

LAWYERS JOURNAL



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Recognizing quiet heroes

Each year, the president of the MBA has the pleasure and the privilege of giving a number of awards to lawyers around the state. The awards break down into a couple of different categories, most notably what lawyers have done to promote access to justice, and what lawyers have done to provide service to their community.

The two are quite different. The former category recognizes individuals for their achievements at work. So many Massachusetts lawyers have taken on

President's View

by David W. White Jr.



careers helping those who have limited access to justice, and their work impacts the lives of these people directly. On top of that, they create and improve institutions, and they pave the way for others. We had the opportunity to honor many of these fine lawyers at our Access to Justice Awards Luncheon on March 6.

So many other lawyers contribute in hundreds of other ways in their communities, and while that work is not necessarily legal work, it enriches communities locally and even worldwide. The work can be as familiar as helping the girls' softball team to as grand as building schools in Afghanistan. Each year, affiliated bar associations from across the commonwealth nominate members of their communities that proudly provide these services to receive MBA

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MBA presents Access to Justice Awards; Nancy King's legacy as advocate celebrated

by Jennifer Rosinski

Legendary legal advocate Nancy King was honored with the Lifetime Achievement Award at the Massachusetts Bar Association's 2008 Access to Justice Awards Luncheon, held March 6 at the John F. Kennedy Library and Museum in Boston.

In total, five attorneys and two law firms were presented with awards at the event, where State Rep. Byron Rushing (D-Boston) gave a keynote address about eradicating homelessness.

King, who lost her more than 20-year battle with breast cancer in December, is only the second person to receive the Lifetime Achievement Award and the first to have the luncheon dedicated to her legacy.

King was executive director of South Middlesex Legal Services in Framingham, where she spent 30 years of her career. SMLS provides free civil legal aid to the low-income residents of 36 towns located between Routes 128 and 495. King was known for her dedication to her clients, fundraising talents and ability to lobby the Legislature.

"Nancy will be remembered in the legal world as a leader, a



Photo by Jeff Thiebauth

MBA President David W. White Jr., far left, and MBA Executive Director Marilyn J. Wellington, far right, with the 2008 Access to Justice awardees.

compassionate advocate for the delivery of legal services to the poor, a wise mentor, and a highly effective fundraiser for

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MBA hosts Firm, Fair Trial Date Initiative Forum

by Kate O'Toole

Superior Court Chief Justice Barbara J. Rouse urged attorneys at the March 20 Firm, Fair Trial Date Initiative Town Hall, "Don't be reticent" when it comes to requesting face time with judges or speaking out about securing a desirable trial date. The Massachusetts Bar Association, with the help of Suffolk University Law School, hosted a town hall-style meeting between representatives of the bench and bar to encourage discussion about the 2005 Firm, Fair Trial Date Initiative.

Four dozen people attended the event, which was also available as a live webcast at www.massbar.org.

Judges track progress

The program opened with a presentation by Rouse about how the initiative came to fruition. According to Rouse, continuances have been reduced from 70 percent to 50 percent statewide, 60 percent of cases are tried on the first or second trial date, and the overall civil caseload has been reduced more than 15 percent.



Photo by Bill McCormack

Superior Court Chief Justice Barbara J. Rouse and Associate Justice Stephen E. Neel address audience questions at the March 20 forum.

Far-off trial dates, pre-trial concerns

After the judges spoke, MBA President David W. White Jr. introduced the panel portion of the program by first asking a

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Newton South High School wins Mock Trial State Championship. See page 3.



Edward W. McIntyre will lead the slate of 2008-09 MBA officers. See page 9.

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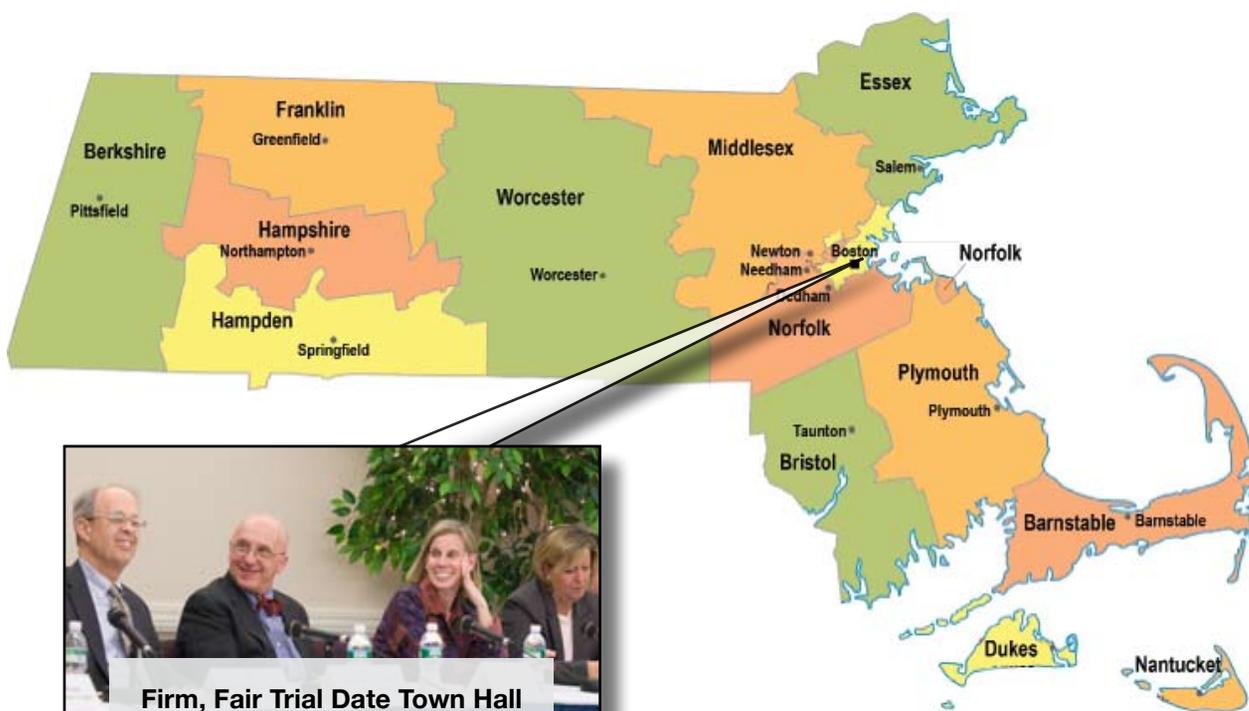
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Recent and upcoming events



Firm, Fair Trial Date Town Hall Forum, Boston, p. 1

1. **Annual Walk to the Hill for Legal Aid**
Great Hall, Statehouse, Boston, Feb. 28. *Story on p. 17*
2. **Access to Justice Awards Luncheon**
JFK Library and Museum, Boston, March 6. *Story on p. 1*
3. **House of Delegates meeting**
JFK Library and Museum, Boston, March 6. *Story on p. 8*
4. **Firm, Fair Trial Date Town Hall Forum**
Suffolk Law School, Boston, March 20. *Story on p. 1*
5. **Mock Trial State Championship Finals**
Great Hall, Faneuil Hall, Boston, March 28. *Information on p. 3*
6. **Veterans Dial-A-Lawyer program**
MBA headquarters, Boston, April 9. *Story on p. 16*
7. **MBA CLE Conference**
Sheraton Boston Hotel, Boston, April 28. *Information on p. 20*
8. **29th Annual Labor & Employment Law Spring Conference**
The Colonnade Hotel, Boston, May 13. *Information on p. 12*
9. **Public Law Conference**
Holiday Inn Boston, June 4.

For more information about upcoming events, visit www.massbar.org or call (617) 338-0530. CLE seminars are not included. For a full listing of events, see the Calendar on pp. 20-21, the CLE brochure or www.massbar.org.

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Newton South wins 2008 Mock Trial Championship

by Kelsey Sadoff

In what was hailed as the “best weighted case in 16 years” by presiding Judge Howard Whitehead, Newton South High School won the MBA’s 2008 High School Mock Trial State Championship on March 27. Pioneer Valley Performing Arts Charter School in South Hadley was the runner-up in the finals, which were held in Boston’s historic Faneuil Hall.

“What we will witness today is a duel between Western and Eastern Massachusetts,” said MBA President David W. White Jr. before the competition.

“Faneuil Hall is where thousands of new lawyers are sworn into our profession each year. How appropriate that as the next generation of leaders, you find yourselves in this remarkable and dedicated venue.”

This year’s Mock Trial case, created by the 2008 MBA Mock Trial Committee, dealt with sexual harassment in the workplace. To prepare for trial, Newton South and Pioneer Valley attorneys were required to assess the alleged “hostile work environment” at a fictitious computer gaming company. Teams had to determine if a high school senior, while employed as a company intern, simply overreacted and perhaps needed to develop a thicker skin, or if the workplace was truly infested by a climate which exceeded the bounds of the law.

Newton South represented the defendant in the case, LunaTick Games, while Pioneer Valley represented the plaintiff, a student intern named Hal Smith.

Superior Court Justice Howard J. Whitehead presided over the proceedings with assistance from Superior Court Justice Barbara A. Dortch-Okara and District Court Justice Barbara Savitt Pearson. Mock Trial Committee Acting Chair Denise Coffey offered participants and attendees welcoming remarks.

The judges commended both teams on their skills. “This is outstanding. I am really bowled over every time I see these performances,” said Dortch-Okara. She told the students, “If you want to compare yourselves to some practicing attorneys, you can do that.”

Even though Newton South took the state championship, Whitehead said Pioneer Valley would have prevailed in a court of law on at least one of the two charges claimed in the lawsuit — gender discrimination due to a hostile work environment. The judges’ final



Newton South High School receives a \$2,500 check from Massachusetts Bar Foundation Vice President Joseph P.J. Vrabel, far right, to defray travel costs to the national Mock Trial Tournament in Wilmington, Del., in May.



Newton South High School student Tom Haskin makes a point at the Mock Trial State Championship on March 27.



Photos by Chuck Chaney

The panel of judges included, from left to right: Superior Court Justice Barbara A. Dortch-Okara, Superior Court Justice Howard J. Whitehead (presiding judge), and District Court Justice Barbara Savitt Pearson.



The Newton South High School team with the panel of judges, MBA President David W. White Jr. and members of the Mock Trial Committee.

Get Involved!

decision was split two-to-one.

There were 211 total trials during the 2007-08 Mock Trial season, which began in January, at 53 different trial venues featuring 111 teams vying for the state title. Schools were initially divided into 16 geographic regions and competed in three preliminary rounds, with the team with the greatest percentage of wins in each region advancing to the championship “sweet 16” rounds.

