affirmatively undermined efforts by the state government to investigate the events. Discussion of the subject became taboo even in the black community, where it was felt that it was for the best to just go on and avoid the subject of accountability.

This compelling book concludes with the recommendation that the local communities involved must, even several generations later, engage in a process to resolve the "unfinished business" that still divides them. Several truth and reconciliation efforts from around the country and the world are discussed as models to be used in local communities. For people concerned with Maryland and its justice system, *On the Courthouse Lawn* is a sobering lesson about the road that still needs to be traveled to reach our goals.



photo courtesy Sherrilyn A. Ifill

Author Sherrilyn A. Ifill

Judge Sweeney is a Circuit Judge for Howard County.

## What Do They Do?

# Registers of Wills Help with Estates throughout the State

contributed by Hon. Grace G. Connolly, Margaret H. Phipps, and Charlotte K. Cathell



Charlotte K. Cathell



Grace G. Connolly



Margaret H. Phipps

There is a Register of Wills in each county in Maryland and the City of Baltimore. Some have staffs of 30 or more; others are much smaller. Yet, as widespread and diverse as the offices are, they work well together toward common goals and strive for uniformity. (See box for a description of what the Register of Wills does.)

“We try to be as uniform as possible in every office in the state,” explained Charlotte Cathell, Register of Wills for Worcester County. Cathell is in her third four-year term, and has been president of the Maryland Registers of Wills Association for the past three years. “Uniformity throughout the state is one of the association’s main priorities.” That goal is achieved through regular association and committee meetings to examine issues, review duties as defined in the Maryland Code, and develop recommendations to change or update laws regarding the Office of Register of Wills.

“I have spent 21 years in a field I never dreamed of,” said Grace Connolly, Baltimore County’s Register of Wills. She had been a nurse when she learned of a vacancy on the Orphans’ Court in 1986. She was elected and served three terms, the last two as chief judge, before running for Register of Wills 12 years ago. Connolly is now in her third term in office. She found the switch from nursing to be worthwhile. “It’s very rewarding,” she said. “It’s trouble-shooting, helping individuals through a time of pain and crisis.”

Baltimore County is third largest, behind Montgomery and Prince George’s counties, but is first in opening estates—approximately 5,500 last year. “We are a graying community,” Connolly said. “People who live in this county generally stay in this county.” One

of the popular services offered by Register of Wills offices is safekeeping of wills. The fee is \$5, and Connolly notes that more than 85,000 Baltimore County residents have signed up. “I say it’s perhaps the best deal for five bucks that there is,” Connolly said.

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## At a Glance

The Office of Register of Wills is a public office. Each Register—one for each county and the City of Baltimore—is elected to four-year terms, and the elections are held at the same time as the gubernatorial election.

The Register of Wills is responsible for appointing personal representatives to administer decedents’ estates and overseeing the proper and timely administration of these proceedings. They also perform the following duties:

- Assist and advise the public in the preparation of all required forms
- Maintain and preserve the permanent record of all proceedings
- Serve as the clerk to the Orphans’ Court
- Track estates and refer delinquent matters to the court
- Determine and collect inheritance taxes and probate fees/court costs
- Audit accounts of personal representatives and guardians
- Mail various notices and court orders to interested persons
- Verify compliance with court orders

[Compiled from the Registers of Wills Web sites]

