Mason stresses unity at president’s reception

by Bill Archambeault

Mark D Mason launched his term as president of the Massachusetts Bar Association in grand style Sept. 7, highlighting his ambitious agenda to nearly 300 people gathered in the Museum of Fine Arts.

The reception, which featured remarks by Supreme Judicial Court Chief Justice Margaret H. Marshall, also honored more than 30 of the MBA’s 50-year members in the museum’s upper rotunda and William I. Koch Gallery, with European paintings dating from 1500 to 1700 hanging from the 48-foot-high walls.

Warren Fitzgerald, whose term as MBA president ended in August, introduced Marshall in glowing terms.

“She brings to this judiciary a sense of dignity that is unparalleled,” Fitzgerald said. “She has unrivalled skills of diplomacy. She brings a sense of intelligence to everything she does. She has a commitment to excellence.”

MBA debuts its Bench-Bar Symposium on Nov. 30

The Massachusetts Bar Association will present its Bench-Bar Symposium at the John Adams Courthouse on Thursday, Nov. 30. The afternoon program, beginning at 2 p.m., will feature Supreme Judicial Court Chief Justice Margaret H. Marshall, as well as a panel discussion on media and the public perception of the legal system.

The symposium is a maturation of the bench-bar forums traditionally presented each spring at the MBA’s Annual Conference, when Marshall would present her annual address to the MBA.

This year’s symposium will build on that to include Marshall’s Annual Address to the Legal Community, which will lead into the panel. The panel will feature representatives from the MBA’s Judicial Independence Task Force, the judiciary and media outlets. The program will conclude with a cocktail reception at 5:30 p.m.

“We look forward to bringing a multidisciplinary group of professionals together to inspire important discussions on the very topics that impact attorneys and judges most profoundly,” said MBA President Mark D Mason.

Mason envisions this program and others being planned for the coming MBA year to help “strengthen the ties for the members of the bar to focus on our common goals.”

The Nov. 30 Bench-Bar Symposium is free to attend. Interested legal professionals should contact the MBA via e-mail at membership@massbar.org or at (617) 338-0530.

Protecting Pound’s vision

One hundred years ago, Roscoe Pound addressed the American Bar Association Convention in a speech which is widely recognized as the spark leading to modern court reform. Pound was a scholar in American jurisprudence who adhered to a sociological approach to law considered progressive in its day. Indeed, Pound’s idealism remains progressive beyond its years.

President’s View

by Mark D Mason

Pound’s address entitled, “The Causes of Popular Dissatisfaction for the Administration of Justice,” revolutionized our state and federal governments through the administration of courts, including court unification, the selection of judges, the modernization of court procedure and the utilization of Alternative Dispute Resolution. The professionalization of court administration which Pound encouraged has led to the implementation of casework management techniques such as time standards, judicial evaluations, specialized courts and sessions and other advances having an impact upon the administration of justice.

Four years ago, concern relating to the management of courts led to the appointment of the Visiting Committee on Management in the Courts, or the so-called “Monan Committee.” The Monan Committee report states, “The committee found that, despite pockets of genuine

Continued on page 2

Continued on page 4

MBA Vice President Valerie A. Yarashus is recognized by Lawyers Weekly with Hall of Fame induction. See pages 6 and 7.

See index on page 2 for a complete listing of this issue’s contents.
Protecting Pound’s vision

Continued from page 1

excellence, the management of the judiciary is preventing the people of Massachusetts from receiving the justice that they deserve.” While many assert that the Monan Committee report’s statement, as such, may continue to represent popular sentiment regarding the courts, this sentiment may result, in part, from the fact that there is little public understanding of court operations and administration, and that lawyers, judges and court personnel are oftentimes scapegoats for undeserving criticism.

Despite public misunderstanding of the courts, Pound teaches us that we should not expect public misunderstanding of the courts to be eliminated. We must continuously act to increase the public’s understanding of the court system, thereby increasing its satisfaction with and confidence in the court system.

The MBA is committed to improving the public’s knowledge and understanding relating to the courts. Three MBA programs this year are of principal importance: first, our Task Force on Judicial Independence; second, our work in promoting civics in education; and third, the MBA’s first annual Bench Bar Symposium.

Last year, MBA President Warren Fitzgerald established the Task Force on Judicial Independence. The task force has focused on ensuring swift and meaningful response to attacks on our judiciary as set forth in the Monan Committee report’s statement, as such, may continue to represent popular sentiment regarding the courts.

Over the next few months, I will be pleased to report to you on such programming. On Nov. 30, the MBA will present the first annual statewide Bench Bar Symposium. The symposium will feature Supreme Judicial Court Chief Justice Margaret H. Marshall’s Annual Address to the Legal Community at the event in the John Adams Courthouse. The symposium will bring together judges and lawyers from diverse backgrounds across the commonwealth to discuss issues central to the fair and effective administration of justice, including the importance of an independent judiciary and the media’s influence on the public’s trust and confidence in the courts.

Indeed, the event will serve as a springboard for a number of local bench-bar forums to be held throughout the commonwealth in the coming months to discuss issues central to the fair and effective administration of justice and the public’s trust and confidence in our court system, and in the legal community as a whole.

While Roscoe Pound may not be surprised that public dissatisfaction and misunderstanding with the courts is alive 100 years after his 1906 address, he would be disappointed, likely, to see the wave of distrust in the courts portrayed by the media and maintained by much of the public. Without question, we need to improve and expand public education surrounding the courts. As officers of the court, I call upon each of you to become involved in initiatives that the MBA and other bar associations across the commonwealth engage in this year in order to ensure the livelihood of judicial independence.

Without question, we need to improve and expand public education surrounding the courts.

Lawyers Journal

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Join us in November for MBA Theater Night

The MBA invites you to a reception and night at the theater to see Twelve Angry Men on Thursday, Nov. 9 at the Colonial Theater. Starring Richard Thomas and George Wendt and directed by Scott Ellis, Twelve Angry Men depicts the transformation of what seems like an open-and-shut murder case into a twisted puzzle of prejudice and intrigue. Tickets for the event, priced at $95, include a reception with cocktails and hors d’oeuvres at the MBA starting at 6 p.m. and a ticket to the play at 7:30 p.m. To order your tickets today, please call the Member Services Center at (617) 338-0530. Limit of six tickets per person.

INSIDE THIS ISSUE

Immigration Law Committee formed ..... 3
“Up & Coming Lawyers” event.........6, 7
PROFILE:
Hon. Maurice H. Richardson ..........8
TECH CORNER:
E-discovery rules change Dec. 1 ........10
Member Spotlight..............................12
Bar Bulletin Board ...............................14
Lawyer Referral Service ..................15
MBA Calendar ..................................16
Online Career Center .......................18
Community Services .......................19
Law Student Sponsorship Program ...20
Section Council Spotlight ...............21
Massachusetts Bar Foundation ......22, 23
Limited Assistance Representation pilot program .......................24
MBA welcomes new members ..........26

Denise Squillante
Watson forms new Immigration Law Committee

by Bill Archambeault

The MBA’s new Immigration Law Committee, which was launched by attorney Roy J. Watson Jr., attracted two dozen people to its inaugural meeting Sept. 13.

The group plans to meet monthly to discuss topical issues in the field, organize Continuing Legal Education seminars and work with other organizations on immigration programs.

Watson, of Watson Law Offices in Bedford, said he hopes to attract both experienced attorneys and new practitioners in the field. The committee is needed, he said, because there is no other group at the MBA devoted to immigration law.

“We don’t really fit well under any one other section,” he said.

Meetings are scheduled for the second Wednesday of every month at noon at the MBA’s offices at 20 West St. in Boston. A steering committee has been put together to help shape the group, which hasn’t been active in the MBA for years.

“We hope to be doing some very substantive programs,” he said at the first meeting.

Watson is the founder and past editor-in-chief of the Immigration Case Reporter (ICR), which is sent to over 1,000 lawyers in five countries. He has authored numerous articles on immigration law topics and is a frequent lecturer on business-relevant immigration law issues.

Watson is past president of the New England chapter of the American Immigration Lawyers Association (AILA), and has served on numerous AILA national committees during his 30 years of active practice of immigration law. He is a past chair of the immigration law committees of both the MBA and the Boston Bar Association, and a past International Law Section chair for the BBA.

For more information about the Immigration Law Committee, please send an e-mail to MBA staff member Marc A. D’Antonio at dantonio@massbar.org.

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Former President, Mass Bar Association
In her speech, Marshall praised the “great tradition” of organizations like the MBA in sustaining strong leadership from year to year.

“I do revere this profession and the rule of law,” Marshall said, noting that great lawyers and an independent judiciary go hand-in-hand.

“I know, Mark, that you will continue to respect this great tradition,” she said.

In introducing Mason, Fitzgerald noted that Marshall and Mason shared a number of laudable qualities.

“He brings a dignity to this profession and the Massachusetts Bar Association that increasingly, each year, we need,” Fitzgerald said. “He is a magnificent diplomat and keenly intelligent. And he is possessed of more courage than any lawyer I know. He truly, truly has a love for this profession. This year, we will be united in the law under President Mark Mason.”

Continuing to echo his chosen theme for this year and the MBA’s Annual Conference, Mason told the gathering, “We all stand here tonight united in the law.”

Following up on Marshall’s introduction, he emphasized that the MBA will continue to be a leading advocate for a strong and independent judiciary.

“Please, rest assured that we, as a bar association, are committed to ensuring your independence,” Mason told members of the judiciary in the audience.

As part of that cooperation, the MBA will hold its
MBA Lawyers Journal October 2006

first Bench-Bar Symposium, on Nov. 30, as a separate event rather than as a part of the Annual Conference.

Mason explained his plans to bring civics education into high school classrooms across the state with teams of attorneys and judges. Eventually, he’d like to have 1,000 lawyers or more in Massachusetts classrooms on a regular basis.

The MBA has begun partnering with law schools across the state to improve programming, law practice management and recruitment of minority students.