“The MBA’s Mock Trial Program has been hugely successful,” said White. “The goal has remained to provide each student a chance to grow as an individual — to grow as someone who is able to work with and support others, as an informed citizen who understands our legal system, and as future leaders, who will use those skills to improve the lives of others in their communities.”

The judges were impressed with how effectively this year’s competitors raised objections, which they said is

usually one of the most difficult aspects for students to master. In addition, the judges praised the witnesses’ performances, which can make or break a case, for their direct eye contact with the judges. Both teams were also commended for their closing statements, which, according to the judging panel, were “an excellent weaving of law and facts.”

“It is a real honor to participate in the finals,” said Pearson, who commented specifically on witness performances. “It is important to be somewhat dispassionate when asking questions to make the witnesses come alive. Remember, questions are not evidence, answers are.”

The Mock Trial Program is administered by the MBA and made possible by the international law firm of Brown, Rudnick, Berlack, Israels LLP through its Center for the Public Interest in Boston, which has contributed \$25,000 per year to the program since 1998.

After the competition, Massachusetts Bar Foundation Vice President Joseph P.J. Vrabel presented Newton South High School with a \$2,500 travel grant to help defray the cost of the team’s trip to Wilmington, Del., where it will represent Massachusetts in the National High School Mock Trial competition in May.

MBA presents Access to Justice Awards; Nancy King's legacy as advocate celebrated

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legal services," said MBA President David W. White Jr. "Selfless to the end, rather than fret about herself, she took care of clients, colleagues and relatives. For example, she would even help run her office by phone from the hospital when treatments demanded her presence."

King's sisters Mary, Patricia and Eileen, as well as her brothers Michael and Thomas, accepted the Access to Justice Lifetime Achievement Award on her behalf.

"On behalf of my family, I want to thank the Massachusetts Bar Association for this Lifetime Achievement Award and for dedicating this luncheon to Nancy," King's sister, Mary King, said.

Mary King read a speech her sister gave more than 10 years earlier when she was honored with the David Nelson Award for Public Interest from Boston College Law School, her alma mater. "I believe in the ideal of equal justice under the law. That may be considered naive or idealistic, and I accept both characterizations as great accomplishments," Mary King said, reading her sister's speech.

Following the award presentation, White announced that the board of the Massachusetts Bar Foundation, the MBA's philanthropic partner, has created the Nancy King Memorial Fellowship. This fellowship will support a legal intern during the summer months at South Middlesex Legal Services. The fellowship was made possible by a contribution from MBA Past President Elaine M. Epstein and matching funds from the foundation's Fellows program.

"It was her characteristic tenacity that made Nancy so effective in providing legal aid to countless clients in the 36 towns served by South Middlesex Legal Services," White said. "As Nancy's colleague Betsy Soule said, 'Nancy was a realist about the problems that their clients faced, but she was always hopeful and inspirational about the impact they could have on their clients' lives.'"

The MBA's Access to Justice to Section nominates the Access to Justice Award candidates, who are then approved by the MBA House of Delegates.

"The common ground for all of the Access to Justice Award recipients is their steadfast and selfless fight for clients who cannot afford representation," White said. "The collective efforts of the 2008 Access to Justice



MBA President David W. White Jr., second from left, presents the Lifetime Achievement Award to Nancy King's siblings.

awardees have had an overwhelmingly positive and often life-altering impact on the lives of their many clients."

The Legal Services Award was given to Faye Rachlin, managing attorney at Legal Assistance Corp. of Central Massachusetts in Worcester. Rachlin has been with LACCM since 2000. Previously, she worked at Western Massachusetts Legal Services, where she focused on landlord-tenant issues.

"We do this work because of our clients," Rachlin said in accepting her award. "They remind me, and they remind us, time and again, how necessary it is to fight against poverty and how necessary it is to fight for equal rights and justice."

Two law firms were presented with the Pro Bono Award for Law Firms: Heisler, Feldman, McCormick and Garrow PC in Springfield and Nutter, McClennen & Fish LLP in Boston.

Heisler, Feldman, McCormick and Garrow PC, a firm with four partner attorneys, a full-time fellow and a part-time attorney, was founded on the principle that poor clients



Rep. Byron Rushing

deserve the same high-quality representation as any other clients. To achieve this, the firm has taken advantage of "fee-shifting" provisions found in state civil rights and tenant rights statutes. Instead of requiring advance payment from clients, the attorneys take on poor clients' meritorious cases, and are subsequently awarded attorney's fees by the judge.

"The founders of our firm founded the firm on the principle that indigent litigants deserve representation," said founding partner Suzanne Garrow, who explained that clients are not expected to pay up front legal fees. "This means we're happy, although sometimes poor."

Nutter, McClennen & Fish LLP was founded in 1879 by Louis D. Brandeis, a prominent U.S. Supreme Court justice and early champion of pro bono work. Nutter has signed on with the Pro Bono Institute's Law Firm Pro Bono Project as a founding member and challenge participant. As a result, three percent of the firm's paying client billable hours are spent providing legal services to immigrants, low-income and disadvantaged individuals and families, as well as nonprofit organizations.

"The importance of pro bono work goes back to our founder, Louis D. Brandeis," said partner Christa Von Der Luft. "Thank you for this recognition."

The Pro Bono Publico Award was presented to Thomas A. Manning, a solo practitioner in Worcester. Manning devotes much of his time to many meaningful pro bono activities and initiatives in the greater Worcester community, including chairing legal assistance programs, raising funds for relief services, and the establishment of the Probate Court Lawyer for the Day program in his local court. The program gives private, volunteer attorneys a way to offer brief consultations to individuals who are representing themselves.

"I never became a lawyer to make a lot of money. I, like a lot of people in this room, became a lawyer to help people," said Manning, who joked that his accountant often asks, "Is your firm a nonprofit?"

The Defender Award was given to Erica E. Cushna, a solo practitioner in Springfield who specializes in juvenile defense work. Cushna also serves as regional coordinator for juvenile delinquency and youthful offender cases in Hampden County for the Committee for Public Counsel Services.

"I have to tell you, when I first got this letter, I thought it was a mistake. I'm so honored to be here today," said Cushna, who said she derives inspiration from her clients. "I'm amazed at what some of my clients have been able to overcome... I accept this award in recognition of their hard work, the hard work of change."

The Prosecutor Award was presented to J. Thomas Kirkman, a prosecutor in the District Attorney's Office in Barnstable. As the director of the Domestic Violence Prosecution Unit for the Cape and Islands District of Massachusetts, he has never lost his compassion for victims and continues to perform creative and important work on behalf of the indigent community. Kirkman is also one of the founders of the Cape and Islands Regional Domestic Violence Council and serves on its steering committee.

"Ours is an honorable profession and we do such good things. We should be proud of the work we do. I know I am," Kirkman said. "I thank you, and I thank you for this award."

Rushing, second assistant majority leader of the House of Representatives, closed the event with his keynote address. Rushing serves the 9th Suffolk District, which includes parts of Boston and Cambridge. His legislative priorities include human and civil rights, the advancement of democracy, economic and housing development, and providing housing and health care for all.

The co-chair of the state's Commission to End Homelessness, Rushing spoke about the need to create true access to both justice and public institutions and challenged the crowd to help end homelessness. The commission has come up with a plan to refocus state funding priorities from homeless shelters to creating and supporting permanent housing. "In five years we will have ended homelessness in Massachusetts," Rushing said. "Justice is justice when it is for all."



Photos by Jeff Thiebauth

MBA President David W. White pays tribute to Nancy King, whose image is reflected on the screen above. King was honored posthumously with the Lifetime Achievement Award.

MBA hosts vigorous discussion of Firm, Fair Trial Date Initiative in Superior Court



Superior Court Chief Justice Barbara J. Rouse provides some background on the Firm, Fair Trial Date initiative before the panel discussion begins.



The panel included, from left to right: Superior Court Judge John C. Cratsley, MBA Secretary Robert L. Holloway Jr., Elizabeth N. Mulvey, Susan M. Donnelly Murphy and Civil Litigation Section Chair Jeffrey N. Catalano.



An audience member addresses the judges during the discussion portion of the program.

Photos by Bill McCormack

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simple question to the panelists: “Is it working?”

At the core of many attorneys’ frustrations was how far ahead a trial is scheduled — and the various problems that result from that — as well as consistency in applying the Firm, Fair guidelines across the counties and sessions.

Panelist Susan M. Donnelly Murphy, a Boston defense attorney concentrating on professional malpractice and insurance litigation, discussed the difficulty of coordinating schedules nine months, a year, or even a year-and-a-half in the future.

“Quite frankly, I’d like to think that at a pre-trial conference nine or 10 months before the trial, I am seriously considering whether this case is going to trial,” she explained, “But, I must confess that doesn’t usually happen. It gets put on the back burner until I’m writing jury instructions and realizing that this is not a case that should go to trial.”

She suggested requesting a “final, final” pre-trial conference two to three weeks before a case is scheduled to go to trial, and noted that she has been awarded that conference with “increasing frequency” from the bench.

Panelist and plaintiff personal injury attorney Elizabeth N. Mulvey shared Murphy’s concerns for distant trial dates. She added a suggestion to “rename the pre-trial conference a year ahead a ‘scheduling conference’ and make the ‘pre-trial’ conference two weeks before trial” in order to limit confusion and guarantee a beneficial conference just prior to the trial date.

Program chair and Boston plaintiff attorney Jeffrey N. Catalano agreed with his fellow panelists and expressed additional concern for his clients involved in medical malpractice cases, who, in some cases, might not even survive if the case does not go to trial for 18 months.

An audience member supplemented Catalano’s point and explained why one of his current clients — an injured construction worker — can’t afford to wait more than a year for a trial. “He’s out of work and maxed out all of his credit cards,” the attorney explained. “He needs his trial.”

MBA Secretary and Peabody attorney Robert L. Holloway Jr., who focuses his practice on business and commercial litigation, provided a slightly different perspective than the other attorneys. He said that the Firm, Fair initiative has generally worked well, with a high percentage of cases being reached “maybe not on the exact day, but within a close enough time tolerance that we can keep our witnesses.”

However, he also sympathized with his peers when it came to scheduling difficulties. “I may have more control over experts because my business and commercial clients have more control over them, but it’s still a problem when you have folks coming in from out of state.”

Panelists also commented about issues unrelated to the distance of trial dates. For example, Murphy noted “a serious lack of uniformity” when it comes to the presence of judges at pre-trial conferences. When the meeting is only with a clerk, she said that she is unable to use the pre-trial conference to sort out issues about evidence, potential for settlement and expert witnesses.

