Now is the time to institutionalize ADR into the court system

Without delay, the Massachusetts court system should promptly institutionalize alternative dispute resolution (ADR), as it will benefit the courts, attorneys and the litigants involved. Long has there been abundant experiential evidence to back the advocates of this effective and more civil alternative to trial.

Fifteen years ago, the Supreme Judicial Court, in close consultation with the chief justice for administration and management, issued a policy statement on dispute resolution alternatives. Since then, the policy has not been rescinded or repealed.

The Court said then that the “judicial branch should make available appropriate [ADR] to the traditional process of adjudication.” Furthermore, the court noted that “the availability of [ADR] in the courts should not depend on the financial resources of the parties. The judicial branch will make every effort to obtain adequate resources for these services.”

In issuing a policy statement on this topic, the Court acknowledged the large body of evidence in support of dispute resolution, in that when applied early in the process, “reduces the cost, time and complexity of litigation in our courts.”

The Court also emphasized that this alternative “promotes greater satisfaction on the part of litigants and their attorneys.”

Since the initial statement in 1993, the body of global evidence has grown significantly to corroborate the efficacy and use of ADR throughout the United States.

MBA President Edward W. McIntyre celebrates start of 2008-09 term

Members of the legal community from across the commonwealth gathered to celebrate the start of MBA President Edward W. McIntyre’s 2008-09 term at the annual President’s Reception, held in Worcester’s Mechanics Hall on Sept. 18. McIntyre began his association year by thanking fellow practitioners for their ongoing support over the years.

“How does a solo practitioner do this?” McIntyre asked. “Other members of the bar step up and help.”

Praised by his family and fellow practitioners as being dedicated and a hard worker, McIntyre envisions his new position as MBA president as “sower of seeds of sorts” — an opportunity to create sustainable leadership within the association.

“My dad is focused on being mindful,” said Kate McIntyre.

MBA elects Marsha V. Kazarosian vice president for 2008-09 term

Marsha V. Kazarosian brings with her decades of experience in bar leadership and running a suburban law office to her new position, vice president of the Massachusetts Bar Association for the 2008-09 association year. Kazarosian, who lives and practices in Haverhill, was elected to fill the office that became vacant after the passing of Robert F. Lucas Jr.

Kazarosian was elected by a majority vote at the Sept. 18 House of Delegates meeting held at Mechanics Hall in Worcester. Kazarosian received 38 votes, eight more than were needed to reach majority. She was one of five candidates for the position, which will run through Aug. 31, 2009.

“I’m proud that I was among other candidates who were really excited about the MBA and wanted to be involved,” Kazarosian said after winning the election. “It renews my hope for the MBA going forward.”

Kazarosian said she plans to listen to the other MBA leaders to learn their goals, while also focusing on increasing membership, particularly among young lawyers, and getting
Recent and upcoming events

1. Bar Leadership Institute

2. “Open Dialogue on Court Practices”

3. House of Delegates meeting

4. President’s Reception

5. Legal Tech Expo
   Sheraton Boston hotel, Boston, Sept. 23. Story on p. 3.

6. Young Lawyers’ “Online Networking for Attorneys”

7. 18th Annual Family Law Conference
   Ocean Edge Resort & Club, 2907 Main St., Brewster, Oct. 17-18.

11. MBA Gala Dinner

12. Legal Tech Expo

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.
Legal Technology Expo draws nearly 200

by Kelsey Sadoff

Nearly 200 members of the legal community attended the second Legal Technology Expo, which was held Sept. 23 at the Sheraton Boston Hotel. The free, six-hour tradeshow outlined the latest technological products, services and systems enabling practitioners to make their practices more efficient and organized. The region’s first Legal Technology Expo in nine years was held in November 2007.

The expo, presented by the Massachusetts Bar Association and Massachusetts Lawyers Weekly, featured dozens of exhibitors and four 45-minute interactive breakout sessions, “Web Site Optimization for Law Firms;” “Toys, Gadgets and Gizmos;” “PDF for Lawyers;” and “Microsoft Office for Lawyers.”