He also plans to re-organize the Young Lawyers Section Council as the Young Lawyers Division to re-invigorate the participation and contributions by young lawyers in MBA activities. The change was approved at the Sept. 20 House of Delegates meeting held at Southern New England School of Law.

“Together, as a team, we will build upon our past success,” he said.

Mason thanked his mother, Naomi Franklin, who sat beaming a few feet away from him, and his father, Stanley Mason, a lawyer who had encouraged him to consider a legal career, who passed away in 1999.

Mason, the MBA’s first openly gay president, also thanked John Shea, whom he married that weekend.

Mason also thanked the past MBA presidents, whom he credited with serving as role models for him personally and for all members of the bar, and his law firm, Springfield-based Cooley Shrair PC, for its “complete support” of his presidency.

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Yarashus named to “Up & Coming Lawyers” Hall of Fame

by Bill Archambeaut

MBA Vice President Valerie A. Yarashus was honored by Massachusetts Lawyers Weekly Sept. 20 when she was inducted into its “Up & Coming Lawyers” Hall of Fame.

The event, which was held at the Omni Parker House in Boston, attracted more than 200 people. The Massachusetts Bar Association was a gold sponsor of the event.

Yarashus, a partner at Sugarman and Sugarman PC in Boston, was named an Up & Coming Lawyer in 1997. Her practice concentrates on plaintiff’s trial practice, including medical malpractice, product liability, construction site liability, motor vehicle liability and general liability cases.

“Our congratulations to Valerie Yarashus,” said MBA President Mark D. Mason. “Valerie is no longer a rising star in the MBA. She has become one of our foremost leaders. Her dedication and commitment to the bar are exemplary. Her ability to balance her professional and personal activities serves as a reminder as to the importance of maintaining such balance in our lives.”

Lawyers Weekly Publisher and Editor-in-Chief David L. Yas praised Yarashus as “one of the most genuine lawyers you’ll meet” and noted that those who work with her quickly consider her a friend.

“She’s one of the good ones,” he said. “If young lawyers are looking for a role model, Valerie is the quintessential example of a lawyer with integrity. She’s just a good person.”

Speaking about the importance of balancing an active personal life with a legal career, Yarashus described some of the interesting personal lives led by this year’s class of 15 Up & Coming Lawyers, such as Leaha Macauley, an associate at Day, Berry & Howard, who has run marathons in places as far away as Budapest. The winners were chosen from nominees in practice 10 years or less.

“All 15 of you are clearly well on your way to being some of the most accomplished lawyers in Massachusetts, and so my thought is that you don’t need more advice on how to succeed in your career,” Yarashus said.

The MBA members chosen as Up & Coming Lawyers are: Elayne N. Alanis, Boston; Robert D. Dimler, Plymouth; Jessica A. Foster, Boston; Daniel C. Hill, Cambridge; Leaha Macauley, Boston; Mala R. Rafik, Boston; Barbara A. Robb, Boston; Julie A. Rougeau, Franklin; and Rieha Runkowski, Boston.

“I deeply believe that the best lawyers tend to also be the people with the most interesting lives outside of the office,” she said. “It is not only important for our own sense of well-being and enjoyment of life, but I do really think that it will make us better lawyers as well.”

Yarashus explained that she balances her busy professional life by involving her family as much as possible and bringing her children with her whenever she can.

“It changes what I do in a really wonderful way,” she said. “It is crucially important to me that my children — who are ages 11, 7 and 11 months — know I love my job and that I’m going to work every day so that I can help people who need help. This allows it to be a family project in the sense that they can be supportive and encouraging and understanding when I do need to work long hours.”

Yarashus urged the 15 inductees to be involved in their bar associations, saying, “If you really care about shaping the future of the legal profession, it’s essential that you get involved with one or more bar associations.

In addition to the MBA, Yarashus has been heavily involved with the Massachusetts Academy of Trial Attorneys, including serving as its president in 2002-03. In 2005, Yarashus was recognized by Boston magazine, in conjunction with Law and Politics, as one of the top 50 female attorneys in Massachusetts and as a “Super Lawyer” in the area of personal injury. Yarashus has been listed in the 2004-05 and 2005-06 editions of Best Lawyers in America and is the editor of MCL’s Massachusetts Personal Injury Sourcebook.

She earned her bachelor’s degree from George Washington University in 1987 and her law degree from Harvard Law School in 1990.

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MBA Vice President Valerie A. Yarashus stresses the importance of leading an interesting personal life to this year’s winners.

Massachusetts Lawyers Weekly's 2006 class of “Up & Coming Lawyers”

“Up & Coming Lawyer” Julie A. Rougeau receives her award from Massachusetts Lawyers Weekly Publisher David L. Yas.

Massachusetts Lawyers Weekly Publisher David L. Yas presents Yarashus with her “Up & Coming Lawyers” Hall of Fame award.

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Hon. Maurice H. Richardson: 50 years in the MBA, and still going
by Kate O’Toole

There is a plain, cinderblock room at Bridgewater State Hospital that, with the help of some flags and chairs, is regularly transformed into a makeshift courtroom. In this space, hundreds of social workers and doctors testified in front of Judge Maurice H. Richardson over the course of more than 20 years. So many, in fact, that upon Richardson’s retirement in 1998, the room was designated the Judge Maurice H. Richardson Courtroom by the Massachusetts Department of Corrections, an honor of which Richardson is very proud.

The naming of the room after Richardson is one of many tributes that he has received during the last several decades for his achievements as a Massachusetts district court judge. And as Richardson enters into his ninth year of “retirement,” he continues to achieve.

A winding road

Richardson’s journey has been extensive and unpredictable. In 1951, Richardson graduated from Harvard University with an A.B. in American Government. “That’s what you major in when you have no idea what you want to do,” he laughed. However, he had barely received his diploma before he was placed on active duty as a Marine lieutenant and was shipped to Korea for two years.

Upon his return to the United States, Richardson found himself unemployed, but soon discovered that law schools were taking war veterans as applicants on very short notice. As a Marine, he had been stationed in Virginia, so he applied and began attending the University of Virginia Law School in the fall of 1953. Richardson always had an interest in criminal justice and originally thought that he would like to work for the FBI. However, as a student at UVA, he learned more and more about other fields of law and said that he quickly “fell in love with the concept of becoming a lawyer instead of a cop.” He learned that there was more to the law than just criminal justice and became especially interested in antitrust law.

During his law school summers, Richardson’s jobs ranged from doing construction work in Lexington to being a summer associate at a firm in New York City.

Following his summer in New York, Richardson was hired by Choate, Hall & Stewart, a well-known Boston firm, to start the day after Labor Day in 1956. As an associate, Richardson earned just $15 an hour and $20 an hour for corporate work. For his first two years, he worked on a large antitrust case, defending Mobil Oil against the government, which had sued the company for price fixing. He stayed with Choate, Hall & Stewart for about six years before he moved on to his own, smaller practice — Nauss & Richardson — and looked for general trial work.

However, his small practice only lasted a few years before Richardson dived into politics and hit the campaign trail with his cousin, the Hon. Elliot L. Richardson, who ran for lieutenant governor of Massachusetts in 1964. Perhaps finally putting his American Government degree from Harvard to work, Maurice Richardson became the state campaign coordinator for his cousin. He knocked on doors, called citizens’ houses and organized grassroots campaign efforts across the state. Elliot Richardson won the race for lieutenant governor, went on to become attorney general of Massachusetts and eventually served as U.S. attorney general under President Nixon.

His involvement in state politics led him to an appointment as the commissioner of the Massachusetts Industrial Accident Board, which he served on for eight years. It was on this board that Richardson heard workers’ compensation cases and learned how much he enjoyed “being the deciding factor in a litigation environment.” His role as a “deciding factor” was extended when, in 1974, Richardson was appointed as a judge by Gov. Frank Sargent to the Dedham District Court, where he stayed for more than 20 years: eight years as an associate justice and 16 years as the first justice.

Discovering his focus as a judge

Richardson loved his years at the Dedham District Court. He describes the court employees as hardworking, and the court itself as having a reputation for efficiency. It was during his early years in the Dedham District Court that he first became involved in mental health cases — a concentration that would shape much of his later career. As a junior judge in Dedham, Richardson was sent to Medfield State Hospital twice a month and to Bridgewater State Hospital once a month to preside over civil commitment and treatment hearings. From there, Richardson was hooked.

“I believe that all judges and lawyers ought to embrace a specialty and develop an expertise in a certain area,” Richardson said. “It’s satisfying to speak with some authority and make my experience even more rewarding.” He worked with the Hon. Franklin Flaschner, former chief justice of the Massachusetts District Court, for whom the Flaschner Judicial Institute was founded and named. In an effort to streamline judicial procedures throughout the state, Flaschner appointed various committees to address different areas of the law.

Richardson served as a member of the District Court Committee on Mental Health and Retardation, which he described as “spokespeople for the mental health community,” from 1975 to 1987, and as the chair of the committee from 1987 until his retirement in 1998. To improve the court system’s handling of cases involving persons with mental illness, the committee trained judges, organized regional training for probation officers and lobbied for changes in various state statutes to protect the rights of the mentally ill.

Richardson also expanded the committee from a small group of eight to 10 judges to a committee of more than 40 members from various disciplines. Now the committee is made up of judges, doctors and social workers, and includes a main committee with about 20 members, and a series of smaller subcommittees.

Technically, Richardson retired in May of 1998. But more than eight years later, he shows little sign of retirement. Richardson has retained his interest in the treat-
ment and rights of the mentally ill and is still deeply invested in the cause. He quickly became an assistant professor in the Law and Psychiatry Program at UMass Medical School in Worcester, the program director of the Law & Psychiatry Program for Clinicians at Bridgewater State Hospital and the director of the Massachusetts Mental Health Diversion & Integration Program (MMHDIP). In his spare time, he also manages to teach a course at New England School of Law, where he is an adjunct professor.