Mulvey pointed out the importance of the days of the week in setting a trial date: “You can pick a jury a whole lot faster on Wednesday or Thursday than on Monday.”

Neel agreed with Murphy about the importance of resolving evidentiary and witness issues at the pre-trial conference, and Rouse advised attorneys to affirmatively request their conference with a judge.

As for Mulvey’s concern about jury selection and trial dates, Rouse urged her, “Influence the judge’s choice of date. Speak up, tell the judge that you would prefer to have a date toward the end of the week because you think it increases the likelihood of going to trial and causes fewer problems with the jury pool.”

Attorneys and judges discuss solutions

In response to the attorneys’ comments about far-off trial dates, Neel pointed out that long trials — such as medical malpractice, product liability and construction cases — are a particular challenge for the courts. “I suspect we are setting those long cases further out than we would have under the old system, but under the old system, those cases would have had two or three or four trial dates before they actually tried.”

He reiterated that by scheduling fewer cases, the court has a greater ability to shift cases between sessions. “Frankly, the escape valve may be to try to find a home for those cases not necessarily in the session they’re assigned to. But it’s a problem, and there’s no perfect solution to that.”

Mulvey suggested a strategy that she has previously employed several times to achieve a trial date much sooner. She prefaced her suggestion by noting that in most cases, there is one attorney for the plaintiff, and often three or four for the defense.

“Not uncommonly, there will be a date, maybe six

months out, that everyone can agree with except for one counsel,” she explained. If all parties agree, the judge can schedule a trial date within a few months, when most of the counsel are available. If the trial dates comes, and one attorney still has a scheduling conflict, the case will not be reached, but the attorney will not be penalized.

However, more often than not, the conflict settles or disappears, and the case is reached. “I’ve had cases actually get tried in four to six months using that informal workaround, and I think that it may be worth trying on a broader basis,” Mulvey said.

Rouse added that she hoped that a larger pool of attorneys, especially on the defense side, was trying cases. She noted that plaintiffs generally want the trial because they are paid on contingency, while defendants are usually on the clock and their clients want to be represented by particular attorneys. “It’s a dilemma for judges.”

Murphy responded that the defense bar needs time to replenish the roster of attorneys, pointing out that she “wasn’t trying wrongful death cases five years out of law school,” and that it takes time to integrate more attorneys into the courts.

Panelists emphasize bench-bar communication

All three representatives from the bench encouraged the attorneys to always be forthright in their requests, implying that executing the Firm, Fair Initiative is not a one-way street.

Mulvey agreed, and wrapped up her comments with a reminder to attorneys of their role as advocates for their clients when it comes to scheduling reasonable trial dates and achieving their goals in conferences. Holloway added that “communication is key” for all parties involved.

The MBA and the courts strive to maintain an exchange of ideas between the bench and the bar. On May 29, the MBA, along with the Massachusetts Trial Courts, the Court Management Advisory Board, Plymouth County Bar Association, Barnstable Bar Association and Bristol County Bar Association will sponsor an “Open Dialogue on Court Practices” at Brockton District Court at 4:30 p.m.

The event will provide a statewide opportunity for dialogue among judges, lawyers and court personnel on court practices and procedures. Look for more information about this event in upcoming editions of *Lawyers Journal* and on our Web site, www.massbar.org.

President's View: Recognizing quiet heroes

Continued from page 1

Community Services Awards. Each nomination brings with it a story of commitment and honor, selected from the many similar stories of the generosity of our colleagues. The work of so many others goes on every day without widespread recognition.

That is, in a way, no surprise. Each of the recipients I have had the pleasure of meeting has one thing in common: The work they do for the disadvantaged or for victims, or the volunteer work they do for their communities, is motivated not by a desire for recognition or acclaim, fame or fortune; it is motivated by selflessness, generosity and a strong sense of community. When they are recognized or thanked, they are most likely to be surprised and to try to pass the credit on to others.

Lawyers are, by any objective standard,

a generous lot. We give of our time, and when we can, we give of our money too. The MBA membership survey conducted in 2005 found that most lawyers volunteer time in public service, bar-related or community activities, and that the average charitable contribution was over \$2,500. Whether the calling is local, or farther away, such as in New Orleans after Hurricane Katrina, Massachusetts lawyers are among the first to stand up to help.

Perhaps it is because of this generosity that so many lawyers so roundly rejected the draft rule from the Supreme Judicial Court which would have mandated 25 hours of pro bono publico work per year. Disciplinary Rule 6.1, which is presently only aspirational, also provides an option for making donations instead of performing work.

At a discussion of the draft rule, so many bar association leaders stood up to denounce the concept of mandatory pro

bono work. It is understandable that lawyers feel their volunteer efforts — for the bar, for the disadvantaged, or for their communities — should not be mandated or managed by our ethical rules. I personally hope that Rule 6.1 remains aspirational and inspirational, and that it does not become mandatory. I respect the right and ability of lawyers to make these choices.

That said, there still is a vast ocean of unmet legal needs, and we must all press for increased funding for legal aid in Massachusetts. This year, we are fortunate that Gov. Deval Patrick proposed a \$2.5 million increase in the legal services budget. Even with that increase, it still falls far short of actual needs. Last year, legal services turned away about half of its eligible potential clients for lack of resources.

Not surprisingly, an investment in legal aid yields fabulous returns. For example, in the benefits area, a dollar spent advocating for federal or state benefits yields seven dollars for the client (and the Massachusetts economy) in the first year, and the benefits typically last another nine years. Every time a person can be kept in

his or her home, homelessness costs are avoided. The list goes on.

Are you wondering what you can do? Each issue of *Lawyers Journal* includes information on getting involved, and there is even more information on the MBA Web site, www.massbar.org.

Perhaps this is not the best time for you to embark on your next volunteer venture. Sometimes the pressures of work and family keep many of us away from the volunteer work we would be happy to do. Opportunities will be waiting, you can be sure.

In closing, I offer you this quote not to engender guilt, but rather for reflection and inspiration.

"It is not only what we do, but also what we do not do, for which we are accountable."

— Jean-Baptiste Molière

As lawyers, we are not afraid to face our accounting, because we do so much. And so I thank you, fine members, for the many things you do each day that may go unrecognized by your colleagues.

Members support MBA's community work through MBI Public Service Fund

MBA Executive Director Marilyn J. Wellington, Esq., is pleased with the support and generosity that the legal community has exhibited so far toward the Massachusetts Bar Institute Public Service Fund.

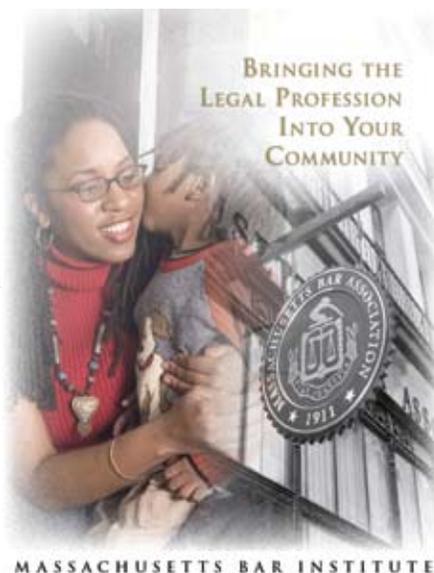
In early February, MBA members received an important brochure in the mail — *Bringing the Legal Profession into Your Community* — reminding members of the thousands of hours of time that their colleagues in the law give back to their communities by volunteering in programming administered through the MBI.

Through much collaboration with schools, state agencies, civic organizations, councils on aging and the like, the MBA has earned a reputation for excellence in providing programs to educate our youth, provide legal services to those in the greatest need, and to reach out to our neighbors, young and old, with invaluable law-related services and education.

Whether it be through the Elder Law Program, the Lawyer-Teacher Partnership initiative, pro bono programs such as the veterans project, the popular High School Mock Trial Program or the multitude of other community and public services, invaluable legal services and programming are offered to those who need it most.

By contributing to the "Bringing the Legal Profession into Your Community" MBI Public Service Fund, members will invest in the future of the association's public and community services that impact thousands of citizens each year across the commonwealth.

Any and all contributions are welcome. For more information, e-mail communityservices@massbar.org.



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HOD supports repeal of REAL ID Act, debates ethics opinion on professional networking groups

by Bill Archambeault

The March 6 House of Delegates meeting unanimously endorsed a resolution presented by the Individual Rights & Responsibilities Section to oppose the implementation of the REAL ID Act of 2005.

The law will require states to pay for introducing a national ID card. Critics fear it could be used for racial profiling and restricting travel, and would be a goldmine in the hands of identity thieves.

IRR Section Chair Kevin G. Powers and Section Council member Sara Wunsch, a staff attorney at the American Civil Liberties Union of Massachusetts, explained that the law was passed with little discussion as part of a supplemental funding bill. It calls for introducing a national ID card, placing the cost of implementing the program almost entirely on the states.

It also raises serious civil rights concerns, Wunsch said, including affecting people's ability to travel and creating a massive, potentially error-filled database that would be susceptible to identity thieves. (*For a thorough explanation of the risks associated with the REAL ID Act, see Wunsch's article in the Vol. 10, Issue 1 edition of Section Review.*)

"It has serious consequences," she said, adding that Congress came up with roughly 1 percent of the estimated \$23 billion needed to pay for the program. "It is, in essence, an almost totally unfunded mandate. The cost is enormous."

Seventeen states are already on record opposing the act, she said in asking HOD to:

- Urge the Massachusetts congressional delegation to support legislation that would repeal the drivers' license provisions of the REAL ID Act;
- Support passage of Massachusetts Senate Bill No. 2138, which would require the Legislature not to appropriate any funds to pay for implementing the act other than to comprehensively analyze what the costs of implementing the act would be, or to mount a constitutional challenge through the state's attorney general, or unless the federal government provides adequate, upfront funding.
- Urge the governor to announce that the state's Registry of Motor Vehicles will take no steps to comply with the act and that no executive branch agency make any expenditures to comply; and
- Take any other measures necessary to win the repeal of the act.

There was no discussion, and the resolution passed unanimously.