MBA Law Practice Management Section Co-Chair Alan J. Klevan led two of the popular breakout sessions with fellow MBA member and Section Co-Chair Rodney S. Dowell. “I chose these breakout sessions because they are the most topical for lawyers in the year 2008,” said Klevan. “Technology in the legal practice is a wave. Either you catch it or you don’t. Microsoft Office and other products are out there to make practices run more efficiently. I want to help practitioners catch the wave or get ahead of the wave to make their practices a better place to be.”

Klevan and Dowell, who ran both the “Toys, Gadgets and Gizmos” and “Microsoft Office for Lawyers” sessions, reminded attendees that “There is more to practicing law than practicing practice. All lawyers need to understand that they are managers.”

Both sessions provided tips to help practitioners work better by using products created to help with time management — such as portable scanners, dual monitors, and iPhones — and how to sort your e-mail inbox.

“I had a lightbulb moment,” said Heather A. Richards, a law student member of the MBA who attended the Toys, Gadgets and Gizmos session. “I thought — I can take that [idea of using dual monitors] back to my business.”

The Website Optimization for Law Firms breakout session outlined how attorneys could find more business through placement on the Web and the PDF for Lawyers session described Adobe Acrobat 9 and how layout features can be utilized to help keep everyone on the same page when sharing extensive files.

“There is a lot of technology here that you don’t learn about in law school,” said attendee Sabrina Bohun, who recently took the bar exam. “Being new to the [legal] field, it is good to know about the different programs around.”

Many exhibitors used the event as an opportunity to expose attorneys to their new services. Geek OfficeCalls, a preferred tech support provider for MBA members in medium and large-sized firms, announced their new Purge & Sweep Program — a way of sanitizing hard drives prior to repurposing or disposal. With the new HIPAA and Sarbanes-Oxley laws, lawyers must have a procedure to protect their data, and this process allows confidential data to be wiped clean.

Fellow exhibitor TurboLaw, known in the legal community for their Document Software programs, introduced its new Time & Billing software to potential clients. “We are very happy to see the legal technology expos brought back,” said Danielle Whitestone, TurboLaw’s director of sales and marketing.

Allen Korson, chief executive officer of U.S. Common Law, the Legal Tech Expo’s gold sponsor and an exhibitor, said that his company participated in the event to bring added exposure to their products. “I just spoke to a new MBA member who is setting up an office and looking for software to do this,” said Korson. “We are offering a very affordable start-up.”

The next Legal Tech Expo will be held on March 20, from 9 a.m. to 2 p.m. at the Sheraton Framingham.

Participating exhibitors and sponsors:

Gold Sponsor:
U.S. Common Law

Silver Sponsor:
Boston University

Featured exhibitors:
• Catuogno Court Reporting
• Citizens Bank
• CMIT Solutions
• DEC Business Solutions Inc.
• Direct IT
• eFilecabinet
• Esquire Deposition Services
• Esquire Litigation Solutions LLC
• Evidex
• Geek Housecalls
• Integra Network Services
• Kaplan Auctions
• Lexis Nexis
• Maine Aviation Corp.
• Metropolitan Telephone Co. Inc.
• New England Trial Services
• Northern Business Machines
• Nuance Communications Inc.
• O’Brien & Levine Court Reporting
• One Stop Business Centers Inc.
• Paper Trace
• Paradigm Computer Consulting
• ProLaw.com

Pro Products Web Design
• Simplifile
• Staples
• The Duplicating Center
• Thomson West
• TurboLaw Document Software and Time and Billing
• Worldwide Information Inc.

Massachusetts Bar Association
20 West St.
Boston, MA 02111

Or, fax to (617) 542-7947.

Nomination materials will be provided to the MBA House of Delegates for the 2008-09 membership year for consideration and election at its meeting on Wednesday, Nov. 19, at 2 p.m. at the Hawthorne Hotel, 18 Washington Square West, Salem.

If you have any questions about the nomination process, call MBA Executive Director Marilyn J. Wellington at (617) 338-0640.