Changes since 1956

The legal world that Richardson entered 50 years ago is a different world, he explained, both in terms of the treatment of the mentally ill, as well as the state of the legal community.

Richardson discussed the massive trend of deinstitutionalization that has reduced the number of hospitalized, mentally ill patients from 25,000 in the 1950s to fewer than 1,000 patients today.

"Then, there were 11 institutions in the state. Now, there are four," Richardson said. "There is no safe net and there aren't enough outpatient services for released patients." He talked about the ways that many mentally ill citizens end up in the criminal justice system and also

referred to a recent article by research psychiatrist E. Fuller Torrey that reports, "The Los Angeles County Jail, with 3,400 mentally ill prisoners, is de facto the largest psychiatric inpatient facility in the United States."

With the MMHDIP, Richardson is hoping to reduce statistics like this, at least in Massachusetts, by diverting mentally ill citizens away from the criminal justice system and into alternative treatment programs.

"We are training Boston police to effectively deal with the mentally ill, create a triage unit to cope with immediate cases and develop more legal options for them," Richardson explained.

For all of his work with the legal care of the mentally ill, Richardson has received awards from the National Alliance for the Mentally Ill of Massachusetts, the District Court Award for Judicial Excellence, and the Commissioner's Award from the Department of Mental Health, among many others.

Aside from the increase in his $15-per-hour wages in 1956 and the days of the courts staying open on Saturdays, Richardson says that other parts of the legal experience have changed. He is concerned with the cold and competitive nature of attorney relationships in today's world.

"Years ago, two lawyers could have it out in the courtroom but then have a drink together on their way home from work," Richardson remembered.

He also suggested that years ago, if one attorney left his file behind after a day in court, the opposing attorney would pick it up and return it to him the next day, and both attorneys would trust one another. Today, he sees collegiality on the decline, but believes that the institution of civility codes, along with the support of professional organizations like the MBA (which Richardson commented "is responsible for helping to maintain integrity in the legal profession") will help to "turn it around."

Leaving his mark

When approached about being profiled, Richardson said he was honored, but that "there is not all that much to tell." But his life's accomplishments make the naming of the cement room at Bridgewater State Hospital seem especially suitable. The Judge Maurice H. Richardson Courthouse does not have the perfectly smooth wood banisters or intricately carved seals of a typical courtroom, but is a humble, simple space that now embodies the justice of the humble man who presided over it for so long.

Member to Member

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MBA Lawyers Journal October 2006 9
Federal discovery rules are wired for litigation beginning Dec. 1

by Andrea R. Barter, Esq.

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bsent a last minute block by Congress, amendments to the Federal Rules of Civil Procedure regarding discovery of electronically stored information will take effect on Dec. 1, thereby bringing the federal rules into line with the realities of business and litigation in an era of rapid communications technology advancement.

“The drafters of the federal rules didn’t contemplate the complexity of electronic storage data systems, and a lot of electronic data which contains information technically is not a ‘document’ and therefore could possibly escape discovery under our traditional discovery rules,” said Edward C. Bassett Jr., chair of the Personal Injury Practice Group at Mirick, O’Connell, DeMallie & Lougee LLP, Worcester.

Under the traditional rules, the closest approximation to “electronic discovery” was a “data compilation” as defined under old rules, according to attorney Douglas M. Bean, president and CEO of CaseData Corp., a full-service litigation support provider. “That was clearly not adequate to address the host of different kinds of electronic data facing litigators these days,” said Bean.

With these amendments to the Federal Rules, “We have a better understanding of what ‘electronically stored information’ is… now we have rules, better structure and better predictability. Those are huge,” he explained.

Several changes reflect the principle that many electronic discovery disputes can be prevented, managed or resolved through early and direct communication between the parties and their technology experts.

Amended Rule 16 addresses pretrial conferences and scheduling management

Under Amended Rule 16, the scheduling order entered under this rule may now include provisions for disclosure or discovery of electronically stored information and may include any agreements between the parties for asserting claims of privilege or protection as trial-preparation material after production.

Amended Rule 26 contains a duty of disclosure and avoids inadvertent waivers of privilege and burdensome production

Under Rule 26(a)(1)(B), a party must, without awaiting a discovery request, provide to other parties a copy of, or description by category and location of, electronically stored information.

Under Rule 26(f)(3) & (4), when the parties confer pursuant to this rule, they are required to discuss any issues relating to preserving discoverable information and any issues related to disclosure or discovery of electronically stored information. This would include the form in which electronically stored information should be produced, and any issues relating to claims of privilege or protection as trial-preparation material. If the parties agree on a procedure to assert such claims after production, the parties should discuss whether to ask the court to include this agreement in an order.

Bean believes the early meet and confer rules are the most important of the rule changes. “From a practical standpoint, from a pure efficiency standpoint, the requirement that parties meet and confer early in discovery process to hopefully iron out issues that were lost as a result of the routine, failed to produce electronic information may be derived from electronically stored information, and the burden of deriving the answer is substantially the same for the responding party and the requesting party, it is a sufficient answer to the interrogatory to specify the records from which the answer may be derived or ascertained. The responding party would be required to allow the requesting party reasonable the opportunity to examine, audit or inspect such records and make copies, compilations, abstracts or summaries.

Amended Rule 34 addresses the form for producing stored information

Rule 34(b) provides that the requesting party “may specify the form or forms in which electronically stored information is to be produced.” The producing party can object to the requested form and must state the form it intends to use. Where a request does not specify a particular form, it must be produced in a form in which it is ordinarily maintained or that is reasonably usable.

Amended Rule 35 changes planning reports

The planning meeting form will be amended to require inclusion of a brief description of the parties’ proposals on handling the disclosure or discovery of electronically stored information. It will also require inclusion of a brief description of any provisions of a proposed order reflecting the agreement of the parties regarding claims of privilege or protection as trial-preparation material asserted after production.

Amended Rule 37(f) protects information lost during routine, good-faith operations

The new rules also include a safe-harbor component, which provides that, absent “exceptional circumstances,” a court may not impose sanctions when a party has failed to produce electronic information that was lost as a result of the routine, good-faith operation of an electronic information system.

Bassett thinks this rule change will raise the most issues when put into practice. “Although the rule talks about not sanctioning businesses, if a document is destroyed, the rules committees said it has to be ‘good faith’ deletion. If I know litigation is about to occur, I have an obligation to change the routine process if know the routine process will destroy key evidence. Someone might say, ‘Great, I’ve got nothing to worry about, just keep destroying data

Electronically stored information can be difficult to retrieve.
every couple of weeks.’ But if litigation is threatened, I need to take affirmative steps to protect the documents. This obviously leaves room for interpretation as to whether a company is acting in good faith.”

**Amended Rule 45 contains a “clawback” provision**

Similar to Rule 26(b)(5)(B), if information is produced in response to a subpoena that is subject to a claim of privilege or protection as trial-preparation material, the party making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party would be required to promptly return, sequester or destroy the specified information and any copies it has and may not use or disclose this information until the claim is resolved.

In regard to the provisions for returning inadvertent discovery materials, Bean commented, “It’s hard to unring the bell.”

Practitioners should be aware that as these are federal rules of civil procedure, they aren’t necessarily enforceable in state court.

“If you waive the attorney-client privilege but argue the materials are subject to the clawback provisions of the federal rules, state courts don’t have to honor that,” said Bean. “Some state case law contravenes that. So there is a potential conflict between the clawback provisions and state law these changes affect discovery practice?”

As a result of these amendments, attorneys should be aware that they have a requirement to discuss and plan electronic discovery issues much earlier in the litigation process.

While attorneys won’t need a degree in information technology, they will have to broaden their skill set. Bean said, “If you’re an attorney and are going to sign discovery affidavits, my opinion is you have to understand what you’re signing, just like any other requirement for a lawyer.”

Both Bean and Bassett believe attorneys now have an obligation to have a better understanding of electronic discovery in general, as well as a firm grip on their clients’ methods of storing information.

“The last thing you want to have happen is to be in litigation, be asked for a document and have a client say they deleted that last week, then have the client turn to you and say ‘Why didn’t you tell me I need to save that?’” said Bassett.

Bassett predicts that lawyers will have to work more closely with the IT staff for corporate clients so the IT staff understands what the company’s responsibility is for retaining or deleting information.

Bean cautions that attorneys should be familiar with implications of the different kinds of electronic files. “It is common in Microsoft Word documents to retain different iterations of documents. Those can become visible to opposing counsel if you are not aware of them. Spreadsheets often contain hidden formulas, proprietary or attorney-client information. You need to understand the ins and outs of these different file formats to represent your client properly,” said Bean.

Lastly, Bean pointed out that lawyers seeking new corporate clients need to demonstrate skill with electronic discovery. “It will be required,” said Bean. “If you’re trying to impress a new corporate client, you need to demonstrate you know what you’re doing when it comes to electronic discovery.”

The new electronic discovery rules will apply to all cases filed after Dec. 1, 2006, and to all cases then pending to the extent practicable.
Worcester County D.A. Conte retires after 30 years

John J. Conte has been district attorney of Worcester County for 30 years, longer than any other district attorney in the state of Massachusetts. At the age of 76, he has decided not to seek an eighth term.

Before becoming district attorney, Conte served for 14 years as a member of the Massachusetts state Senate representing the Worcester’s 2nd District. In the Senate, he served as chairman of the Judiciary Committee and the Special Committee on Judicial Reform, and was also a member of the Governor’s Select Committee on Judicial Needs. This committee, chaired by former Watergate Special Prosecutor Archibald Cox, was instrumental in bringing about comprehensive reform in the state court system.

As the district attorney, Conte has instituted numerous changes to create a professional prosecutorial office. These changes include establishment of the Victim/Witness Program, regular monthly grand jury sittings, and the assignment of prosecutors to each of the 11 district court session sites. He has also established specialized units to handle child abuse, disabled person’s protection, elder abuse, juvenile justice, drug enforcement, civil rights, open meeting law, mental health matters, a domestic violence unit, cyber-crime and Internet unit and the District Attorney’s Community and School Project — a school outreach program.