Ethics rule debate

Delegates engaged in a spirited debate over the MBA Committee on Professional Ethics' proposal to publish an ethics opinion stating that lawyers are not allowed to take part in a private business networking organization that

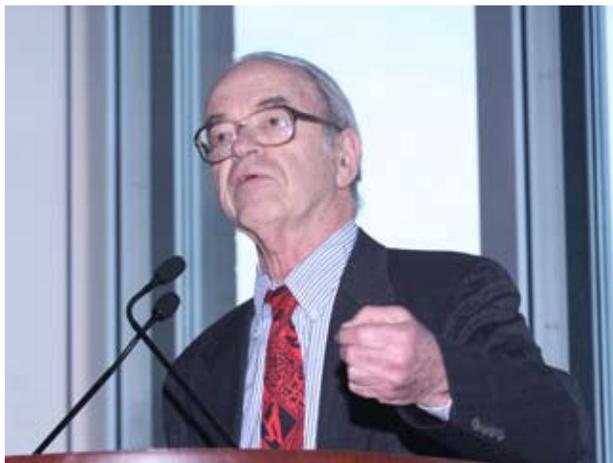


Photo by Jeff Thiebauth

Andrew Kaufman, chair of the MBA's Committee on Professional Ethics, answered questions about an ethics opinion regarding professional networking organizations.

requires members to provide referrals to the other members.

Committee Chair Andrew Kaufman explained that the Massachusetts Rules of Professional Conduct do not allow lawyers to belong to a professional networking group that requires its members to provide and receive referrals from the other members of the group, which usually allow only one representative from each profession.

"We've had a number of inquiries from lawyers over the years about this type of organization," Kaufman said.

But a number of members expressed concerns about sending the message that belonging to professional networking organizations — even those that don't require referrals — raised ethical concerns.

"I would hate to see us as members of the MBA tell lawyers not to network within their communities," said At-Large Delegate Charles Wagner.

Suffolk County Delegate Jeffrey B. Loeb suggested that publishing this opinion would raise fears that belonging to a wide range of professional networking groups could raise ethical dilemmas.

And Civil Litigation Section Chair Jeffrey N. Catalano expressed concerns that this opinion might lead to a slippery slope in the future, for example, if a lawyer recommended a client to a nonprofit group and then the nonprofit group in turn referred other clients back to that lawyer.

Kaufman stressed that nonprofits are treated very differently than networking groups with established rules requiring referrals from its members. And the opinion only applies to professional organizations that require exclusive referrals as a condition of membership, not to the appropriateness of sharing referrals among members of networking groups in general.

MBA Secretary Robert L. Holloway Jr., who has been on the Ethics Committee for a number of years, spoke strongly in favor of publishing the opinion.

"I think lawyers need to know this," he said. "I think

it's important to publish this."

MBA Past President Mark D Mason supported the request.

"It is a correct interpretation of the law... *the law*," he stressed. "As a matter of law, there's no question the committee is correct in its assessment."

Noting that it was "the most comprehensive ethical debate in a long time," White called for a vote, first taking a motion not to publish the opinion. Half a dozen members voted against publishing the opinion; the original motion to publish was approved.

Eco-Challenge update

MBA President David W. White Jr. reported the progress being made with the MBA's Lawyers Eco-Challenge. Dozens of law firms have signed the Lawyers Environmental Pledge to implement the MBA Green Guidelines, which were announced in January.

He also announced that "Eco-Tips" are being published weekly in both the MBA's *e-Journal*, which is mailed electronically to members, and in *Massachusetts Lawyers Weekly* (see story on p. 10). He thanked MBA staff and the MBA's Energy and Environment Task Force, which oversees the program through a partnership with the Conservation Law Foundation.

"It's a testament to the committee's hard work," White noted. He also pointed out that energy-saving and recycling efforts implemented at the MBA's offices are already reducing waste and generating savings. And he proudly noted, pointing to the HOD booklets, that they were no longer produced with plastic covers.

Recent and upcoming events

White thanked Catalano for the council's work in organizing the Firm and Fair Trial Date Town Hall, which was held March 20 (see story on p. 1).

President-elect Edward W. McIntyre announced that his president's reception will be held Sept. 18 at Mechanic's Hall in Worcester. He also announced that the Annual Dinner will be held Nov. 12 at the Moakley Courthouse and feature University of Florida Professor Leonard L. Riskin, who will speak about mindfulness in the practice of law.

Fiscal director's position filled with a familiar face

Treasurer Valerie A. Yarashus announced that the MBA's budget is on track. She also announced that the MBA director of fiscal operations and business development position had been filled... by Mark Doherty, who returned to the position he'd held before leaving the MBA for a private-sector position for two months.

"Perhaps the best news we have is that we were able to recruit back our chief financial officer, Mark Doherty," Yarashus said. "For those of you who know what he does, that is the best news we've had in a long time."

Doherty returned to the MBA on March 10.

Legislative update

MBA General Counsel Martin W. Healy updated members on several MBA-endorsed initiatives being considered by the Legislature.

Healy noted that he expects to see the Legislature take action on criminal sentencing reform.

“Reading the tea leaves, I think we are going to see some major reform before the end of the year,” he said, including reforms to minimum mandatory sentencing. Healy also noted that he expects to see reforms to the sentencing of sex offenders, given the attention paid to a number of high-profile crimes making headlines recently.

“A lot of credit goes to President White and other members of the leadership team,” Healy said, noting that the MBA-sponsored Sentencing Symposium in the Statehouse’s Great Hall on Oct. 23 was a good launching point for the effort. “We’re pleased to see some of those efforts come to fruition.”

White noted that MBA officials had recently met with Cape and Islands District Attorney Michael O’Keefe, the new president of the Massachusetts District Attorneys Association, an independent state agency that provides support to the 11 elected district attorneys and their 700 appointed prosecutors. White also said he is hoping that sentencing reforms will be pushed through later this year.

Healy explained that officials from the MBA, Boston Bar Association and various community bar associations had testified at the Statehouse on the perennial topic of salaries for judges and court staff.

“The case was made that Massachusetts is lagging far behind the rest of the country,” Healy said. He noted that more and more judges are coming from ranks of prosecutors and state agencies than from private practice. That shift, he said, reflects that judges’ salaries have reached the point where successful attorneys in private practice don’t feel they can afford the pay cut required to consider a bench appointment. It could also reflect a loss of balance in the diversity of judges’ backgrounds.

Healy also noted that the Supreme Judicial Court’s Advisory Committee on Massachusetts Evidence Law had released a second draft of its Guide to Evidence, which was distributed to the section councils for review.

Finally, Healy said the turnout for this year’s Walk to the Hill on Feb. 28 (*see story on p. 17*) was an impressive sight.

“We had a tremendous Walk to the Hill,” he said. “I was amazed to see the crowd entering the Hill that day.”

Executive director’s report

Executive Director Marilyn J. Wellington began her report by thanking the membership and staff for the impressive turnout at and presentation of the Access to Justice Awards Luncheon (*see story on p. 1*), which immediately preceded the HOD meeting.

“It’s arguably the most important event the MBA holds,” she said.

She also updated delegates on the MBA’s recently announced Massachusetts Bar Institute Public Service Fund, “Bringing the Legal Profession into Your Community,” which seeks to raise money to help fund the MBA’s community services efforts (*see story on p. 6*).

“The more we can highlight the great work that’s being done, the more we can improve the image of the profession,” she said.

In other news...

- Criminal Justice Section Chair Lee J. Gartenberg asked to postpone his section’s proposal to create a Juvenile Justice Section until the May 14 HOD meeting in Salem.
- The Civil Litigation Section won unanimous approval, with no discussion, to oppose House Bill 1370 and Senate Bill 987 regarding statements of regret by health care providers in medical malpractice cases. A majority of the Civil Litigation Section Council voted against the “stand alone” apology bills on the grounds that they do not serve the best interests of consumers and patients and are overly broad. The bills seek to make any regrets, apologies or admissions of errors or mistakes made by a health care provider or employee to a patient, or their relative or representative, inadmissible as evidence in any judicial or administrative hearing and shall not constitute an admission of liability. Both bills are currently pending before the Joint Committee on the Judiciary.

Officer slate for 2008-09 announced

by Bill Archambeault



**President-Elect
Edward W. McIntyre**

The Nominating Committee announced the slate of 2008-09 Massachusetts Bar Association officers at the March 6 House of Delegates meeting.

Current President-elect Edward W. McIntyre automatically becomes president for the 2008-09 year, and current Treasurer Valerie A. Yarashus has been nominated to serve as president-elect.

Robert F. Lucas and Robert L. Holloway Jr. have been nominated for the two vice president posts and Denise Squillante has been slated as treasurer. Joining the 2007-08 officers on the 2008-09 slate is Douglas K. Sheff, who was nominated as secretary.

The full MBA membership was notified of the slate by mail by March 25. After the April 10 deadline for petitions has passed, the 2008-09 officers will be officially announced at the May 14 House of Delegates meeting at the Salem Waterfront Hotel in Salem.

The slate of delegates for 2008-09:

Barnstable: Susan A. Huettner

Plymouth: Sara J. Trezise

Bristol: Miriam H. Babin

Berkshire/Franklin/Hampshire: Veronica J. Fenton

Hampden: Mary Jo Kennedy

Essex (2): Walter A. Costello Jr. and John J. Vasapolli

Middlesex (3): Lee J. Gartenberg, Martha Rush O’Mara and Kimberly E. Winter

Norfolk (2): Fern L. Frolin and Robert W. Harnais

Suffolk (4): Jeffrey N. Catalano, Stephen Y. Chow, Jeffrey B. Loeb and Angela C. McConney

Worcester (2): James Gavin Reardon Jr. and James T. Van Buren

At-Large (7): John N. Affuso, Anthony J. Benedetti, Alan J. Klevan, Francis C. Morrissey, Denise I. Murphy, Pauline Quirion and Charles P. Wagner

MBA Past President Mark D. Mason, who chaired the 2007-08 Nominating Committee and presented the report at the meeting, noted that an abundance of submissions had been considered for next year’s slate.

“The number of nominees bodes well for the future of the organization,” Mason said.

Also serving on the committee were Alice B. Braunstein, Boston; James S. Dilday, Boston; Warren Fitzgerald, Charlestown; Marsha V. Kazarosian, Haverhill; Kathleen M. O’Donnell, Lowell; and Kevin P. Phillips, Marshfield.



Photo by Kelsey Sadoff

E-Discovery Practice Group hosts first luncheon roundtable

On March 4, the Electronic Discovery Practice Group of the Civil Litigation Section held its inaugural e-discovery luncheon roundtable. Chaired by Dan Gelb (seated, center) of Gelb & Gelb LLP, Boston, the e-Discovery Practice Group was formed to address emerging issues in electronic discovery and how these issues influence the legal profession.

The 50-minute presentation by BDO Consulting professionals John Crawford Jr., standing, far left, and Stephanie Giammarco, seated, far right, was followed by a lively discussion among 15 MBA members.