MBA lawyers for at-large delegates sought by Oct. 24

The Massachusetts Bar Association is currently accepting nominations for the position of at-large delegate for the 2008-09 membership year. Two at-large delegate positions are available. Nominees must submit a letter of intent and a current resume to the MBA secretary by 5 p.m. on Friday, Oct. 24, to be eligible. Nominations will be closed as of 5 p.m. on Oct. 24.

To submit a nomination, mail or hand deliver nomination materials to:

Massachusetts Bar Association
ATTN: MBA Secretary
20 West St.
Boston, MA 02111

Or, fax to (617) 542-7947.

Nomination materials will be provided to the MBA House of Delegates for the 2008-09 membership year for consideration and election at its meeting on Wednesday, Nov. 19, at 2 p.m. at the Hawthorne Hotel, 18 Washington Square West, Salem.

If you have any questions about the nomination process, call MBA Executive Director Marilyn J. Wellington at (617) 338-0640.
MBA invites members to Moakley Courthouse for Annual Gala Dinner

Professor and ADR pioneer Leonard L. Riskin will deliver keynote speech

by Kate O’Toole

The 2008 Gala Dinner will take place on Nov. 12 at the John J. Moakley U.S. Courthouse in South Boston and feature keynote speaker Leonard L. Riskin, a nationally known pioneer in the field of alternative dispute resolution.

Risin, the Chesterfield Smith Professor of Law at the University of Florida, will discuss mindfulness in the law. He joined the University of Florida in 2007. Before coming to UF Law, he served as the director of the Center for the Study of Dispute Resolution (CSDR) at the University of Missouri-Columbia, where he had lead responsibility for developing, managing and securing funding for an innovative project to introduce dispute resolution across the curriculum and for helping other law schools develop similar initiatives. He also oversaw a number of other efforts including an L.L.M. in dispute resolution program, a mediation clinic and dispute resolution training activities.

In addition, Riskin served as director of the Initiative on Mindfulness in Law and Dispute Resolution, which he launched in 2002 as a part of the CSDR at the University of Missouri. Riskin received his J.D. from New York University School of Law and an L.L.M. from Yale Law School. He teaches negotiation, mediation and other dispute resolution processes.

Risin recently discussed some of his ideas about alternative dispute resolution, mindfulness, and other topics related to the practice of law.

Q: How did you become interested in Alternate Dispute Resolution, and how did you move to mindfulness and meditation from there?

A: My interest in mediation developed in the early 1980s when I noticed that many lawyers and law students seemed quite unhappy in their work. Some of the unhappiness resulted from the prominence of narrow, adversarial perspectives, especially in dispute resolution. I thought mediation, in appropriate situations, could provide a way for lawyers to get more satisfaction from their work and serve their clients better by considering the needs that lie beneath the adversarial positions. I’ve been practicing mindfulness meditation since about 1990 and wanted to introduce it to the legal profession, but did not know why. In 1998, I attended a meditation retreat for Yale Law School students and learned how mindfulness could help lawyers feel and perform better, and better serve their clients’ needs.

Q: What are the most important points that attorneys should understand about the concept of mindfulness?

A: Mindfulness, as I use the term, is a way of paying attention—deliberately, moment-to-moment, and without judgment—to whatever passes through the senses and the mind. A person develops the ability to be mindful through mindfulness meditation (aka “insight meditation”), then deploys it in everyday life. An ancient practice, mindfulness meditation is now widely used in medicine, education, athletics, and in the corporate world. Mindful awareness gives a person a certain freedom from habitual thoughts and behaviors and enhances emotional intelligence. It can help lawyers deal with stress, improve concentration, and connect better with clients and others.

Q: How do you see mindfulness fitting into the future of the legal profession? Should this be a part of work/life balance conversations, as well? And can you provide an example of a situation in which a lawyer could use mindfulness techniques in everyday practice?

A: As our world becomes increasingly hectic and our lives stuffed with information, lawyers, and their clients, will have a greater need for stillness and mindful presence, in order to promote emotional and intellectual balance and reduce the level of unprofessional and unethical conduct, which takes such a toll. Some of them will be aided by mindfulness practices. I have no idea what proportion.