# Congratulations

- **Retired St. Mary's County Circuit Judge John Hanson Briscoe** received the Thomas Kennedy Award, given by the House of Delegates' Speaker's Society.
- **Prince George's Circuit Judge William D. Missouri** received the 2006 Distinguished Service Award, one of the highest awards presented by the National Center for State Courts (NCSC). The award is presented annually to a person who has made longstanding contributions to the improvement of the justice system and who has supported the mission of the NCSC.
- **Caroline County Circuit Judge Karen A. Murphy-Jensen** received the Trailblazers Award from the Legal Aid Bureau and its Equal Justice Council. She received the award for her efforts to help low-income people get access to justice at the annual Awards and Recognition Breakfast on May 24.
- **Judge Irma S. Raker of the Court of Appeals** was named as a recipient of the 2007 Margaret Brent Award from the American Bar Association (ABA). Each year, the ABA presents the award to five women lawyers who have achieved professional excellence while influencing other women to pursue legal careers, opening doors for women lawyers in job settings that historically have been closed to them, and advancing opportunities for women within the profession of law. Judge Raker will receive the award at ABA Annual Meeting in California in August.
- **Baltimore Circuit Judge David W. Young** received the 2006 Scripps Howard Foundation-American Bar Association Distinguished Service to Literacy Award in recognition for his commitment to the cause of literacy and Truancy Court. Judge Young was nominated by the University of Baltimore School of Law's Center for Families, Children and the Court. He donated the \$5,000 stipend to the Baltimore City Truancy Court Program.
- **Montgomery County Circuit Judge Marielsa A. Bernard; Baltimore County Circuit Judge Judith C. Ensor; Montgomery County Circuit Judge Ann S. Harrington; Howard County Circuit Judge Diane O. Leasure; Family Administration Executive Director Pamela C. Ortiz; and Baltimore City Circuit Judge Carol E. Smith** were named to the *Daily Record's* 12<sup>th</sup> annual list of "Maryland's Top 100 Women." Judge Bernard and Judge Smith were included on the list for the third time and were therefore named to the "Circle of Excellence" for their sustained achievement.



# Veronica Jones Joins Judiciary as Legal Counsel to Chief Judge

Veronica Jones brings a range of skills and professional experiences to a role that requires flexibility and offers variety. On April 2, she began serving as Legal Counsel to the Chief Judge.

In her new role, Jones will provide support to Chief Judge Bell as well as staff assistance to the Judicial Ethics Committee, the Recalled Judges Study Group, Bail System Task Force and the Council on Jury Use and Management. In addition, she is responsible for handling administrative orders and providing assistance for legislative initiatives. Jones will also respond to questions from the Conference of Circuit Judges and other Judiciary departments and agencies when the questions are in her area of experience or expertise. This variety of duties suits Jones' interests and background well.

"This position has a tremendous amount of work and it is varied in nature. For a lawyer to have that range in your practice is most desirable," Jones said. "I was deeply honored to have been chosen for a position involved in both the legal and the administrative aspects of the Judiciary."

Jones has had a varied career that has uniquely prepared her for her new position. She earned her undergraduate degree in history from Yale University, and was, for a brief stint, a newspaper reporter for the *Kansas City Star* and *Fort Worth Star Telegram*. She moved to Baltimore and later graduated from the University of Maryland School of Law. She was a law clerk for Judge Bell the year before he became the Chief Judge of the Court of Appeals, and then for U.S. District Court Judge Andre M. Davis, which, she said, offered her "further opportunities to develop analytical skills." These experiences also prepared her to become a litigation associate at Venable, Baetjer, and Howard.

Because of her interest in government, fostered by her experience clerking for two judges, she joined the Baltimore City Solicitor's Office in the labor and employment division. Then her husband's career took the family to Arizona and she decided not to practice law. Instead, she

pursued a master's degree in public administration at Northern Arizona University. While completing her postgraduate work, she taught a course on the legal aspects of school administration for teachers who sought to become principals.

When the family moved back to Maryland, Jones had the opportunity to become an administrative law judge, which she described as a "wonderful marriage between being involved in administrative processes and in legal pursuits on a daily basis." Jones added, "I learned a tremendous amount but felt disconnected from the practice of law." She returned to the Baltimore City Solicitor's Office, this time working for Ralph Tyler, who is now Chief Counsel to the Governor, as an assistant city solicitor in the administrative division.

Jones described her professional style as collegial. "I value the opinion of the people I work with and welcome the exchange of information and ideas. I plan to further communication with other offices so that my office is integrated into the life of the Judiciary," Jones said. She hopes to "engage in meaningful dialogue" with her colleagues to advance consistency in the legal advice being provided. For her, fostering good communications is critical.