Eco-Challenge update, Eco-Tips

Lawyers and law firms who have signed up as Pledge Partners to participate in the Massachusetts Bar Association's Lawyers Eco-Challenge will be recognized in April at the MBA's CLE Conference in Boston.

The MBA and its Eco-Challenge partner, the Conservation Law Foundation, will acknowledge all Pledge Partners during a special portion of the conference at the Sheraton Boston. Special honors will be given to those lawyers and law firms who have taken unique steps to implement the MBA Green Guidelines or have gone beyond those guidelines.

Currently, more than 45 lawyers and law firms from across the state, from solo practitioners to large firms, have signed up to take part in the Eco-Challenge.

To take part in the Eco-Challenge, lawyers and law firms must sign the MBA Lawyers Environmental Pledge. Visit www.massbar.org/ecochallenge for more information. In addition, weekly Eco-Tips are being published in *Massachusetts Lawyers Weekly* and the MBA's *e-Journal*.

Here is a sampling of the latest Eco-Tips. All tips and sign-up information are available on the Eco-Challenge Web page.

Recycling

1. Implement or expand a recycling program at your office. Recycling prevents habitat destruction, loss of biodiversity and soil erosion associated with logging and mining.

If no recycling program exists, contact your local city or town hall and ask for help with starting a program. Visit <http://earth911.org/> for more information on recycling programs.

If a recycling program exists, look at ways to increase the variety of items that can be recycled. Move past paper and bottles and cans to plastics, cardboard, batteries and electronic equipment.



Education

1. Foster employee awareness of your environmental initiatives by developing an environment section of your employee handbook and providing training on your environmental initiatives as part of your firm's employee orientation.

2. Send out monthly eco-tips to encourage participation in your firm or company's environmental initiatives and provide incentives to recognize exceptional performance and creativity from employees.

3. Set up and label a conservation center in a high-traffic area of your office to educate staff about environmentally friendly practices and, if applicable, the office's participation in the MBA Lawyers Eco-Challenge. The center can be a bulletin board, bookshelf, poster or other materials and can include one or more of the following:

- A copy of the MBA Green Guidelines;
- A list of tips for the office and home;
- A ride-share or carpool chart; and
- Books and pamphlets about conservation and preservation.

Energy conservation

1. Reduce the amount of electricity consumed by computers in your office. For example, computers left on after hours result in 14.4 million tons of carbon dioxide emissions.

- Set computers on timers that shut them down after 30 minutes of being idle.
- Make sure all computers have and use screen savers.

Continued on page 23

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Help the Environment!

On Monan Report's five-year anniversary, courts celebrate progress, promise more

by Bill Archambeault

Five years after the Monan Report called for sweeping changes in the state's court system, top court officials recognized the significant progress that's been made, but emphasized that there's more work to be done.

The Supreme Judicial Court sponsored "Striving for Excellence In Judicial Administration: A Symposium on the Five-Year Anniversary of the Report of the Visiting Committee on Management in the Courts" at the John Adams Courthouse on Feb. 27, which was attended by more than 300 people.

Court Management Advisory Board Chair Michael B. Keating and Supreme Judicial Court Chief Justice Margaret H. Marshall introduced the discussion, giving an overview of reform efforts.

"We are making important steps, but we have a long way to go," Keating said.

The event featured a keynote speech from California Supreme Court Chief Justice Ronald M. George, who drew comparisons between Massachusetts' court reform efforts with his own state's.

Before California's court reform began, he said the courts operated like a conglomeration of 200 fiefdoms rather than a coherent system of justice.

"Addressing inequities across county lines required a sea change in court management," he said, noting that Massachusetts has clearly been successful in its efforts.

"I was particularly impressed with the speed with which you implemented changes," he said. "Massachusetts provides a truly sophisticated model. The progress you have already made is very impressive."

A panel discussion moderated by SJC Justice Robert J. Cordy that followed included Chief Justice for Administration and Management Robert A. Mulligan and business representatives, including several members of the Court Management Advisory Board.

The business leaders offered glowing praise of Marshall and Mulligan's leadership for taking the situation seriously and establishing an environment for achieving significant results quickly.

Beth Israel Deaconess Medical Center Chief Executive Officer Paul F. Levy noted that highly complex businesses and organizations that perform at high levels are characterized by an "ingrained discontent with how things are run" and the desire for constant improvement.

CMAB member Gene D. Dahmen, a partner at the law firm of Verrill Dana, said she thought that part of the genius of appointing the CMAB was including local business leaders with an outside perspective on running large, efficient organizations.

"We feel we're really partners in this effort," she said.

CMAB member Robert P. Gittens, the vice president for public affairs at Northeastern University, explained why court reform is so crucial: "I can think of no more fundamental issue than ensuring an effective, fair court system," he said. "The decision to create a visiting committee was a bold and visionary step."

He also noted a particular difficulty in attempting to overhaul a court system — reforms cost lots of money but are necessary.

"When funds dry up, the courts can't downsize," he said. "The courts can't outsource."

Father J. Donald Monan, who chaired the Visiting



From left to right: Massachusetts Supreme Judicial Court Chief Justice Margaret H. Marshall, Appeals Court Justice James F. McHugh, Father J. Donald Monan and Court Management Advisory Board Chair Michael B. Keating.



The audience at the Monan Report panel in the John Adams Courthouse.

Committee on Management in the Courts, which became widely known as the Monan Committee, received a standing ovation for his role in overseeing the landmark report.

"Writing a successful management report is not nearly as difficult or important as implementing the report," he said, adding that Marshall and Mulligan's efforts at implementing his committee's recommendations "could not have honored (the committee's) work more highly."

Mulligan said the successful court reform efforts so far could be credited to "an awful lot of work from an awful lot of people willing to take risks."

He said that "once people realized we weren't going to be deterred" in implementing sweeping changes, a sense of inevitability took hold, and that further evolved into enthusiasm for seeing the changes implemented.

Appeals Court Justice James F. McHugh was presented the first annual Monan Award for Leadership in Judicial Administration for managing the implementation of the MassCourts case management system.

"Although much remains to be done, clearly, we're on the right course," McHugh said, crediting Craig D. Burlingame, the chief information officer for the Administrative Office of the Massachusetts Trial Court, with transforming the way the system thinks about technology and actually changing the culture.

Marshall presented a special award for Excellence in Judicial Administration to the 19-member Court Metrics Working Group for their groundbreaking implementation of four CourTool performance measures focused on timeliness and expedition.

"You are change agents," Marshall said in introducing the group. "You have improved the availability and usefulness of information at every level."

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Member benefit snapshots

Member benefits are highlighted in each week's issue of *Lawyers e-Journal*. Below are some recently featured benefits.

American Bar Association

The MBA has partnered with the American Bar Association to provide the following special offers available only to MBA members:

Discounted ABA membership

Join both the MBA and the ABA and receive a **50 percent discount** on the ABA's annual dues for the first two years of membership and **25 percent** on the third. This discounted ABA membership is available exclusively to MBA members.

To take advantage of this exclusive offer, contact the ABA Member Service Center at (800) 285-2221 and reference the Massachusetts Bar Association special joint membership deal.



25 percent discount on ABA publications and ABA-CLE products through the ABA Web Store

Receive a 25 percent discount on ABA publications and ABA-CLE products through the ABA Web Store. This generous discount is applicable to magazines, journals, online courses, DVDs, downloadable forms and more.

To take advantage of this significant discount, simply visit the ABA Web site at www.abanet.org, click on the Web Store tab on the left, select the items that you wish to purchase and enter the source code **PAB6EMAB** upon checkout. (Offer may exclude iPods and other digital media devices.)

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Member Spotlight

Chief Justice Robert A. Mulligan receives top award from National Center for State Courts



Chief Justice Robert A. Mulligan

Chief Justice for Administration and Management Robert A. Mulligan is the recipient of the 2008 Distinguished Service Award for a state-level court administrator, one of the highest awards presented by the National Center for State Courts.

The Distinguished Service Award is presented annually to a person who has made longstanding contributions to improving the justice system and who has supported the mission of the National Center. Mulligan was recognized for his "impressive abilities not only as a jurist, but as an innovative court manager," said NCSC President Mary C. McQueen. "As a result of his considerable skills and leadership ability, Chief Justice Mulligan successfully addressed the challenges raised by the Monan Report on

Management in the Courts."

Massachusetts Supreme Judicial Court Chief Justice Margaret H. Marshall said, "There is no one more deserving" of the award than Mulligan. "He is a proven leader who commands extraordinary respect. As chief justice for administration and management of the Massachusetts Trial Court for the past five years, Chief Justice Mulligan has steered the Trial Court toward lasting management reform and institutional change."

Mulligan has an established record of dedication to the justice system and has worked diligently to improve the public's confidence in the courts. "I am deeply honored to receive the National Center for State Court's 2008 Distinguished Service Award," he said. "This recognition by the NCSC is a tribute to the many dedicated Massachusetts Trial Court employees on the frontlines and in the administrative offices, who have labored diligently to bring about significant management reforms in court operations."

Albert A. DeNapoli becomes board chair of Neponset Valley Chamber



Albert A. DeNapoli

Albert A. DeNapoli, Esq., of Tarlow, Breed, Hart & Rodgers PC of Boston, assumed the position of chairman of the board of directors at the 113th Annual Meeting of the Neponset Valley Chamber of Commerce.

In addition to his duties as a partner at his firm, where DeNapoli focuses his practice on civil litigation and chairs its Hospitality Practice Group, he also has an extensive record of community involvement.

"Al DeNapoli epitomizes Tarlow, Breed, Hart & Rodgers' commitment to fostering a corporate culture that supports the demands of a work-life balance," said Jeffrey P. Hart, Esq., a

founding member of the firm. "Multi-faceted civic experience contributes to the dynamics of the firm, making us better equipped to understand and serve the diverse needs of our clients."

Sullivan & Worcester LLP hosts the Boston Lawyers Group to help maximize diversity initiatives



Sullivan & Worcester LLP in Boston recently announced that the leadership team of the **Boston Lawyers Group** has established an office at the firm's Boston headquarters.

The Boston Lawyers Group supports the efforts of its members to recruit, develop, advance and retain attorneys of color and serves as a resource to its members by hosting forums, roundtable discussions, educational programs and job fairs, all geared towards promoting diversity within Boston's legal community. Sullivan & Worcester is a founding member of the BLG, which began in 1986.

"We are looking forward to working with BLG members and the law school

community to maximize our ongoing diversity initiatives," said Sullivan & Worcester Co-Managing Partner Joel Carpenter. "Increasing the presence of diverse cultures and experiences strengthens our firm, and we consider it a top priority."