Q: Are certain practice areas, or certain types of lawyers, more receptive to mindfulness than others?

A: A lawyer’s interest in mindfulness depends a good deal on the lawyer’s personality and experience. People are drawn to it for various reasons. Many want to deal better with stress or to perform better. Some are hoping for spiritual transformation. I have noticed that a large percentage of mediators are attracted to mindfulness practice, but lawyers from virtually all sectors of the bar show up at mindfulness programs.

Q: How do you convince reluctant lawyers that mindfulness can be helpful?

A: I write articles and lecture and conduct workshops about mindfulness for lawyers and mediators. Some lawyers have no interest in trying meditation. Sometimes they already have sufficient present-moment awareness. Or they may have other ways to address sorts of problems which mindfulness can help. Or it may seem too countercultural. So I do not try to persuade anyone that mindfulness can help them, but I explain how it works and how it has helped others, and encourage them to give it a try.

Tickets and sponsorship opportunities are still available for the Nov. 12 Gala Dinner. For more information about, visit www.massbar.org/gala or call (617) 338-0530.
MBA President celebrates 08-09 term
continued from page 1

McIntyre’s daughter and a solo practitioner in Quincy. “Over several years, he has really changed and developed as both a person and a lawyer. He is focused on the present and future and giving others an opportunity to be heard.”

Maintaining a “laser-like focus on collaborative opportunities through the legal community and beyond” for the 2008-09 association year, McIntyre has appointed more than 20 first-time section chairs who represent highly diverse views, styles, practice area expertise, ethnicity and geographic regions. Along with his fellow officers, who “bring unique strengths to bar leadership,” McIntyre believes the “association will reap the benefits of [these appointments].”

In addition to praising fellow MBA members, McIntyre thanked the Clinton Bar Association for its support over the last 20 years, as well as the Worcester County Bar Association, for being models of professionalism throughout his career. He has been “humbled” by the pouring of support from members of his 1981 law school class who called him upon learning of his election and offered their assistance.

“Ed will be focused on growth in both membership and ideas of what the MBA should be,” said MBA Executive Director Marilyn J. Wellington. “Times have changed in the practice of law, and the MBA needs to change with it. Ed will build a stronger rapport with members and nonmembers.”

McIntyre’s reception included fellow MBA officers, section council chairs and residents of McIntyre’s community of Clinton. McIntyre was also joined by his family, which includes three brothers, four sisters, three children, his wife of 36 years and first granddaughter, Caitlyn. McIntyre’s presidency is a “great honor for us,” said McIntyre’s daughter Maureen. “It is an honor that lawyers in Massachusetts have chosen him to lead them through the next year.”

“To achieve what he has achieved tonight speaks volumes,” said Mike McIntyre, his son. “He has done the right things in life and this is an achievement of practicing 30 years of law.”

Bridging the past and the future

Many of the past presidents of the Massachusetts Bar Association joined the current officers for the annual MBA Past Presidents Dinner on Sept. 10. As is tradition, current MBA President Edward W. McIntyre welcomed all of his predecessors to celebrate the association’s history while sharing its future goals.
President’s view

continued from page 1

the European Union and western democracies. Indeed, ADR is the preferred dispute resolution process for “corporate America.”

The Court’s policy statement went on to create a Standing Committee on Dispute Resolution to guide the CJAM and SJC through the process of incorporating ADR into the system. Commendably, the standing committee developed the Supreme Judicial Court Uniform Rules on Dispute Resolution, governing court-annexed ADR. The Trial Court Standing Committee on Dispute Resolution succeeded the SJC’s standing committee and was charged with implementing the uniform rules throughout the Trial Court system.

In December 2005, the Trial Court Standing Committee on Dispute Resolution convened four working groups to propose plans to implement ADR across all Trial Court departments. After 10 months of careful analysis, in September 2006, all four working groups recommended to the Trial Court standing committee that immediate action be taken to implement ADR within our court system and throughout the commonwealth. The first step in that implementation was consensus building.