"Clients need to know how to apply legal guidance. My clients always wanted to know the bottom line," Jones said.

Although she has been on the job for only a couple of months, Jones has some ideas she wants to pursue. Those include developing a regular column in *Justice Matters* about judicial ethics, perhaps by guest columnists, and developing internship opportunities for local law school students. Jones observed that internships would be beneficial for students to better understand the administrative aspects of the Judiciary. At the same time, she explained, the Judiciary would get the benefit of new and more contemporary perspectives.



photo by Molly Kalifut



## News from the Bench

### Appointments

**Hon. Stephen J. Baker**, Cecil County District Court, was appointed administrative judge for District 3 (Caroline, Cecil, Kent, Queen Anne's, and Talbot counties), filling a vacancy created by the retirement of Hon. James McKinney.

### Retirements

**Hon. Sidney S. Campen, Jr.**, Talbot County Circuit Court.

**Hon. James A. Kenney, III**, Court of Special Appeals.

**Hon. James C. McKinney**, Cecil County District Court, administrative judge, District 3.

**Hon. E. Allen Shepherd**, Prince George's Circuit Court.

### In Memoriam

**Hon. Ralph Burnett**, Garrett County District Court since 1993. [Ed.: We will miss our *Justice Matters* editorial board colleague.]

**Hon. James C. Cawood, Jr.**, Circuit Court for Anne Arundel County from 1982-2001.

**Hon. Essom V. Ricks, Jr.**, Anne Arundel District Court from 1994 to 2006.

**Hon. Leonard L. Ruben**, Montgomery County District Court from 1974 to 1983, Montgomery County Circuit Court from 1983 to 1995.

## Helping Matters

*"Helping Matters" profiles Judiciary employees who volunteer in their communities. If you are a volunteer or would like to nominate a fellow employee to be profiled, please write to [cio@mdcourts.gov](mailto:cio@mdcourts.gov) or call (410)260-1488.*

### Neil Moores

**Judiciary title:** Court Information Technology Director, Circuit Court for Baltimore City.

**Volunteers with:** Volunteers in Mission (VIM).

**What he does:** As the Annapolis district VIM coordinator for the United Methodist Church, he helps organize, train, prepare, and send church-sponsored teams to trouble spots throughout the United States and around the world. He also travels on missions as a volunteer himself.

**Destinations include:** Mississippi to provide disaster relief following Hurricane Katrina; West Virginia to help with flood recovery; Bosnia-Herzegovina to help women who have suffered in the recent wars and survived concentration camps; Zimbabwe to help AIDS orphans and communities.

**Why he does it:** "It's a passion for me, not a hobby. There is so much hurt in this world, and you can reach out a hand in friendship, and change perceptions of Americans, of Christians. I see the growth in people and am touched by their personal experiences."

**Fringe benefits:** "You meet the nicest people. I met my wife on a trip to Nicaragua in 2000."

**What to expect:** "Expect a life-changing experience. You should also like rustic living, sleeping on cots, working hard, eating with local families. But you build relationships and break down barriers."



photo courtesy of Neil Moores

# Mentors Make a Difference, from page 3

(continued from page 3)

During Clagett's third year of law school, as she was considering her employment options, Judge Baron encouraged her to apply for a judicial clerkship—and not to wait, but to sit for the Bar immediately after graduation. Clagett passed the Bar and is now completing her year of clerkship with Prince George's County Circuit Judge Sheila Tillerson-Adams. Judge Baron met recently with Clagett to review her resume as she considers her next career move, now as an attorney.

"I couldn't be prouder of her than if she were my own daughter," Judge Baron said. "I've been very impressed with her efforts. I feel so privileged to be able to be there to help her, but Sha'Donna is the one who did it." Now, Judge Baron is in the process of "adopting" another mentee.



photo courtesy of Sha'Donna Clagett

Judge Baron congratulates Clagett at her Howard University law school graduation celebration.