Conte was born and raised in Worcester and graduated from Holy Cross College and the New England School of Law. He has also taught American government at Assumption Preparatory School in Worcester and courses in the Worcester Public Schools.

He and his wife, the former Elizabeth L. (Betty Lou) Nugent, have four children: Nancy, Joseph, Thomas and Timothy. Conte is a member of the MBA, Worcester County Bar Association, a life member of the Massachusetts and Worcester Bar Foundations, the Massachusetts District Attorneys Association and the National District Attorneys Association.

Boston attorney Pollack takes charge on International ChildFind Program

Sullivan & Worcester LLP is launching a new pro bono project, called the S&W International ChildFind Program. Under the program, S&W attorneys will provide legal assistance to parents of limited financial means whose children have been abducted across sovereign borders.

The project will be led by partner Barry Pollack, who has successfully represented parents and children in more than a dozen international child abduction matters and has appeared in four federal appeals. In a precedent-setting case, Walsh v. Walsh, Pollack took the matter over on appeal and obtained a reversal, allowing two children to remain in the United States after their mother relocated with them from Ireland to flee from a pattern of domestic violence at the hands of the father.

Pollack, a former federal prosecutor, is using his unique experience to train the firm’s associates who want to get involved in the cause and obtain courtroom experience.

“This new project presents a tremendous opportunity for us,” said Pollack. “Because of the relatively short timeframe between filing and an actual trial in Hague Convention cases, we can mentor our associates to help left-behind parents in need and, at the same time, help them hone their trial skills with the guidance of experienced trial lawyers.”

Sullivan & Worcester partner and fellow MBA member Patrick Dinardo, who chairs the firm’s pro bono committee, expressed excitement at the launch of International ChildFind, explaining: “Service to the community is a long-standing tradition at Sullivan & Worcester. It is particularly rewarding when we are able to witness the impact of our efforts. Sharing our legal expertise with parents in need and helping them reunite with their children is an experience we never forget.”
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Lawyers Journal publicizes the recent and upcoming events of its affiliated bar associations. Please submit items for publication to Patricia O. Plasse at pplasse@massbar.org.

The Massachusetts Lesbian and Gay Bar Association held its Annual Boston Law Student Reception (see photos at left) on Wednesday, Sept. 13, with over 100 people in attendance. Attorney Carol Rose, executive director of ACLU of Massachusetts, was the guest speaker.

The event was held at the International Place offices of Ropes and Gray LLP, which sponsored the reception. MLGBA Co-chairs Christina E. Miller and Charles P. Wagner welcomed the law students and lawyers and talked about the MLGBA and its valuable connections to the Massachusetts Bar Association, Boston Bar Association, Gay & Lesbian Alliance Against Defamation (GLAAD) and MassEquality.org.

Miller is the MLGBA’s representative on the MBA’s House of Delegates.

In addition to individual members, the MBA was represented by President Mark D Mason, Executive Director Marilyn J. Wellington and Bar Services Liaison Patricia O. Plasse.

On Wednesday, Oct. 4, the Boston Bar Association will hold its 2006 Annual Meeting Luncheon at the Sheraton Boston Hotel. Rosabeth Moss Kanter, the Ernest L. Arbuckle professor at Harvard Business School, will deliver the keynote address. For more information, contact the Boston Bar Association at www.bostonbar.org or (617) 742-0615.

The Women’s Bar Association’s Annual Gala will be held on Tuesday, Oct. 17, at the Westin Copley Place Hotel in Boston. The keynote speaker will be attorney Janet Benshoof, president of the Global Justice Center, and founder and president emeritus of the Center for Reproductive Law and Policy (now the Center for Reproductive Rights).

Attorneys Nadine Cohen of the Lawyers Committee for Civil Rights and Ellen Kearns of Foley & Lardner LLP will be presented with the 2006 Lelia J. Robinson Award at the gala.

For more information, contact the WBA at www.womensbar.org or call (617) 973-6666.

On Thursday, Oct. 19, there will be a screening of the 2006 Silver Gavel and CINE award-winning film Soul of Justice: Thelton Henderson’s American Journey from 5:30-8:30 p.m. (doors open at 5:30 p.m., screening at 6 p.m. sharp) at the Moakley U.S. Courthouse, One Courthouse Way, Boston.

The film is being presented by the American Constitution Society, Boston Bar Association, Equal Justice Society, Lawyers’ Committee for Civil Rights, Massachusetts Black Lawyers Association, Massachusetts Black Women Attorneys and the Massachusetts Chapter of the National Lawyers Guild.

A discussion and reception with Judge Henderson and filmmaker Abby Ginzberg will follow the screening.

Due to space limitations, an R.S.V.P. is required. Please R.S.V.P. at www.bostonbar.org/rsvp.cfm?event=5946.
During the month of September, the Lawyer Referral Service took its message to the cities and towns of the commonwealth.

On Friday, Sept. 15, two LRS staff members attended the Woburn Council on Aging’s Fall Festival, which was held at the Woburn Senior Center. The staff spoke to seniors about the various MBA public and community service programs that are offered for the general public. The LRS was one of more than 60 groups and organizations represented at the event.

Also, on Sept. 20, the LRS staff attended the Seventh Annual New Bostonians Community Day, which took place at Boston City Hall Plaza from noon-4 p.m. Activities were scheduled during the day that included free immigration clinics and an information fair consisting of more than 100 resource tables on topics including citizenship, housing, career development, entrepreneurship, youth activities and educational opportunities.

This past year, the LRS has worked extremely hard to create a new approach to LRS marketing. The new tag line for the LRS is “Know a Good Lawyer? We do.” This tag line has been added to their brochures, posters, yellow page advertisements with Verizon and the Yellow Book, an ad on superpages.com and radio ads with the Patriots Radio Network. It will also be incorporated into the print marketing materials when the LRS begins advertising on the MBTA commuter rail.

If you are an attorney who needs to “expand your client base,” you should consider joining the LRS. It could be the best investment that you make this year. To join the LRS, please contact the department at (617) 338-0556 or via e-mail at lrs@massbar.org.

The MBA’s Lawyer Referral Service was active in September, including making appearances in Woburn and Boston. Stephanie Calderon, an LRS public services representative, provided information on the MBA’s Lawyer Referral Service and Dial-A-Lawyer programs to seniors at the Woburn Council on Aging’s Fall Festival (at left), which was held Sept. 15 at the Woburn Senior Center.

The MBA was one of more than 60 groups and organizations represented at the event. Calderon and LRS Public Services Manager Claudia J. Staten explained the MBA programs to seniors, answered questions and handed out brochures.

Calderon and Staten also attended the 7th Annual New Bostonians Community Day on Sept. 20 at Boston City Hall Plaza, an information fair consisting of more than 100 resource tables that provided assistance with a variety of topics.

Photos by Claudia J. Staten

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Photos by Claudia J. Staten

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MBA CALENDAR OF EVENTS

Tuesday, Oct. 10
Fundamentals of Effective Discovery
4-7 p.m.
Egan, Flanagan and Cohen PC, 67 Market St., Springfield
Course #: CLD07
Geared towards those attorneys with little or no experience, this basic seminar will provide practice tips and pointers for litigation attorneys seeking an overview of formal discovery techniques. Find out how to implement a strategic discovery plan and utilize discovery methods to successfully position yourself for trial or settlement.
Faculty: John J. Egan, Esq., program chair, Egan, Flanagan and Cohen PC. Additional faculty to be announced.
Co-sponsors: The Berkshire, Franklin, Hampden and Hampshire county bar associations.

Wednesday, Oct. 11
Law Practice Management Luncheon Roundtable Series: Part II
1-2 p.m.
MBA Western Mass. office, 73 State St., Springfield
Course #: LPB07
Specific topics in Part II to include: client relations; insurance; avoiding malpractice; networking; marketing; and advertising.
Faculty: Michael R. Siddall, Esq., program chair, Siddall & Siddall PC; Lisa Brodeur-McGan, Esq., Brodeur-McGan; David Rome, President, CyberSystems; Terence Welsh, President, MBA Insurance Agency.
Co-sponsors: The Berkshire, Franklin, Hampden and Hampshire county bar associations.

Thursday, Oct. 12
Melanie’s Law
4-7 p.m.
Crowne Plaza, Worcester
Course #: CJB07
In this nuts-and-bolts course, attorneys will learn about the series of new penalties, conditions and trial procedures that go along with the recently passed “Melanie’s Law.” With all its legal nuances and technicalities, this course is a must for anyone involved in criminal law.
Faculty: Peter T. Elikann, Esq., program chair, Law Office of Peter T. Elikann; Edward P. Ryan Jr., Esq., O’Connor & Ryan PC. Additional faculty to be announced.

Friday, Oct. 13 - Saturday, Oct. 14
16th Annual Family Law Conference
Chatham Bars Inn, Chatham, Mass.
Course #: FLA07
This year’s conference theme is “Show Me the Money: Financial Issues in Family Law Practice.” The conference will kick off with the always popular cocktail reception on Friday evening, with educational panels on Saturday focusing on financial aspects of domestic rela-
tions practice. This conference will provide you with a unique opportunity to meet judges, socialize with colleagues and update your skills as you learn techniques and gain insights from our distinguished panel members consisting of judges and family law experts.

For additional information regarding area hotel accommodations, visit http://www.chathaminfo.com or contact the Chatham Visitor Bureau at (800) 715-5567.

**Tuesday, Oct. 17**

**How to Probate an Estate: Part I**

4-7:30 p.m.
Massachusetts School of Law, Andover

Co-sponsor: Worcester County Bar Association.

Faculty: J. Boroff, U.S. Bankruptcy Court. Additional faculty to be announced.