Judge Nancy Gertner to receive prestigious Thurgood Marshall Award

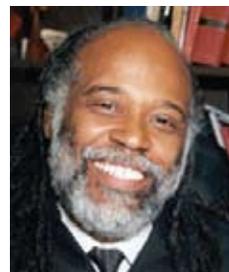


Judge Nancy Gertner

U.S. District Court Judge Nancy Gertner has been selected by the American Bar Association's Section of Individual Rights and Responsibilities to receive the prestigious Thurgood Marshall Award in early August.

Established in 1992, the Marshall Award honors U.S. Supreme Court Justice Thurgood Marshall, by recognizing similar, long-term contributions by other members of the legal profession to the advancement of civil rights, civil liberties and human rights in the United States.

Boston Municipal Court Chief Justice Charles R. Johnson reappointed



Chief Justice Charles R. Johnson

Chief Justice for Administration and Management Robert A. Mulligan recently announced the reappointment of **Chief Justice Charles R. Johnson** to the Boston Municipal Court for a five-year term, in accordance with G.L. c211B, §5. Johnson was named chief justice in 2003 and has served the Boston Municipal Court since 1985. He has presided over the expansion and integration of the court into an eight-division department serving the City of Boston.

"I am very pleased to announce the reappointment of Chief Justice Charles Johnson, who has most capably led the Boston Municipal Court through a period of dynamic change," said Mulligan. "His motivational and interpersonal skills have made

him a dedicated, energetic partner in efforts to introduce significant management reforms to enhance the delivery of justice."

"His creative, can-do approach has resulted in the introduction of many innovations in court operations. Most recently, the Boston Municipal Court was the first department to introduce a very successful access and fairness initiative to survey court users. He is a highly regarded, thoughtful leader who will continue the terrific momentum underway."

Mulligan said that Johnson received extraordinary support from the judges and staff in the Boston Municipal Court, as well as from attorneys who practice in the court. He has received numerous honors from legal and community organizations, most recently as a recipient of the Diversity Award from the Massachusetts Bar Association.

"My first term focused on efforts to ensure that the Boston Municipal Court Department is perceived by ourselves and by others as a unified court department working collaboratively for the good of the whole," Johnson said. "Going forward, I pledge my attention and creativity to ensuring that the department remains in the forefront in helping to formulate and implement a successful strategy for revolutionizing the delivery of justice in the Commonwealth of Massachusetts."

TRUSTS AND ESTATES ATTORNEY

Bove & Langa, a prominent downtown boutique law firm, was established over thirty years ago. Since that time the firm has steadily earned a reputation as one of the most respected trusts and estates law firms in the Northeast. (www.bovelanga.com)

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MBF Fellows Grant will expand Judicial Youth Corps program in Worcester

by Jennifer Rosinski

A Fellows Grant of \$53,319 from the Massachusetts Bar Foundation has made it possible to double to 20 the number of high school students who can participate in the Worcester portion of the Supreme Judicial Court's Judicial Youth Corps Program this summer. The program in Worcester will also be expanded from seven to 14 weeks.

MBA Executive Director Marilyn J. Wellington explained that the MBA is delighted that the grant will help to expand the program and provide an opportunity to serve more students in Worcester.

"The program's greatest benefit to young people is in the in-depth understanding of the justice system and how it impacts their lives and their communities that is gained by students participating in the program," she said. "This invaluable program both educates students and provides them with meaningful summer jobs."

A \$21,750 Fellows Grant from the MBF, the philanthropic partner of the MBA, last year returned the Judicial Youth Corps Program to Worcester after a long hiatus. Last year's program accepted 10 students on an abbreviated seven-week schedule.

"The Foundation is so proud to play a role in supporting this innovative program. It provides the rare opportunity to expose these students to the law and to public interest work, and at the same time, it helps them recognize their own professional potential," MBF Executive Director Elizabeth M. Lynch said. "It is truly a win-win for all those involved."

Designed for urban high school students, the Judicial Youth Corps Program was established by the Supreme Judicial Court's Public Information Of-

fice in 1991. The program teaches young people about the judicial branch and fundamental principles of law. The four-month program consists of two educational components: a seven-week

Get Involved!

orientation to the court system and a seven-week courthouse internship session in July and August.

When the program originally began, students in Boston, Worcester and

Springfield were eligible. In recent years, the program has been limited to students in Boston due to financial constraints. The Boston Private Industry Council has funded the Boston portion of the program in recent years.



At far left, MBA Public and Community Services Director Elizabeth O'Neil and SJC Public Information Office Director Joan Kenney, and Judicial Youth Corps attorney teachers Jerry Howland and Jim Rosseel (far right), pose with 2007 Worcester JYC students.



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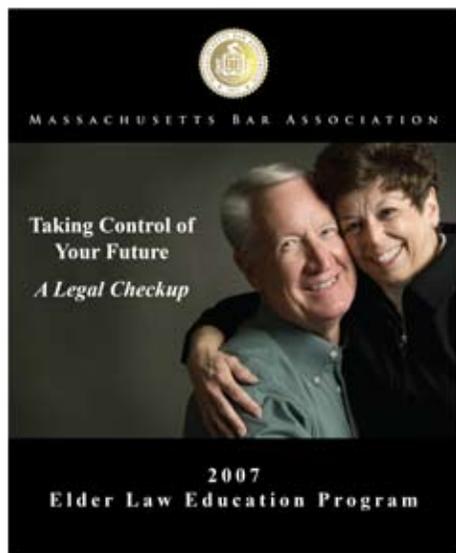
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Get Involved!

Volunteers needed for Elder Law Education Program during May

This May, in celebration of Law Day, the Massachusetts Bar Association and the Massachusetts Chapter of the National Academy of Elder Law Attorneys will once again present the Elder Law Education Program.

Last year, with the assistance of a group of volunteers from the MBA's Probate Law Section Council, we introduced "Taking Control of Your Future: A Legal Checkup," a resource guide which was distributed to all participating agencies. The updated 2008 guide contains information on a wide range of legal issues affecting the lives of seniors and allows participating agencies to select a presentation on any of the topics included in the guide. Examples of past presentation topics are:



- How to protect your home and assets
- Power of attorney and health care proxies
- Reverse mortgages
- Medicare/Medicaid changes
- Alternatives to nursing home care

During the month of May, MBA members throughout the state will volunteer their time to speak at their local senior center or council on aging. Last year, more than 140 centers participated in

the program, providing attorneys with many opportunities to connect with their communities, while providing seniors with valuable information on legal issues affecting their lives.

We are currently seeking elder law attorneys to volunteer to make presentations in their communities. If you are interested in volunteering, call (617) 338-0695 or e-mail communityservices@massbar.org.

Local MBA lawyers to offer free legal advice exclusively to veterans on April 9



Photo by Kelsey Sadoff

From left to right, volunteer lawyers David Camillo, a veteran of the Vietnam era, and Albert Auburn, a U.S. Air Force World War II veteran, offered their legal services at the first Veterans Dial-A-Lawyer program on Oct. 25.

by Jennifer Rosinski

The Massachusetts Bar Association is proud to announce a supplement to its monthly Dial-A-Lawyer Program: a session dedicated solely to veterans' legal questions. The free program will run on Wednesday, April 9, from 5:30 to 8:30 p.m.

"The MBA is proud to add this new service to its wide array of programming already offered to the public across the state," Executive Director Marilyn J. Wellington said. "Veterans' legal needs are extensive and diverse, and we are lucky to have a talented group of committed attorneys to provide complimentary legal advice to veterans across the commonwealth."

The Veterans Dial-A-Lawyer is provided at no charge as a public service of the MBA. Attorneys participating in the program attended a free training last fall sponsored by the MBA and U.S. Trust, Bank of America Private Wealth Management. Ronald B. Abrams and Louis J. George, both of the National Veterans Legal Services Program in Washington, D.C., led the training.

Nearly half a million veterans live in Massachusetts, many of whom have

pressing legal questions concerning benefits, divorce, child support, employment and landlord/tenant issues.

"Many men and women who return home from serving our country in the U.S. military have complex or unique legal issues that require professional assistance," said Massachusetts Department of Veterans' Services Secretary Thomas Kelley. "These issues include access to their earned benefits, employment questions, personal financial problems and other matters. For many veterans, the costs associated with hiring a lawyer to answer their questions are not feasible."

"The Dial-A-Lawyer Program from the MBA offers free legal advice and is a valuable resource for veterans of all ages and conflicts. On behalf of the commonwealth, I applaud the Massachusetts legal community for their commitment to our veterans and nation by offering this resource," Kelley said.

The Dial-A-Lawyer phone number is (617) 338-0610. Normal telephone charges will apply. Calls will be answered in the order they are received. The number will only be active from 5:30 to 8:30 p.m. on April 9.



Photo by Claudia Staten

The Family Law Section sponsored the March 5 Dial-A-Lawyer Program contributing three volunteers. Pictured, from left to right are: Family Law Section attorneys Jerome Aaron, Amy Egloff and Thomas Barbar.

In addition, volunteer attorneys Stuart Rosnick, Gabriel Cheong, Richard Sugarman, Daniel Winslow, William Boyle and J. Daniel Silverman volunteered at the March 5 program, which answered a total of 93 calls.

Walk to the Hill sees record turnout from attorneys supporting increased civil legal aid

by Jennifer Rosinski

More than 600 attorneys and legal advocates packed the Statehouse Great Hall on Feb. 28 for the ninth annual Walk to the Hill for Civil Legal Aid. The standing room only crowd set a new record for the event.

Following the half-hour rally, attendees visited their legislators and urged them to support a \$5 million increase in civil legal aid for fiscal 2009 for a total of \$14.7 million. Gov. Deval Patrick has proposed a \$12 million budget, a boost of \$2.4 million.

"It remains a frustrating reality that the resources available continue to fall short of what we need," Massachusetts Bar Association President David W. White Jr. told the mass of supporters. "Let us remember the voices of the people who are barely heard, and let the budget remember them as well."

The shortage of resources means legal aid programs turn away nearly half of all applicants with serious legal needs who meet the income limit of 125 percent of the federal poverty line, or \$510 a week for a family of four. Approximately 700,000 Massachusetts residents are eligible for civil legal aid.

"The sad reality [is] that legal services are stretched so thin we must turn away the majority of people who are desperate for legal help," said Kathy B. Weinman, president-elect of the Boston Bar Association. "Increased legal aid funding for legal aid is the only thing to do."