Montgomery County Circuit Judge Katherine D. Savage saw a need for mentors for children in Juvenile Court, both delinquency and CINA. Starting with that idea, she worked with many area agencies, including the Department of Juvenile Services, Child Welfare Services, the Family Division of the Montgomery County Circuit Court, the Montgomery County Council, and the county school system, to develop a mentorship program. "We started talking in the fall of 2004, and by the summer of 2005, we began matching Juvenile Court-involved kids with mentors," Judge Savage said. The program is voluntary—not a condition of probation—and links kids with adults who have promised at least one year's commitment to being a mentor, which includes contact with their mentee several times a month.

Judge Savage said, "The mentors are there as role models: stable adults who want to work with youngsters, not as legal advocates, but helping with things like 'How are you doing your homework? How should you dress for an interview? How do you put together a resume?'"

The program is young, but Judge Savage is enthusiastic. "It's a significant commitment for a mentor to make but the need is certainly there," Judge Savage said. "Right now we have a waiting list of mentees from our Juvenile Court. But the word is spreading and we are getting mentors from all around the county." The program is funded by the Montgomery County Public Schools and administered by the Silver Spring Social Service Agency.

Chief Judge Ben C. Clyburn of the District Court of Maryland has been doing "focused mentoring" since law school—he was inspired by a program he took part in, run by his professor, John Esther, that tutored minority students as they prepared to take the Bar exams. "We would give them sample Bar questions under sample Bar conditions," Judge Clyburn recalled. Professor Esther has since died and the program was discontinued, but Judge Clyburn has continued mentoring law school graduates through the Bar process.

"I have a specific structure that I teach people to help them prepare and study for the test," he explained. "Studying for the Bar is a lot different than law school. It demands a certain amount of discipline, a structure, and a schedule. I help them get structured and pace them through the exam, and help them be prepared for the inevitable panic attacks." He advises his mentees to treat studying as a full-time, all-consuming six-week job.

Judge Clyburn has been helping students prepare for the Bar Exam since 1981, and he shares his mentees' emotional journey with each exam. "Each time, I feel the same apprehension and stress," he said. "But there is a satisfaction of seeing people pass, maybe someone who has taken it a couple of times before. I like to help people, and I really enjoy seeing people get to that point, that level of competence, where everything just gels."

# Quiet Session, from page 7

## Court-Related Bills that Failed or Were Withdrawn

### **SB 60/HB 58 - Judgeships - Circuit and District Courts (Judicial Conference Legislation)**

This legislation would have created one additional Circuit Court judgeship in Montgomery County and Baltimore City. It also would have added one additional District Court judgeship in District 4 and District 6. This bill passed the House but received an unfavorable vote from Senate Budget and Taxation.

### **SB 136/HB 300 - VOP - Notice or Warrant (Judicial Conference Legislation)**

This legislation would have repealed a requirement that the District Court and Circuit Courts issue a warrant or give notice of a hearing on a violation of a condition of probation or suspension of sentence only during the period of probation. The bill required the State to proceed with reasonable promptness and diligence to prosecute the violation. Both bills received an unfavorable vote from committee.

Ms. Delaney is deputy director of the Office of Government Relations.



# Registers of Wills, from page 9

(continued from page 9)

Margaret H. Phipps has been Register of Wills for Calvert County for three decades. She was appointed by the Orphans' Court in 1977 and ran for election the next year. Her predecessor was her mother Grace L. Hutchins, who had been Register of Wills since 1950. "People suggested I run as Margaret Hutchins Phipps, but I said, no, I'm going to win on my own merits." Phipps started working in her mother's office in the early 1970s, when the office's only staff member—who worked one day a week doing the typing—left to get a full-time job, and no replacement could be found.

The job has changed as the technology has improved, and Phipps has been involved in statewide automation efforts since the early 1990s. But the basis of the job remains the same.

"I think it's essential to be a people person," Phipps explained. "We deal with people who have lost a loved one, probably one of the most traumatic times in their lives. You have to know the law, but you have to have compassion. They have to know you care."