These companion courses (see Oct. 26) will help you to build your practice on a solid foundation. Specific topics will range from collecting information and guiding your clients, to preparing an account and obtaining a license to sell. *Attendance at both sessions is encouraged, but not required. Discounted rates for attending both Part I & II.*

Faculty: Peter E. Bernardin, Esq., program co-chair, The Plunkett Law Firm PC; Carol D. Kimball, Esq., Law Office of Carol D. Kimball.

Co-sponsor: Massachusetts School of Law.

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**Wednesday, Oct. 18**

**Minor's Settlements, Guardianship, Conservatorship & Supplemental Needs Trusts**

4-7 p.m.
MBA, 20 West St., Boston

Faculty: Ellen J. Messing, Esq., program chair, Messing, Rudavsky & Veliky PC; Shannon Liss-Riordan, Esq., Pyle, Rome, Lichten, Ehrenberg & Liss-Riordan PC; John P. Pulso, Esq., Hassan & Reardon PC.

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**Thursday, Oct. 19**

**Coping with the Downturn in the Real Estate Market for Attorneys**

Noon-2 p.m.
MBA, 20 West St., Boston

Course #: PLA07

Learn techniques to deal with the real estate market slowdown. Specific topics to include: methods for using real property legal skills in related areas; retaining existing clients and marketing for new clients; making your office IT efficient; and dealing with employee matters during a slowdown.

Faculty: Philip Feinzeig, Esq., program chair, Law Office of Philip Feinzeig; Michael P. Krone, Esq., First American Title Insurance Company; James A. Sifford, First American Title Insurance Company.

Co-sponsor: Worcester County Bar Association.

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**Casemaker Training**

4-5:30 p.m.
Massachusetts School of Law, Andover

Course #: CASEA07

This training session will be held in a computer lab setting that will provide the participants with the use of a computer and online access to Casemaker. Space is limited; all attendees must register in advance.

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**National Labor Relations Board, U.S. Department of Labor, 34th Annual Robert Fuchs Labor Law Conference**

1:30-6 p.m.; reception, 6-7:30 p.m.
Suffolk University Law School, 120 Tremont St., Boston

Co-sponsored by the Labor & Employment sections of the Boston, Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont bar associations, the conference offers three concurrent panels and features NLRB General Counsel Ronald Meisburg and Solicitor of Labor Howard Radzely as keynote speakers. There is an early registration rate of $69 before Oct. 5 (or $80 after Oct. 5), and government employees can register for $25. For more information, call (617) 573-8627 or go to www.law.suffolk.edu/als.

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**Tuesday, Oct. 24**

**Survival of Claims After Gaisor**

Noon-2 p.m.
MBA, 20 West St., Boston

Course #: LEBO7

While Gaisor settled the issue of whether discriminatory claims for wrongful termination survive the employee's death, it left open a number of other issues, such as whether employment tort claims also survive and whether claims survive that are not based on discharge. Join our expert faculty who litigated the Gaisor case to discuss what Gaisor decided and what it still left open.

Faculty: Ellen J. Messing, Esq., program chair, Messing, Rudavsky & Veliky PC; Shannon Liss-Riordan, Esq., Pyle, Rome, Lichten, Ehrenberg & Liss-Riordan PC; John P. Pulso, Esq., Hassan & Reardon PC.

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**Current Issues in Bankruptcy**

4-7 p.m.
Western New England School of Law, Springfield


Co-sponsor: Western New England College School of Law and the Berkshire, Franklin, Hampden and Hampshire county bar associations.

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**Wednesday, Oct. 25**

**How to Start and Run a Successful Solo or Small-Firm Practice**

9 a.m.-5 p.m.
Sheraton Needham, Needham

Course #: LPC07

This is a comprehensive, one-day seminar that features practical advice on what you need to become a successful lawyer-entrepreneur. Our faculty of experienced lawyers will provide guidance and insight on every aspect of starting a law firm while sharing practice pointers on growing their own firms. The day also includes a working networking lunch for meeting with colleagues who can help get you started.

Faculty: Marc L. Breakstone, Esq., program co-chair, Breakstone, White-Lief & Gluck PC; David W. White-Lief, Esq., program co-chair, Breakstone, White-Lief & Gluck PC; Dorothy Anderson, Esq., Office of Bar Counsel; Barbara Bowe, LICSW, Lawyers Concerned for Lawyers Inc.; Deborah M. Faenza, Esq., Ryan & Faenza; Andrea Goldman, Esq., Law Office of Andrea Goldman; Alan J. Klevan, Esq., Klevan & Klevan LLP; B.J. Krintzman, Esq., Law Offices of B.J. Krintzman; Christopher Marston, Esq., Exemplar Law Partners LLC; Denise I. Murphy, Esq., Rubin & Rudman LLP.

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**Thursday, Oct. 26**

**How to Probate an Estate, Part II**

4-7:30 p.m.
Massachusetts School of Law, Andover

Course #: PLB07

These companion courses (see Oct. 17) will help you to build your practice on a solid foundation. Specific topics include: placing a value on the estate; real estate law in consumer and business cases.


Co-sponsor: Western New England College School of Law and the Berkshire, Franklin, Hampden and Hampshire county bar associations.

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**Bankruptcy Practice Group Luncheon**

James Lynch, clerk of the U.S. Bankruptcy Court for the District of Massachusetts, spoke at a luncheon meeting of the MBA's Bankruptcy Practice Group on Sept. 19 on “Upcoming Changes in ECF and Other Practical Tips from the Clerk's Office.”

Pictured with Lynch, center, are the two co-chairs of the practice group, Francis C. Morrissey (left) of Edwards, Angell, Palmer & Dodge LLP, and Christopher W. Parker (right), of Rubin and Rudman LLP.
Online Career Center

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www.massbar.org/career

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We are proud to offer the area’s leading online Legal Career Center - the centralized location where employers, lawyers and support staff meet. We currently have thousands of legal positions available for your review. No job posting is more than 30 days old. Search by position, years of experience, areas of law, location and more!

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Recruit the area’s top legal professionals - Attorneys, Paralegals and Support Staff - at a much lower cost than an ad in your local paper. Law firms and corporate legal departments that are looking to hire can post their jobs online for a nominal fee.

These job postings will be visible at the Massachusetts Bar Association’s Legal Career Center and distributed nationwide to a network of more than 100 legal career and portal sites.

Local, regional and national recruiting reaching nearly 1,000,000 legal professionals with every posting.

See why we are the only legal focused job site to make CareerXroads “Best of the Best” list and the only legal jobsite to receive Weddle’s “User Choice” award.

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Pro Bono opportunities guide now available online

For many years, the Massachusetts Bar Association has offered to its membership an opportunity to access statewide and local organizations that are in need of pro bono services from attorneys, law students and paralegals. These services can range from actual client representation to the training of staff. The MBA and the Massachusetts Bar Foundation support attorneys in the commonwealth in their efforts to provide pro bono services to those of limited means. Listed on the MBA Web site are more than 100 agencies with a wide range of legal needs.

To identify a volunteer opportunity that meets your needs, you may search by keyword, category and/or county. To access this information, please visit: http://www.massbar.org/publications/pbog/

For your information, the Massachusetts Rule of Professional Conduct 6.1 states that for an attorney to qualify for contributing to the pro bono service, they should provide at least 25 hours of pro bono publico legal services annually for the benefit of persons of limited means. In providing these professional services, the lawyer should:

(a) Provide all or most of the 25 hours of pro bono publico legal services without compensation or expectation of compensation to persons of limited means, or to charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means. The lawyer may provide any remaining hours by delivering legal services at substantially reduced compensation to persons of limited means or by participating in activities for improving the law, the legal system or the legal profession that are primarily intended to benefit persons of limited means; or,

(b) Contribute from $250 to 1 percent of the lawyer’s annual taxable, professional income to one or more organizations that provide or support legal services to persons of limited means.

Please note that there have been several new listings added in the last month and please be sure to check back throughout the year to stay aware of seasonal opportunities or late additions to the guide.

Other ways to Get Involved

Over the course of the fall, the Community Services Department will be recruiting volunteers for the Mock Trial Program and Job Shadow Day 2007:

Mock Trial

In preparation for the 22nd Annual Statewide Mock Trial Program, the MBA invites you to volunteer as an attorney coach or judge.

Open to all public and private high school students in Massachusetts, the Mock Trial Program is a rich curriculum that promotes the development of fundamental knowledge, sound judgment and critical thinking skills. In Mock Trial, students are placed in a simulated courtroom situation where they assume the roles of lawyers and witnesses in a hypothetical case.

Members are needed to coach a team in their community or to serve as judges in the trials that take place throughout the state. To volunteer, call (617) 338-0570 or e-mail mocktrial@massbar.org.

Job Shadow

On Friday, Feb. 2, 2007, the MBA's annual Job Shadow Day will provide students with an opportunity to "shadow" an attorney for the day. The purpose of Job Shadow Day is to broaden students' understanding of the law, introduce them to the variety of careers available in the legal field and foster their respect for the legal system.

Attorneys from all areas of law are welcome to participate. We are especially seeking attorneys who are located (or can spend the day) in the cities of Boston, Worcester or Springfield. During Job Shadow Day, attorneys are encouraged to visit their local courthouse and introduce the young people to other legal professionals inside and outside their offices.

To volunteer, call (617) 338-0695 or e-mail communityservices@massbar.org.

As the year progresses, please keep an eye out for more information. Or, to find out more about how to get involved in programs like these, contact the Community Services Department at (617) 338-0695 or communityservices@massbar.org.

Blood drive draws 33 people

The Aug. 17 blood drive sponsored by the Massachusetts Bar Association and the American Red Cross collected 23 pints of blood from 33 people. Donations were needed to increase the summer’s low blood supply in Massachusetts.

“I have given blood three or four times before,” said Massachusetts Lawyers Weekly Direct Marketing Associate Jill Shepherd. “I give blood because I like to feel like I am giving back. Plus, it is a nice, convenient location since the Lawyers Weekly offices are located right across the street.”

