

**MARYLAND STATE BAR ASSOCIATION  
BOARD OF GOVERNORS MEETING MINUTES  
WEDNESDAY JUNE 9, 2010  
CLARION RESORT FOUNTAINEBLEAU HOTEL  
OCEAN CITY, MARYLAND**

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President Thomas C. Cardaro called the meeting to order at 3:15 p.m. Thirty members of the Board of Governors were present.

**I. MINUTES**

The minutes of the last Board of Governors meeting held on May 14, 2010 in Cambridge, Maryland, were approved as presented.

**II. REPORT OF THE OFFICERS**

**A. REPORT OF THE PRESIDENT**

1. President Cardaro reported on various notices and correspondence distributed at the Board of Governors meeting, in particular, the Baltimore Sun article regarding the death of attorney Alex Gordon, a dean of the Bankruptcy Bar in Maryland.

2. President Cardaro reported on responses received from local and specialty Bar Associations opposing proposed mandatory continuing legal education. President Cardaro also reported on a collegial conversation he recently had with Judge Lynn Battaglia of the Court of Appeals of Maryland on this issue.

3. President Cardaro reported on a request by the New York State Bar Association to the MSBA to participate in an amicus brief opposing the Red Flag Rule promulgated by the Federal Trade Commission. Upon motion which was duly seconded the Board of Governors approved the request to participate in the amicus brief.

4. President Cardaro also reported on the New York State Bar Association's request to the MSBA to assist it in seeking prompt action by the American Bar Association on the issue of law firm rankings by various commercial organizations. No action was taken by the Board of Governors.

5. President Cardaro reported on recommendations received for reappointment of members of the Board of Directors of the Legal Aid Bureau. Upon motion duly seconded the Board of Governors accepted the recommendations for reappointments to the Board of Directors of the Legal Aid Bureau. President Cardaro also reported on recommendations of the Special Committee on Appointments regarding appointments to the Board of Directors for the Pro Bono Resource Center for vacancies on the Board. The Board of Governors adjourned and reconvened sitting as the Pro Bono Resource

Center Board of Directors. Upon motion duly seconded the Pro Bono Resource Center Board of Directors approved the recommendations for appointments to vacancies on the Board of Directors of the Pro Bono Resource Center.

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

1. Mr. Carlin reported that Ron Willis, a current member of the Board of Governors, was completing his sixth term on the Board. Mr. Carlin also reported that Judge William Carr was seeking members for the Legal History Committee.

2. Mr. Carlin reported on membership statistics, specifically, that as of the date of the meeting of the Board of Governors there were 23,155 members of the Maryland State Bar Association.

3. Mr. Carlin reported next on the upcoming Annual Meeting of the MSBA, including that, at present, there were 522 registrants. Mr. Carlin also noted that attendance at the Annual Meeting has declined slightly over the past five years, and that an upcoming issue will be the effect on attendance of likely electronic participation.

4. Mr. Carlin next reported on a variety of ongoing issues, including input of the Court of Appeals on the administration of the Courthouse Badge Program by the Maryland State Bar Association, development of the Shopping Cart CLE Service, that the MSBA website was currently receiving approximately 250,000 hits per month, that negotiations with LexisNexis were ongoing regarding production of the Maryland Rules of Professional Conduct publication, that the Pennsylvania Bar Institute was advertising their CLE programs in Maryland for Pennsylvania lawyers, and that the MSBA was in the process of offering various popular CLE publications previously offered through MICPEL.

5. Mr. Carlin also reported on his hosting of several visiting lawyers from China.

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

Secretary Henry E. Dugan, Jr. encouraged all members of the Board of Governors to serve on a MSBA committee. Secretary Dugan also reported that the materials discussed at the Board of Governors meeting had been previously reviewed and presented in the immediate prior Executive Committee meeting.

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

Treasurer John P. Kudel reported on the financial performance of the MSBA year-to-date. Specifically, he noted year-to-date dues income of approximately \$2.7 million, year-to-date total income of approximately \$4.1 million, and year-to-date expenses of approximately \$3.5 million, leaving budgeted but yet expended funds of

approximately \$600,000. Treasurer Kudel also reported an anticipated \$17,000 deficit for this year.

#### **E. REPORT OF THE PRESIDENT-ELECT**

President-Elect Thomas D. Murphy reported that he had requested William Brennan, incoming Chair of the MSBA Criminal Law Section, to serve on a study group convened by the Office of the Public Defender and that Mr. Brennan had accept the appointment. President-Elect Murphy also reported that he had been appointed to a panel charged with appointing United States Bankruptcy Judges. Mr. Murphy commented on his upcoming appointment as President of the Maryland State Bar Association at the upcoming Annual Meeting, and he acknowledged the contributions of President Thomas Cardaro during his term.

#### **III. REPORT OF STANDING COMMITTEES**

1. Keith Truffer reported on behalf of the Professionalism Committee regarding the Committee's recommendations for the future administration of the Professionalism course, including that the course be continued and that it be revised by the Professionalism Committee. Discussion ensued regarding the cost to the MSBA of the course, including that the MSBA has subsidized the course since its inception in an amount approaching \$500,000. Upon motion duly seconded the Board of Governors accepted the recommendations of the Professionalism Committee and in addition recommended the exploration of additional funding sources to reduce the MSBA's financial burden and to allow improvement of the course.

2. A report of the MSBA Planning Committee was presented in written form to the Board of Governors.

#### **IV. ANNOUNCEMENTS**

The MSBA Crab Feast has been scheduled for Saturday, July 24 at the Jefferson Patterson Park and Museum.

#### **V. ADJOURNMENT**

The meeting was adjourned at 4:30 p.m.

#### **RECONVENED AS THE BOARD OF GOVERNORS OF THE MARYLAND BAR FOUNDATION**

Upon motion duly seconded approved the Board of Governors of the Maryland Bar Foundation approved the appointment of the following:

Officers: President – Charles “Mike” Preston, Vice-President – Hon. Karen Murphy Jensen, Secretary/Treasurer – Robert J. Kresslein.

First Term Appointees: Michael Siri, Hughie Hunt, Alice Chong, Paul Kramer, Natalie McSherry, Hon. Karen Murphy Jensen, Henry Dugan.

Second Term Appointees: Kathy Kelly Howard, Hon. Christopher Kehoe.

Officers of the Fellows: Chair, Michael Siri, Vice-chair, John J. Murphy; Secretary/Treasurer – Robert Kresslein.

After adjournment of the MSBA Board of Governors sitting as the Maryland Bar Foundation Board of Governors, past President Kathy Howard convened the Annual Meeting of the Avian Society and made an entertaining presentation regarding the induction of President Tom Cardaro to the Avian Society.

Respectfully submitted,

*Michael J. Baxter*

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Assistant Secretary