Cathell agrees. "I love to help people, and this is a great forum in which to be able to do that," said Cathell. "I really, truly love my job, which makes it one of those rare opportunities in life." A lifelong resident of Worcester County, she grew up in Snow Hill, and frequently sees people she knows in the course of her duties. "One of the advantages of being in a smaller office is that I can talk and work with people myself. Some people just need to talk, and we can provide them with that time."

The goal for Registers of Wills statewide is to implement an automatic daily backup and off-site storage of files within the year. Intermediate goals include indexes online, and access to certain documents electronically. Within the next several years, the Registers throughout the state are working toward a paperless, fully computerized and electronic system.

Ms. Connolly is Register of Wills for Baltimore County; Ms. Phipps is Register of Wills for Calvert County; and Ms. Cathell is Register of Wills for Worcester County.

# Judiciary Work Group Focuses on the Court's Response to the Self-Represented

by Hon. Clayton Greene, Jr.,

A Judiciary work group has been meeting over the last year to develop a comprehensive response to the needs of the large numbers of self-represented litigants who appear each year in Maryland courts. In District Court cases, the self-represented are regularly in court in small claims matters, landlord-tenant and traffic cases. In family law cases, 70 percent of all cases involve at least one self-represented litigant at the time the answer is filed.

The large volume of self-represented litigants can affect the administration of justice. Without assistance, those litigants may be unable to effectively present evidence, may fail to take the next procedural step required to keep their case moving forward, or may file frivolous motions or actions. The frustration realized by this group in navigating the legal system can color their perception of whether the Maryland court system is fair and impartial, which can in turn undermine the public's trust and confidence in the judicial system.

The Judiciary has helped to develop a broad range of programs to support those who lack the benefit of representation. A large body of forms is available to aid District Court and family law litigants initiate their cases. The Judiciary Web site provides some basic information on the courts, and Family Law Self-Help Centers provide on-site walk-in assistance for family litigants representing themselves. While these efforts have greatly enhanced access to the justice system in Maryland, the Judiciary has yet to plan comprehensively about how best to respond to self-representation in the Maryland courts.

To aid the Judiciary in thinking strategically about its response to the self-represented, Chief Judge Robert M. Bell appointed the Work Group on Self-Represented Litigation in the Maryland Courts in 2006. The work group, which I chair, includes judges, clerks, and court administrators from District and Circuit Courts, as well as the state court administrator.

The work group adopted a four-pronged mission:

The mission of the Work Group on Self-Representation in Maryland Courts is to plan a strategic and integrated response to the needs of self-represented litigants in Maryland courts. The work group will review the impact of self-representation on Maryland courts and will make

recommendations for steps the Maryland Judiciary can take to:

- 1) improve the ability of self-represented litigants to navigate the Maryland judicial system;
- 2) improve the response of court staff to the self-represented;
- 3) enhance the ability of judges to respond effectively to the self-represented in the courtroom; and
- 4) support improvements in the legal services delivery system to promote access to representation and other legal services where appropriate.

The work group hopes to complete its report and submit a number of recommendations later this summer. By adopting a comprehensive strategy for addressing the needs of the self-represented, Maryland judges will be able to make more effective decisions, and the litigants themselves leave with a sense that they were able get a fair resolution of their legal problem.

Judge Greene represents the 5th Appellate Circuit (Anne Arundel, Calvert, Charles, and St. Mary's counties) on the Maryland Court of Appeals.

## Members of the Work Group on Self-Representation in the Maryland Courts

Hon. Clayton Greene, Jr., Chair  
 Frank Broccolina  
 Robert P. Duckworth  
 Hon. Ann Harrington  
 Rebecca Hoppa  
 Peter J. Lally  
 Hon. John L. Norton  
 Joseph P. Rosenthal  
 Hon. Miriam Brown Hutchins  
 Pamela Cardullo Ortiz, Staff



# To—and—from Croatia



Last September, Chief Judge Ben Clyburn of the District Court of Maryland met with judges, teachers, and students during a trip to Croatia. This March, Judge Clyburn met with the Croatian judges and teachers again when a delegation visited the United States.



top photo courtesy of Hon. Ben C. Clyburn

bottom photo courtesy of John Rankin