As the level of foreclosures rise, now at more than 75 percent, legal advocates predict the need for civil legal aid will surge even higher. In addition to housing issues, civil legal aid assists citizens with domestic violence, medical insurance and labor discrimination issues.

"Legal aid is not a handout to the poor. It's about making the justice system accessible," said Steve Oleskey, chairman of the Equal Justice Coalition.

Legal aid programs are often the last resort for individuals who have nowhere else to turn. Janice Gray of Haverhill is one of those examples. Janice and her husband, Lou, had contacted and been turned down by 14 other agencies before Neighborhood Legal Services in Lawrence agreed to take their case.

The Grays, who have six children, received word last fall that their Haverhill home would be auctioned off on Jan. 8 because they fell behind on their mortgage payments. The couple's original mortgage rate of 11 percent interest ballooned to 14 percent, a change they did not expect.

A lawyer with NLS was able to secure a new mortgage at a fixed rate of 7 percent after determining the lender was guilty of more than a dozen consumer protection violations, including inflating the Grays income to obtain



Photo by Jeff Thiebauth

MBA President David W. White Jr. addresses the record crowd at the Feb. 28 rally for civil legal aid in the Great Hall of the Statehouse.

the loan. "The help we got from Neighborhood Legal Services was the greatest," Gray said.

Hearing the Grays' story is poignant because it demonstrates the pressing need for civil legal aid, said Robert Sable, executive director of Greater Boston Legal Services. "The sad truth is for everyone like Miss Gray we can help, there's another Miss Gray with a problem just as urgent who we can't help."

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“Employment Law for Lawyers”



Photo by Christine Baronas

“Employment Law for Lawyers” seminar faculty members, from left to right: Marylou V. Fabbo, Esq., program chair, Skoler, Abbott & Presser PC, Springfield; Daniel V. Bair II, Esq., Brodeur-McGan, Attorneys at Law, Springfield; and Kimberly Klimczuk, Esq., Skoler, Abbott & Presser PC, Springfield.

As firms grow from one lawyer to a hard-working group of lawyers, paralegals and support staff, employment law issues can take more and more of your time, and also lead to costly learning experiences. Lawyers may need help in dealing with issues such as chronic absenteeism, vacation and sick days, sexual harassment, termination, employment records and many others.

The Labor and Employment Section Council has created a Continuing Legal Education program to help attorneys in other areas of law deal with these issues. The program debuted in Springfield on Feb. 5. A second session took place March 27 at the MBA’s Boston office.

“Tales and Tips of Effective Marketing”

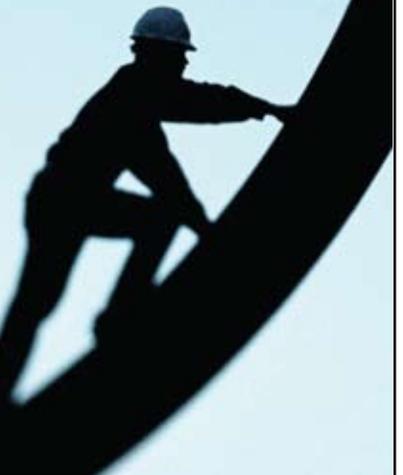


Photo by Christine Baronas

The “Tales and Tips of Effective Marketing” panel held on Feb. 25 in Springfield included, from left to right: Rodney S. Dowell, Esq., director, Law Office Management Assistance Program, Boston; Sally C. Stratman, executive director, Rubin and Rudman LLP, Boston; and Channing Migner, Esq., Law Office of Channing Migner, Worcester. The program was presented by the Law Practice Management Section.

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Bar Bulletin Board

Lawyers Journal publicizes the recent and upcoming events of its affiliated bar associations. Submit items for publication to MBA Bar Services Liaison Patricia O. Plasse at pplasse@massbar.org by the first week of each month.

The **Hampshire County Bar Association** held its Third Annual Wine Tasting Fundraiser on March 7 at the Northampton Center for the Arts. The recipients this year are Historic Northampton and the Hampshire County Bar Association's Scholarship Fund.

The proceeds going to Historic Northampton will fund a display on the historical significance of the county's oldest courthouse. Proceeds going to the fund will provide college scholarships to Hampshire County students interested in a career in the law.

The **Barnstable Bar Association's Family Law Committee** will host a Bench and Bar Clinical Presentation — The Elements of Proof in a Removal Case — on Thursday April 17, at 4:30 p.m. at the Barnstable County Probate and Family Court. Watch as teams of family law practitioners try various aspects of a removal case. Learn a new approach to the evidentiary issues involved in these often difficult cases.

The all-inclusive attendance fee for this program is \$19 for Barnstable County Bar Association members and \$25 for nonmembers. All attendees are encouraged to join Probate and Family Court Judge Robert A. Scandurra and the team members at the Barnstable Tavern after the program. Food is included in the fee. There will also be a cash bar.

To register (no later than Friday, April 11) or for more information, contact Michael I. Flores at mif@zisson-veara.com or MaryBeth Holland at MBHollandEsq@aol.com.

The **Bristol County Bar Association** will hold its annual dinner meeting on Friday, April 18, at the Hawthorne Country Club in Dartmouth. The guest speaker will be Appeals Court Chief Justice Phillip Rapoza. The MBA Community Service Award will be presented to attorney Thomas P. Gay. For more information, call (508) 990-1303.

The **Franklin County Bar Association** is planning a Law Day event on Thursday, May 8, at 3:30 p.m. in the Superior Court courtroom of the Franklin County Courthouse. The speaker will be the Hon. Mark L. Wolf, chief judge of the U.S. District Court for the District of Massachusetts. The Liberty Bell Award will also be presented. The association will hold a dinner that evening where Wolf will offer further remarks.

For more information, contact Mimi Gordon at fbar@franklincountybar.org or Law Day chairperson Jodie Nolan, judicial case manager, at (413) 774-7011, ext. 283 or jodie.nolan@jud.state.ma.us.

The **Berkshire County Bar Association** will hold its annual dinner meeting on Tuesday, May 20, at the Berkshire Hills County Club in Pittsfield. For more information, contact BCBA President Brigid Hennessey at Hennessey@docatty.com.

On Feb. 6 at the Seaport Hotel in Boston, the **Massachusetts Chapter of the Federal Bar Association** held its Annual Judicial Reception. This year's honoree was U.S. District Court Judge Nancy Gertner, who has been on the bench since 1994. To an overflow crowd of her judicial colleagues and the bar, Gertner was praised by District of Massachusetts Chief Judge Mark L. Wolf.

She was introduced by her colleague, U.S. District Court Judge William G. Young, who praised Gertner for her dedication to the court, her technological expertise and innovation and her outstanding service to continuing education to the bar. Massachusetts Chapter President Susan M. Weise presented Gertner with the Federal Bar Association's Boston Rocker, with an inscribed brass plaque attached to the chair.

The event was also an opportunity to thank the many judges and law firms who had contributed their time, effort and space to functions of the Massachusetts chapter during the past year. Federal Bar Association President James S. Richardson Jr. made a special appearance this year and spoke of the FBA's efforts regarding judicial salaries and the independence of the judiciary.



From left to right: Massachusetts Chapter of the Federal Bar Association's President Susan M. Weise, Immediate Past President Neil McKittrick and President-Elect Eve Piemonte Stacey at the Annual Judicial Reception on Feb. 6.



The Hon. Nancy Gertner was this year's honoree at the Massachusetts Chapter of the Federal Bar Association's Annual Judicial Reception, which was held at the Seaport Hotel in Boston on Feb. 6.

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MBA CALENDAR OF EVENTS

*Unless otherwise indicated, call MBA Member Services (617) 338-0530 or toll-free at (877) 676-6500 for more information or to register.

Wednesday, April 16
Luncheon Roundtable with MCAD
Commissioner Martin S. Ebel
 12:30–2 p.m.
 Course #: LEH08
 Introductory level
 Hampden Hall of Justice, 50 State St.,
 Springfield

Employers practicing before the MCAD have noticed that its standard operating procedures have changed in recent months. To find out about what's new at

the MCAD, join us in meeting with Commissioner Martin S. Ebel.

Faculty: Martin S. Ebel, Esq., commissioner of MCAD.

Ethical Conflicts for the Business Immigration Attorney
 4–7 p.m.

Course #: BLH08

Intermediate level

MBA, 20 West St., Boston

On July 16, 2007, the U.S. Department of Labor issued a new regulation that has raised questions over rights to retain counsel and the attorney's role in the permanent labor certification process. Violations of this regulation may affect both the attorney and client. The attorney must constantly be aware of serving two masters, and the difficulty of this role often prevents the attorney from providing the full measure of advice that is available. An attorney who provides advice and counsel that benefits one side could conceivably be found to have disadvantaged the other, thus violating ethical rules. Join us to hear experienced panelists address the many ethical issues facing the business immigration attorney.

Faculty: Roy J. Watson Jr., Esq., program co-chair, Watson Law Office, Bedford; Robert G. Heiserman, Esq., Robert G. Heiserman PC, Denver; John Marshall, Esq., Office of the Bar Counsel, Boston; Palma R. Gianni, Esq., Palma Gianni PC, Washington, D.C.

Monday, April 28

MBA CLE Conference

7:30 a.m.–6:30 p.m.

Sheraton Boston Hotel, Boston

The MBA CLE Conference will feature three plenary sessions, a networking luncheon and four professional program sessions highlighting recent developments and hot topics in the law. The conference will begin with a 7:30 a.m. Breakfast with the Judges. In addition, at this year's CLE Conference, MBA President David W. White Jr. will recognize Eco-Challenge participants.

Tuesday, May 6

Intellectual Property Basics for the Non-Specialist

4–7 p.m.

Course #: BLJ08

Introductory level

MBA, 20 West St., Boston

Intellectual property is increasingly



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BREAKFAST WITH THE JUDGES

RECENT DEVELOPMENT PROGRAMS
 Recent legal developments in a dozen practice areas including two new development sessions, immigration and bankruptcy.

PLENARY SESSIONS

- Opening remarks by MBA President David W. White Jr., Hon. Wilbur P. Edwards Jr. and MBA General Counsel Martin W. Healy
- Disaster Recovery and Planning
- Packing Your Parachute: Preparing for Law Practice Risk

HOT TOPICS

- Specific Skills and Tools for Balancing Life, Work and Success
- Succession Planning—Building a Bridge From the Past to Your Future
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The following session is exclusively for attendees bringing their own laptop computers*

Course #: CASEV08
 Wednesday, April 16, 1–2:15 p.m.
 MBA, 20 West St., Boston

The following sessions are exclusively for attendees using provided desktop computers:

Course #: CASEY08
 Thursday, April 17, 1–2:15 p.m.
 Massachusetts School of Law,
 Andover

Course #: CASEBB08
 Tuesday, April 22, 4–5:15 p.m.
 Elms College, Chicopee

Course #: CASECC08
 Tuesday, May 6, 4–5:15 p.m. Elms
 College, Chicopee

Because space is limited, online enrollment is not available. To register, call (617) 338-0530 or (877) 676-6500.

important in corporate valuation and business strategy. Clients now expect their counsel to be well versed in intellectual property law and strategy. Learn the intellectual property law basics required to help your clients protect and leverage intellectual assets. Seminar topics will include patents, licensing and other business transactions.