“This is my first time donating blood,” said MBA Continuing Legal Education Manager Elizabeth Varney. “I felt that it was important to give blood to those in need. I should have done this sooner, and will definitely be donating again in the future.”

Emily Fournier, the MBA’s events development and project manager, thanked MBA volunteers William Russell, Matthew Houle, Marc Moccia, Jared Correia, Michele Himes and Jean Stevens.

Brown Rudnick supports Mock Trial for ninth year

Brown, Rudnick, Berlack & Israel LLP presented a $25,000 check to the MBA’s Mock Trial Program, the ninth year that the firm has been the exclusive underwriter for the program, which begins its competition in January.

Pictured from left to right: Albert W. Wallis, executive director, Brown Rudnick Center for the Public Interest; Elise Busny, litigation partner, Brown Rudnick; Andrew P. Strehle, administrative partner, Brown Rudnick; Mark D Mason, MBA president; Marilyn J. Wellington, MBA executive director and Elliott M. Loew, MBA Mock Trial Committee chair, Law Office of Elliott M. Loew, Newton.
Mason creates Law Student Sponsorship Program

One of MBA President Mark D Mason’s goals for the 2006-07 year is to establish or strengthen relationships with law schools across the state to improve programming, law practice management and recruitment of minority students.

To help foster the MBA’s ties with law students, the MBA is initiating the Law Student Sponsorship Program. Through this program, MBA members can donate the cost of a one-year MBA law student membership ($35), and give a student access to the MBA’s vast resources before he/she even passes the bar.

Mason said, “I look forward to pushing our services a step further by turning our attention to the future leaders of our profession: Massachusetts law students.”

For more information, call Member Services at (617) 338-0530. To read Mason’s full letter online and to print out a form for sponsoring a student, go to http://www.massbar.org/pdf/publications/ejournal/lssp.pdf.
2006-07 section chairs and standing committee chairs

The MBA congratulates and welcomes the 2006-07 section council chairs and standing committee chairs, who began their terms Sept. 1. Here is a list of the new chairs and the cities and towns in which they work:

Section chairs
Access to Justice: Julio Hernando, East Weymouth
Business Law: Peter D. McDermott, Boston
Civil Litigation: Jeffrey Catalano, Boston
Criminal Justice: Lee J. Gartenberg, Billerica
Family Law: Fern L. Frolin, Wellesley
Individual Rights & Responsibilities: Kevin G. Powers, Boston
Judicial Administration: Kathy Jo Cook, Taunton
Labor & Employment: Rosemary Pye, Boston
Law Practice Management: Denise M. Guerin, Cambridge
Probate Law: Edward Notis-McConarry, Boston
Property Law: Sabrina K. Lanz, Sudbury
Public Law: Robert Lawrence Quinan Jr., Boston, and Michele E. Randazzo, Boston
Taxation Law: Patricia Ann Metzer, Newton
Young Lawyers: Sanjay K. Sankaran, Lowell

Standing committee chairs
ABA Delegate Nominating Committee: Kay H. Hodge, Boston
Alternative Dispute Resolution Committee: To be announced
Amicus Curiae Committee: Pauline Quirion, Boston
Appellate Bench Bar Committee: J. Michael Conley, Braintree
Budget & Finance Committee: Robert F. Lucas, Wakefield
Committee on Professional Ethics: Andrew L. Kaufman, Cambridge
Executive Management Board: Mark D Mason, Springfield
Fee Arbitration Board Committee: Paul P. Nicolai, Springfield
Insurance Committee: Richard Eurich, Boston
Lawyer Referral Service Committee: David H. Burstein, Springfield
Massachusetts Law Review Editorial Board: Victor Baltera, Boston
MBA Nominating Committee: Warren Fitzgerald, Boston
Mock Trial Committee: Elliott M. Loew, Newton
Over 130 MBF Grantees, Fellows and friends joined in the celebration on Sept. 21 at the Massachusetts Bar Foundation’s Grantee Reception. This annual event honors the new IOLTA grant recipients, as well as the MBF Legal Intern Fellows.

Guests enjoyed the festive atmosphere, which also afforded a chance for MBF Fellows and Trustees to talk with grantees about the tremendous work being done to benefit those in need of legal aid across Massachusetts.

Through its 2006/2007 IOLTA Grants Program, the MBF awarded nearly $3.6 million to support 131 programs at 94 nonprofit organizations to provide civil legal services to the state’s low-income population, or to improve the administration of justice in the commonwealth. This year’s award total is the highest amount awarded by the MBF to date.

While offering brief remarks, a noticeably moved MBF President Francis A. Ford thanked this year’s grantees for being “the heroes in the struggle for fairness and equity.” He added, “It is your passion and your perseverance that keeps us all moving toward our common goal of equal justice for all citizens of this great state.”

Massachusetts Bar Association President Mark D Mason was also on hand to offer his thanks and encouragement to MBF grantees on behalf of the MBA.

A second MBF Grantee Reception is scheduled on Thursday, Nov. 2 at the offices of Bulkley, Richardson and Gelinas LLP in Springfield. To R.S.V.P., please call the MBF R.S.V.P. line at (617) 338-0648, or e-mail Foundation@massbar.org. For more information or for directions, please visit www.MassBarFoundation.org.

MBF calls for nominations to Board of Trustees and MBF committees

Board of Trustees

The Massachusetts Bar Foundation seeks dedicated individuals who are committed to strengthening the legal community's premiere charity by:

• Helping to advance the mission of the MBF through leadership and vision
• Serving as stewards of the Foundation’s assets of approximately $10 million
• Participating in development and grantmaking activities

Nominees must be MBF Fellows and current members of the Massachusetts Bar. Self nominations are welcome.

To be considered for appointment, please provide the MBF with a nomination statement, detailing the candidate’s qualifications and interests, together with a current resume. All submissions will be reviewed by the MBF Nominating Committee. Please submit nominations in writing no later than Nov. 1, 2006.

MBF Committees

To assist the MBF Board of Trustees, several on-going committees have been formed, including:

• Audit Committee
• Budget and Finance Committee
• Development & Long Range Planning Committee

MBF Fellows with expertise and an interest in serving on any of these committees are encouraged to contact the Foundation.

Contact information:
Elizabeth Lynch
Executive Director
Massachusetts Bar Foundation
20 West St.
Boston, MA 02111-1204
Email: elynch@massbar.org

For more information about the MBF and the Society of Fellows, please visit www.MassBarFoundation.org.

MBF seeks Fellows nominations

The Massachusetts Bar Foundation is seeking nominations of outstanding members of the bar to join the MBF Society of Fellows. We would like to encourage all MBF Fellows to submit nominations of lawyers and judges who have demonstrated exemplary dedication to the legal profession and to the mission of the MBF.

Established in 1964, the Society of Fellows consists of over 1,400 distinguished lawyers and judges working together to promote access to justice in the commonwealth. Membership is limited to just 5 percent of the practicing bar in Massachusetts.

The MBF’s greatest strength lies in the leadership, commitment and expertise of its Fellows. Their support enables the MBF to play a leading role in keeping the promise of justice in Massachusetts. In 2006, the MBF Fellows awarded nearly $3.6 million to support access to justice in the state.


For more information about the Society of Fellows, please contact Susannah Thomas at (617) 338-0647.
Lawyer Appreciation Night drew a crowd to Campanelli Stadium in Brockton on Aug. 16.

Lawyer Appreciation Night at Brockton Rox game a hit

The Massachusetts Bar Association’s luxury suite at Campanelli Stadium in Brockton was packed with fans of all ages cheering on the Brockton Rox baseball team for “Lawyer Appreciation Night” Aug. 16.

The evening’s proceeds will help the Massachusetts Bar Foundation fund civil legal services for low-income clients across Massachusetts.

Spirits were high for the law-themed event, which was sponsored by Comcast, with many MBA and MBF members taking to the field for playful, between-inning antics. Those who arrived early were treated to MBA Director Marilyn J. Wellington and MBF President Francis A. Ford delivering the ceremonial “first” pitches.

“It was so great to see everyone thoroughly enjoying the evening,” said Wellington. “And it was a terrific way to show the great pride we feel for our profession.”

MBF President Francis A. Ford threw out the ceremonial “first” pitch (along with MBA Executive Director Marilyn J. Wellington, not shown here) for the game in Brockton.
Those who work in the legal profession hold in high regard the maxim that justice should be accessible for everyone, even those who cannot afford an attorney. But the appearance of a self-represented litigant invariably prompts a collective sigh from attorneys, judges and clerks. Failure to properly serve an opponent, or good faith but erroneously drafted documents means a lot of court time and wasted resources.

But on Nov. 1, an 18-month pilot program will begin in Hampden and Suffolk Probate and Family Courts that will allow pro se litigants access to attorneys on a limited assistance representation basis.

“Currently, our rules of ethics and procedure permit a lawyer and client to agree that the lawyer may limit the scope of his or her services in non-litigation matters. But in matters involving court appearances, full representation has been the norm,” said Massachusetts Appeals Court Associate Justice Cynthia J. Cohen, chair of the Supreme Judicial Court Steering Committee on Self-Represented Litigants. “Facilitating at least some legal representation should be a significant improvement for self-represented litigants and for the court system.”

Advocates of the pilot program say limited assistance representation is a coup for everyone involved: Attorneys can avoid being drawn into lengthy, complex cases or assist more clients by handling discreet parts of a case, either giving advice, drafting pleadings or appearing in court for part of a legal proceeding; Legal Services can take advantage of LAR in terms of leveraging resources; unrepresented litigants can avoid being caught in the complexities of the courthouse; and courts will run more smoothly with better-informed litigants.

According to Cohen, approximately 100,000 civil litigants appear without counsel each year in the courts of the commonwealth. Statewide, close to 50 percent of the people appearing in the Probate and Family Courts are self-represented and the percentage is even higher in the Housing Courts.

“Despite some anecdotes to the contrary, the overwhelming majority of those who appear without counsel do so for economic reasons and not because they want to,” said Cohen. “And increasingly, it is not just the poor who are forced to go without lawyers; working-class and even middle-class individuals are finding it increasingly difficult to afford a lawyer when they need one for basic issues involving domestic relations, housing and consumer rights.”

The Steering Committee on Self-Represented Litigants was established by the SJC in 2002 in an effort to coordinate a system-wide response to the challenges posed by the growing numbers of self-represented litigants in all Massachusetts courts. The committee has 10 members, all connected in some way with the court system, who were selected by the SJC from nominations submitted by each court department. Members include judges, clerks and the Trial Court’s chief law librarian.

The steering committee’s mission was to look at work on the pro se issue that previously had been done in Massachusetts and elsewhere, to sift through that work and translate it into action. After doing some initial brainstorming and outreach to set initial priorities, the steering committee established several sub-committees and working groups, which were made up of individuals drawn from the wider legal community.

A “Working Group on Expanding Access to Legal Representation” was asked to look at ways to connect more self-represented people with lawyers and to consider proposing revisions to Massachusetts’ rules to explicitly permit less than full-service representation in court-related matters.

The working group was assembled to include a broad range of people with relevant expertise. Members included large-firm and small-firm practitioners, a representative from Bar Counsel’s office, an expert on legal malpractice insurance, an associate register of probate, judges from the Probate and Housing Courts and the director of a legal services organization. It was co-chaired by the MBA’s John Dugan, of Doherty, Ciechanowski, Dugan & Cannon PC in Franklin, and Probate Law Section Chair Ned Notis-McConarty, of Hemenway & Barnes in Boston.

The working group recommended, and the steering committee agreed, that limited assistance representation could be an effective way to address the issues presented by the growing numbers of self-represented litigants.

Pilot program

The idea for trying limited assistance representation in a pilot project came out of discussions held during the bench-bar portion of the MBA's Annual Conference in

Limited assistance representation pilot program begins Nov. 1

by Andrea R. Barter, Esq.
Concerns with LAR

To help ensure the success of any proposals to assist self-represented litigants, Dugan and Notis-McConarty met with different legal services groups, as well as a variety of MBA and BBA practice groups and county bar associations to discuss LAR and to listen to their concerns.

A primary concern was avoiding confusion in communicating with the pro se litigant and an LAR attorney: How could opposing counsel know who the proper contact on pleadings was?

“We listened very carefully,” said Dugan. “The form and the rules are pretty clear. They draw a bright line from when the party is pro se and when an attorney is involved. The attorney will file a Notice of Appearance and copy the opposing party or counsel and the court. It is clear on the face of that notice exactly what the attorney will be doing in the case. When it's time for the attorney to withdraw, they file a Notice of Withdrawal, which is served on all the same parties again. It is a very clear line when an attorney gets involved and when the attorney disengages,” Dugan asserted.

Another issue raised was whether LAR would hurt family law practitioners by cutting down their practice. Rather than engage a lawyer to represent a client throughout the process, would clients try to save money by just hiring a lawyer for a portion of the process? Dugan doesn't agree with that view and found that LAR in other states has not had that result.

“We believe that this actually ends up with more people having more representation. People who don’t have the funds or liquidity to pay for an attorney for the entire process will engage an attorney for the beginning or most important part of the action. It appears that that type of client is more likely to engage a lawyer on a part-time basis, and in the absence of LAR would in all likelihood never be represented by counsel,” said Dugan.

He recalled a Maine attorney who has found that LAR is very efficient for her family law practice. She establishes her role in advance and gets a retainer that includes that entire portion of the case. In her LAR cases, her collections are much closer to 100 percent than in her general practice.

MBA Vice President Denise Squillante was a member of the advisory group and admits she was never a fan of limited representation legal services. “I was coming from a different point of view, which was probably why I was accepted to the advisory committee. I welcomed the opportunity to give input, but when you hear that limited representation will allow legal services attorneys to service more clients, what could you have as a response to that?”

Squillante stressed that she was “very grateful that Chief Justice Marshall welcomed bar representatives to give input into this process. As a result, some of the LAR forms have taken into consideration concerns of members of the bar that will be dealing with this in the court.”

Training requirements

According to Jayne Tyrrell, executive director for the Massachusetts DIOLTA Commission, training and certification are necessary to participate in the LAR pilot program.

“There are a lot of issues in LAR to do it well, ethical issues, and mostly it’s a matter of clear communication between the attorney and the client. It’s not difficult, but it is thinking outside the box. It is very helpful to have the tools to reframe your approach to clients and be prepared for questions from clients and opposing counsel.”

Some training sessions have already taken place, have been taped and are available through the MBA, BBA and the Hampden County courts. The next scheduled training session will take place during the MBA Annual Family Law Conference on Oct. 14 (offered only to conference registrants).

The training teaches attorneys who wish to practice under the LAR system how to make it work safely for them. Tyrrell, who was instrumental in creating the instructional materials, said attorneys will learn the ethical issues involved, the standard of care, common pitfalls and how to avoid them, and how to set up office procedures to work smoothly and profitably.

Participants will receive four separate retainer agreements, instructions and checklists, intake and diagnostic questionnaires to help identify which clients lend themselves to LAR.

“This is not for everyone,” she cautioned.

In addition, there will be role-playing between opposing counsel, judges and attorneys, as well as intake interviews between clients and attorneys.

“The most exciting thing for me about LAR is reconnecting self-represented litigants with lawyers. In a perfect world, anybody who needed a lawyer would have one. The economic reality is that that's not where we're at right now. That doesn't exist. If this is a way to reconnect people who would otherwise go completely without counsel, it is a win-win for the client, the lawyer and the legal profession,” said Cohen.
Massachusetts Bar Association welcomes new members

Ernest A. Belfort
Peter A. Bella
Marc G. Bellerose of Sheldon Law Office PC
Damien D. Berthiaume of Berthiaume & Berthiaume
Gerald J. Billow of Posternak, Blankstein & Lund LLP
Brian Roger Blais of Ropes & Gray LLP
Arlene L. Boas
Annette M. Boelhouwer of Cetrolo & Capone LLP
Gregory M. Boucher of Melick, Porter & Shea LLP
Maja Bozic-Fertig of Kalperis International Inc.
Carol A. Bray
David A. Brown of Sherin & Lodgen LLP
Vance Ronald Brown of Boston Scientific Corp.
Gary Buchman of Sherin & Lodgen LLP
Thomas J. Butters of Butters Brazilian LLP
Lillian Pike Cain of the Law Office of Lillian Pike Cain
David Andrew Camiel of Gilmartin, Magence, Camiel & Ross LLP
Anthony J. Canata of the Law Office of Anthony J. Canata
Areti P. Cani & Stein
Kristin S. Caplice
Curtis L. Carpenter
Eileen W. Casal of Teradyne Inc.
David B. Chamin of ATMI Inc.
Steven A. Clark of Flynn & Clark PC
Robert Gilkes Clark of Kahalas, Warshaw & Friend
Elizabeth N. Clarke
Kristen L. Clarke of Adler, Cohen, Harvey, Wakeman & Guegquezian LLP
Erin M. Clasby of the Law Office of James S. Aven
Ammarie Colasanti of Rubin, Weisman, Colasanti, Kajko & Stein
Mary C. Connell of Connell & Connell
Anne Cavanagh Connolly
John Ronan Connolly of Hanify & King PC
James F. Connors of James F. Connors, Attorney at Law
Mark W. Constable of the Law Office of Mark W. Constable
Stacy D. Constantelos
Tracie Annette Coop
Karen F. Copenhaver of Choate, Hall & Stewart LLP
Zachary N. Cossegia of Taylor, Duane, Barton & Gilman LLP
Sean Paul Cronin of U.S. Dept. of Justice
Thomas H. Curran of Sherin and Lodgen LLP
Ann M. Cushing of Cushing & Dolan PC
Mark Edward Dailey of Dailey & Associates
Meredith Davison of Ready, Kiernan & McNally LLP
Charles H. DeBevoise of Davis, Malm & D’Agostine PC
Kenneth J. DeMoura of Adler, Pollock & Sheehan PC
John Depaulo of Haverhill District Court
Christopher John DiJulia of Ropes & Gray LLP
Patrick P. Dinardo of Sullivan & Worcester LLP
Erin M. Doherty
Patrick J. Dolan of Peabody & Arnold LLP
Lori Marie Henderson of Moldflow Corp.
Irwin M. Heller of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo PC
Jon A. Halaby
Gregory M. Hall
Andrew J. Hamberg of Fidelity Investments
Bill Hardt
Christopher D. Harrison
William Eric Hayden of Microsoft Corp.
Megan Elizabeth Hehir of Kerstein, Coren, Lichtenstein & Finkel LLP
Irwin M. Heller of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo PC
Lori Marie Henderson of Moldflow Corp.
Brian P. Heneghan of Foley & Lardner LLP
Kimberly B. Herman of Sullivan & Worcester LLP
Julie Rebecca Hess of Rackmann, Sawyer & Brewster
Robert E. Higgins
Thomas John Higgs
Jillian Beth Hirsch of Day, Berry & Howard LLP
Katherine Mary Holiday of Boston Financial Data Services Inc.
Jennifer L. Hurley of Marcus, Errico, Emmer & Brooks PC
Laurie Jane Hurt of Greenberg & Traurig LLP
Walter E. Huskins Jr.
Jessica Ruth Hutchins
Mark S. Hyder
Matthew W. Johnson of the Law Offices of Christine M. Bernardi
PC
Allison M. Johnson of Riener & Braunstein LLP
Anne L. Josephson of Kotin, Crabtree & Strong LLP
Eleni Kalmoukos
Michele F. Kasabula of Leahy & Kasabula LLC
James Kenney Kaufmann
Bridgette K. Kelly
Vanda Marie Khadem of Vanda Marie Khadem, Attorney at Law
Katharine Lord Klein of Kopelman & Paige PC
Jamie R. Koff of Riener & Braunstein LLP
Alina Kozlikov
Jessica L. Krivicich
Paul Michael Lanagan of Nixon & Peabody LLP
Susan X. Lange of Chatham Associates
Dennis LaRochelle of Cain, Hibbard, Myers & Cook PC
Paul C. Laudano of Brown, Rudnick, Berlack & Israel LLP
Valerie M. Le Pine of Ropes & Gray LLP
Mark Twombly Lee of Fusaro, Altomare & Ermilio LLP
Marybeth M. LeFevre of Blue Cross & Blue Shield of Vermont
Andrea Marie Leland
Jennifer Cotter Leventry of the Middlesex County District Attorney's Office
Jessica Leveroni of Sherin & Lodgen LLP
Joseph D. Lipchitz of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo PC
Robert M. Lippman of Lippman & O'Connor
Jennifer N. Lucas of Rubin, Rudman, Chamberlain & Marsh
Rikard D. Lundberg of Brownstein, Hyatt & Farber
Pardiac Pearlson Lydon of Branca, Powell & Joyce PC
Dean Christopher Makovski of Turkuljan, Daney, Osterberg & McDonald
David M. Mandel of Ropes & Gray LLP
Sarah Ann Markman
Brendan S. Maroney of Congressman Alan B. Mollohan
Carrie L. Martignetti
Peter A. Marx of Legal Insight Media Inc.
Derek M. Massey of Market St. Settlement Group Inc.
Ryan Joseph Matthews of Harris & Associates PC
Geraldine McAleer
Kathleen C. McCabe
Amy Marie McCallen of Rubin & Rudman LLP
Robert J. McCarron
Jennifer Lynn McCluskey of the Law Office of Wendie R. Wallis
Julie A. Ventola of the Law Office of Julie A. Ventola
Anthony J. Turco Jr.
Mark E. Tully of Devine, Millimet & Branch PA
Helen E. Tsingos of Wilson, Elser, Moskowitz, Edelman & Dicker LLP
Christopher J. Trombetta of Christopher J. Trombetta, Attorney at Law
Photo by Bill Archambault