Faculty: Inna S. Landsman, Esq., program chair, Rissman, Jobse, Hendricks & Oliverio LLP, Boston; Stephen Y. Chow, Esq., Burns & Levinson LLP, Boston; Stacey C. Friends, Esq., Roberto, Israel & Weiner PC, Boston; Stanley B. Kay, Esq., Law Offices of Stanley B. Kay, Wellesley Hills; Anne Marie Longobucco, Esq., Demeo & Associates PC, Boston.

Wednesday, May 21

Mass Torts and Class Action Litigation

4–7 p.m.

Course #: CLK08

Intermediate level

MBA, 20 West St., Boston

The purposes of this seminar are to familiarize general practitioners with the essentials of mass tort and class action claims and to update experienced counsel

Tuesday, May 13
29th Annual Labor & Employment Law Spring Conference

9 a.m.–4:30 p.m.

The Colonnade Hotel, Boston
 120 Huntington Ave., Boston

This year's spring conference includes three sessions covering topics ranging from legal bases for obtaining and enforcing arbitral subpoenas, how implicit bias often motivates actors in the workplace, and a review of the hottest employment law developments from late 2007 and early 2008. The conference will end with a networking reception.

with current trends and recent developments in these areas of complex litigation. The seminar will also provide information on effective issue-spotting, rules' applicability, ethics in advising class action claimants and traps for the unwary.

Faculty: Lauren Guth Barnes, Esq., program chair, Hagens, Berman, Sobol, Shapiro LLP, Cambridge; Hon. Patti B. Saris, U.S. District Court; Hon. William G. Young, U.S. District Court; Kristen M.

Criminal Trial Practice Series: The Nuts and Bolts of Trial Practice

Join us for one or all of the sessions in this exciting new luncheon round-table series that will break down the various components of a criminal trial and help attendees develop and enhance their skills as trial attorneys.

Our expert panel consists of experienced criminal trial and appellate attorneys who will share practical tips on effective advocacy and proper preparation. This series will be equally helpful for prosecutors as well as defense attorneys.

Faculty: Hon. M. John Schubert Jr., Orange District Court, Orange; Daniel R. Bergin, Esq., Daniel R. Bergin, Attorney at Law, Springfield; James M. Forsyth, Esq., Hampden County District Attorney's Office, Springfield; Mark G. Mastroianni, Esq., Mark G. Mastroianni, Attorney at Law, Springfield; Jane D. Montori, Esq., Hampden County District Attorney's Office, Springfield; William T. Walsh Jr., Esq., Worcester County District Attorney's Office, Worcester.

Wednesday, April 30

Part III

12:45–2 p.m.

Course #: CJC08

Introductory level

Hampden Hall of Justice, 50 State St., Springfield

Specific topics covered in part three will include motions to revise and revoke, motions for a new trial and sentencing appeals.

Fritz, Esq., Thornton & Naumes LLP, Boston; Alex H. MacDonald, Esq., MacDonald, Rothweiler & Eisenberg LLP, Boston; Mark P. Szpak, Esq., Ropes & Gray, Boston.

Thursday, May 29

Immigration Removal Mock Trial

4–7 p.m.

Course #: BLK08

Introductory level

MBA, 20 West St., Boston

This program will guide you through the ABCs of what lawful permanent residents and/or illegal aliens face in Immigration Court during a removal proceeding for any violation of immigration law.

Attendees will be presented with a fact pattern of the issue to be heard before the court. Seasoned immigration defense

Save the Date

Thursday, May 1

Co-sponsored program with the
New Hampshire Bar Association:
Stark Law Straight From the Top
9 a.m.–1:20 p.m.

New Hampshire Bar Association
Seminar Room

2 Pillsbury St., Concord, N.H.

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For more information or to register, contact NHBA CLE at (603) 715-EASY.

Tuesday, May 20

Limited Liability Companies vs.
Business Corporations: Legal, Tax
and Accounting Considerations
4–7 p.m.

Course #: BLL08

Western New England College
School of Law, Springfield

This program will focus on legal, tax and accounting considerations in choosing between a limited liability company or a business corporation for the operation of a business enterprise. The panel will discuss differences between the Massachusetts Limited Liability Company Act and Massachusetts Business Corporation Act as they relate to the organization and management of these entities. The program will also address accounting issues relating to these entities, and considerations in

attorneys will demonstrate how a removal hearing is conducted, and Hon. Paul Gagnon of the Boston Immigration Court will preside over the mock trial.

Immigration Court Administrator Robert Halpin will also provide a brief explanation of the Immigration Court procedural rules that attorneys need to follow. A Q&A session will follow for clarification of the themes presented. The program will conclude with a networking reception.

Faculty: Shiva Karimi, Esq., program co-chair, Vakili Karimi LLC, Boston; Eneida Roman, Esq., program co-chair, Eneida Roman, Attorney at Law, Boston; Hon. Paul M. Gagnon, Immigration Court, Boston; Linda A. Cristello, Esq., Law Office of Linda A. Cristello, Boston; Anthony Drago Jr., Esq., Anthony Drago Jr. PC, Boston; Dennis Febles, Esq., Febles Law Offices LLC, Boston; Robert E. Halpin, Esq., court administrator, Immigration Court, Boston; Jeremiah E. Friedman, Esq., Kaplan, O'Sullivan & Friedman, Boston; Roy J. Watson Jr., Esq., Watson Law Offices, Bedford.

drafting the limited liability company operating agreement and a corporation's organizational documents.

Faculty: David A. Parke, Esq., program chair, Bulkley, Richardson & Gelinis LLP, Springfield. *Additional faculty to be announced

Thursday, May 29

An Open Dialogue on Court Practices: A statewide opportunity for dialogue among judges, lawyers and court personnel on court practices and procedures

4:30–6:30 p.m.

Brockton District Court

The May 29 forum is co-sponsored by the Massachusetts Trial Court, the Massachusetts Bar Association, Plymouth County Bar Association, Barnstable Bar Association and Bristol County Bar Association.

This is the first in a series planned to take place around the common-wealth. Look for more details in the May issue of *Lawyers Journal*.

Wednesday, June 4

Public Law Conference

Holiday Inn Boston at Beacon Hill

Featuring keynote speaker Suzanne Bump, secretary of Labor and Workforce Development.

Traps for the Unwary

The economy is changing fast, claims against attorneys for malpractice are at their highest point in 10 years and all signs indicate that more of the same can be expected. Given these realities, even the most talented and diligent attorneys can be subject to a malpractice claim despite the fact that the action is without merit. This free seminar will discuss what areas of practice are impacted most by malpractice claims, the reasons that these claims happen and how to reduce the risk in your practice. This seminar is open to all members free of charge as an exclusive benefit of MBA membership.

Faculty: Terence J. Welsh, CPCU, AIS, president, MBA Insurance Agency, Boston/Springfield.

Tuesday, May 6

9–10 a.m.

Course #: LPC08

MBA, 20 West St., Boston

Tuesday, May 20

9–10 a.m.

Course #: LPD08

Courtyard by Marriott Marlborough, 75 Felton St., Marlborough

Save the Date

Symposia on Domestic Relations Practice

Presented by Paul M. Kane, Esq., from January–June 2008

Paul M. Kane, a partner in the Boston law firm of McGrath & Kane, is presenting this symposia. Specializing in family law, Kane is a former assistant dean of Boston College Law School and has been a family law lecturer at Boston College since 1970.

Judge Edward M. Ginsburg (ret.) will be the comment-ator for the symposia.

There is a discounted registration rate if you sign-up for three or more components of the series.

Paternity

Course #: FLF08

Introductory level

Tuesday, April 15, 4–6 p.m.

MBA, 20 West St., Boston
Topics include substantive law, pleadings and practice and temporary orders.

Pre-Trial and Trial Matters

Course #: FLG08

Introductory level

Tuesday, May 20, 4–6 p.m.

MBA, 20 West St., Boston

Topics include pre-trial conference, compliance with pre-trial orders, trial preparation and evidentiary issues.

Contempt and Modification

Course #: FLH08

Introductory level

Tuesday, June 17, 4–6 p.m.

MBA, 20 West St., Boston

Topics include enforcement of court orders and changed circumstances.

MBA welcomes new members

Catherine W. Anderson

Raymond G. Arner of Miller, Canfield,
Paddock and Stone PLC

Mary Beth Ayvazian

Jesse Baer-Kahn

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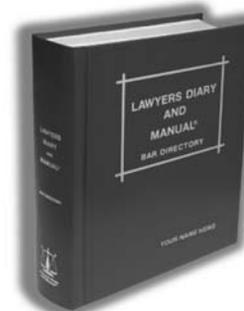
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Eco-Challenge update and Eco-Tips

Continued from page 10

- Instruct everyone in the office to shut down all parts of their computer — including the monitor — when they leave for the day.

2. Adjust your office thermostat to cut down on energy waste. A change in a few degrees in either direction will cut costs and go mostly unnoticed by staff. For example, turn the thermostat down two degrees in the winter and up two degrees in the summer. If that change is barely noticeable by staff, alter the thermostat again.

Environmental conservation

Support local environmental organizations and consider establishing a workplace giving program.

Paper reduction

1. Make an effort to reduce the amount of paper consumed by your office and be sure to reuse existing paper print-outs no longer needed:

- Refrain from printing e-mails when feasible.
- Encourage sharing of phone and reference books
- Use letter-sized paper, files and pouches instead of legal size.
- Create notepads from used paper printed on one side.

Sustainable practices

1. Recycle your old computers or donate them to a local non-profit organization. Most major computer manufacturers offer recycling programs that make it easy to recycle or donate your old computers.

2. Reduce the use of toxic products in the workplace.
 - Purchase unbleached paper towels and napkins for bathrooms and the kitchen/cafeteria.

- Buy cleaners for bathrooms and the kitchen/cafeteria with low toxicity and high biodegradability, or clean with natural products such as baking soda, lemon juice, white vinegar and club soda.

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