Mock Trial Committee prepares its case

The Mock Trial Committee held its second meeting on Sept. 5 at the MBA's offices in Boston. The group will meet weekly throughout the fall in preparation for the 22nd Annual Mock Trial Tournament, beginning in January 2007.

The committee members pictured, from left to right, are: Sharon High School teacher Tanya Perkins, attorney Arthur J. Carakatsane, committee chair Elliott M. Loew and attorney Mary Bassett-Stanford.

Benjamin Sigel of Hinckley, Allen & Snyder LLP
Christopher P. Silva of Edwards, Angell, Palmer & Dodge LLP
Norman C. Specter of Burns & Levinson LLP
Peter Anthony Spellios of Sherin & Lodgen LLP
Timothy F. Stark of the Law Office of Timothy F. Stark
April R. Stockflett
Judy F. Stone-Hulsander of Banner & Witcoff Ltd.
Brooke Buckley Sugasaki of Day, Berry & Howard LLP
Edward J. Sullivan of Bingham Legg Advisers LLC
John C. Sullivan of John Hancock Mutual Life Insurance
Patrick M. Sullivan
Lena Suvilo of Nixon & Peabody LLP
Jonathan David Sweet of Schwartz & Swartz
Christopher M. Tauro of Cedrolo & Capone LLP
Cornelia R. Tenney of Hemenway & Barnes
Andrea A. Thomas of the Boston Public Schools
Fletcher Colin Thomson of Halloran & Sage LLP
Michael L. Tichnor
Maureen C. Tobin of Cooley Shrair PC
Charles C. Tretter of New England Governors’ Conference
Jason S. Tribush
Monica Trindade of Zone Labs
Christopher J. Trombetta of Christopher J. Trombetta, Attorney at Law
Mary A. Turner of Turner & Horne LLP
Malcolm A. Tufts of the Department of Justice
Cynthia L. Whiting of the Law Office of Cynthia L. Whiting
John R. Woffell of Healy, Deshaies & Gagliardi PC
Raemi A. Wood of Volunteer Lawyers for the Arts of Massachusetts
Janson Wu of Gay & Lesbian Advocates & Defenders
Nancy E. Wysocki of Ronald A. Wysocki, Attorney at Law
Jennifer A. Yelen of Slipher, O’Connell, Casey, Hartley, Michon & Yelen LLP
Pamela Nolan Young of North Shore Community College Library
Myrna M. Zakarian of Lynch, Brewer, Hoffman & Fink LLP
Lawrence C. Zalcman of Zalcman & Lewis
Leah E. Zandman of Ezra Library
Msgr. Bernard Zophone of New England Theological Seminary
Madina Abayevna Zhangabylova of Ali Law Offices
Catherine G. Ziegler of the Office of the Attorney General
Joann S. Zuccheri
Lisa Zuckerman
Heather Ross Zuzenak of Goodwin & Proctor LLP
Marc Zvatchkenbaum of Spectra

Patrick F. Murphy of the Massachusetts Dept. of Mental Retardation
Harold B. Murphy of Hanify & King PC
Edward J. Murphy Jr. of Murphy & Beane
Robert C. Newbold
Iris Nguyen of Tufts University Office of Gift Planning
Heath H. Norris of the Law Offices of Heath H. Norris PC
Sinad A. O'Brien of O'Brien Law Office
Michael O'Connor
Suzanne S. Oliver
Adam J. Olschan of Wolff & Abramson LLP
Rick Otero
John C. Paek of Sullivan & Worcester LLP
Colleen Marie Palmer of Donovan & Hatem LLP
Eric J. Parker of Parker/Scheer
Roy W. Pastor of Lorden & Pastor PC
Stephen J. Patton of Northeastern University
Raphaël Pellerin of Raphaël D. Pellerin & Associates PC
Amie Rebecca Pelletier of Robinson & Cole LLP
William A. Pepka Jr.
Lorenzo Perez
Paul P. Perocchi of Brown, Rudnick, Berlack & Israel LLP
Vincenzo S. Pesce Jr.
Cathy L. Peterson
Judith J. Phillips of the U.S. Dept. of Education
Christopher E. Phillips
Bradley W. Phipps of Bradley W. Phipps PC
Theresa Lord Piatti of Thomas F. Williams & Associates PC
Andrew C. Pickett of Jackson & Lewis LLP
Samuel R. Pincus
Bruce Stephen Pilavis of Bruce Stephen Pilavis, Attorney at Law
Sierra Pino of the Massachusetts Trial Court, Probate and Family Court
Maya Khuri Plotkin of Dionne & Gass LLP
Elizabeth C. Pollin
John J. Poloski III of Lisa & Sousa Ltd.
Stephanie Rae Pratt of Segal, Roitman & Coleman
Ian D. Prior of Brown, Rudnick, Berlack & Israel LLP
M. Frederick Pitzer of Brown, Rudnick, Berlack & Israel LLP
Kenneth Quat of Duat Law Office
Kelly M. Quigley of Devine, Millimet & Branch PA
Michael Nathan Radler of Wolf, Greenfield & Sacks PC
Rebecca O'Brien Radford of Kirkpatrick & Lockhart Nicholson Graham LLP
Stephen E. Ranieri
Rebecca L. Rausch of Donovan & Hatem LLP
Forest Goffrey Read IV of Tobin, O'Connor, Eving & Richard
John Reinstein of the American Civil Liberties Union
Sarah Ricciardelli of Ricciardelli & Small
Barbara A. Robb of Shilepsky, O'Connell, Casey, Hartley, Michon & Yelen LLP
Thomas F. Robertson of New England School Of Law
Jennifer C. Romano of Tarrant, Reed, Hart, & Rodgers PC
Kathleen Anne Romanow
Timothy J. Roskelley of Arnold & Kriegler LLP
Mark E. Rousse of Carlin, Charon & Rosen LLP
Andrew Royce of Sherin & Lodgen LLP
Deborah A. Rudolf of Deborah A. Rudolf, Esq.
Kathleen W. Salinger of the Office of the Attorney General
Syd Adam Saloman of Tucker, Herfesl & Saltzman LLP
Scott A. Samuels of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo PC
Brenda L. Sanabria of Cambridge Lawyers Group LLP
Thomas F. Sartini III of Davagian & Associates
Carla Sauvignon of the Massachusetts Appeals Court
Michael S. Weintraub
John Wall of the Law Office of John Wall
Elizabeth A. Watson
Kristan R. Watson
Paul D. Weaver of Houghton Mifflin Co.
Michael S. Weintraub
Sheppard L. Weisman of Kelly Law Registry
Elizabeth L. White of the Law Office of Joseph R. White
Thomas Whitestone of Promethean Software Corp.
Cynthia L. Whiting of the Law Office of George L. Whiting Jr.
James H. Wickersham of Noble & Wickersham LLP
Heather M. Wilke of the Kansas Dept. of Labor
Bridget A. Wilkinson of the Law Office of Bridget A. Wilkinson
Robert M. Williamson of Fletcher, Tilton & Whipple PC
Seth Magathuin Wilson of Bukley, Richardson & Gelinas LLP
Brian James Winner of Kopelman & Paige PC
Jennifer A. Yelen of Slipher, O’Connell, Casey, Hartley, Michon & Yelen LLP
Pamela Nolan Young of North Shore Community College Library
Myrna M. Zakarian of Lynch, Brewer, Hoffman & Fink LLP
Lawrence C. Zalcman of Zalcman & Lewis
Leonard Z. Zaremba of Ezra Library
Msgr. Bernard Zophone of New England Theological Seminary
Madina Abayevna Zhangabylova of Ali Law Offices
Catherine G. Ziegler of the Office of the Attorney General
Joann S. Zuccheri
Lisa Zuckerman
Heather Ross Zuzenak of Goodwin & Proctor LLP
Marc Zvatchkenbaum of Spectra

MBA Lawyers Journal
October 2006
27
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