The Court Systems Working Group (CSWG) notably recommended that the CJAM issue a directive to Trial Court Department chief justices requiring the integration of “presumptive ADR” into time standards and case management systems in each Trial Court department. Under this policy directive, with the exception of some classes of cases that may be inappropriate for ADR, all civil cases would presumptively engage meaningfully in an initial ADR session. The CSWG also recommended that the role of the local ADR services coordinator in the Trial Court divisions and the role of the department ADR coordinator outlined in the uniform rules be strengthened and supported.

Who would most benefit from the adoption of these recommendations? According to the CSWG, the primary beneficiaries would be the courts and litigants. Universal experience demonstrates that the courts benefit from the effective use of ADR as a tool for expediting high-quality resolution of cases (both those cases resolved through ADR and those reached more expeditiously through trial as a result of lightened dockets). Litigants coming to court for justice and an opportunity to be heard have a chance to access high-quality, low-cost processes to resolve disputes in a timely manner that emphasizes self-determination and workable solutions. An opportunity for trial always exists if needed.

These ideas are strikingly similar to those stated in the Chief Justice’s Commission on the Future of the Courts, Reinventing Justice, 2022 (1992). A portion of the commission’s statements that “institutionalizing ADR means that the commonwealth’s courts must accelerate the incorporation of [ADR] into the justice system, even as adjudication is improved.”

Now is the time to institutionalize ADR across all seven Trial Court departments.

Mohandas K. Gandhi practiced law. He wrote: “My joy was boundless. I had learnt the true practice of law. I had learnt to find out the better side of human nature and to enter men’s hearts. I realized the true function of a lawyer was to unite the parties driven asunder. The lesson was so indelibly burnt into me that a large part of my time during the twenty years of my practice as a lawyer was occupied in bringing about private compromises of hundreds of cases. I lost nothing thereby — not even money, certainly not my soul.”

Normally diligent attorney can’t explain why they avoided case for months

Q: After working almost 20 years at my firm (which specializes in real estate), I have suddenly handled (or failed to handle) a case in a way that I never did before. Essentially, I put off and avoided dealing with this matter (even, at some point, leaving mail unopened) for months. The case was annoying in some ways, but certainly not more difficult than most of my work.

Fortunately, with the help of colleagues, no harm was done, but my own behavior confuses me. On all my other cases, I continue to work to my usual (high, if I may say) standards. My anomalous lapse in attention comes at a bad time, when the firm has been tightening its belt and reconfiguring expectations, so I am concerned as to how this episode will affect my future there.

In other respects, my life is going really well — my mood is pretty good, my family life is gratifying. Why would I shoot myself in the foot this way?

A: While the term “acting out” is most often used with regard to more antisocial, impulsive or overtly destructive behaviors, its essential meaning may apply to your situation — expressing an inner emotional conflict through behavior rather than in other ways (such as talking, writing or problem-solving).

People in the grip of significant depression or addiction often fail to attend

LAWYERS CONCERNED FOR LAWYERS

adequately to a range of responsibilities; in your case, however, you addressed your other duties appropriately, and this one stood out as an exception. Likewise, your lapse does not sound like an ADHD-type failure to remain organized or focused.

Instead, one clue we hear is your mention about the changes that are afoot at your firm. Perhaps, after all your years there, you are not thrilled with these changes. (So many recent developments at law firms seem to have more to do with business and competitive survival than with fulfillment in the practice of law.) And perhaps there was something about this case that, for you, captured the aspects of your current work life that elicit frustration, anger or anxiety.

Of course, we could be completely off the mark on reasons why this case may have been significant to you — it could, for example, involve feelings toward the client or another attorney involved in the case — but for the purpose of this column we are highlighting the fact that sometimes our actions express feelings that we would rather not acknowledge consciously, and quite often those actions are counterproductive.

Even though you are functioning well, we would still be inclined (if you came for evaluation at LCL) to refer you for a bit of talk therapy, where one of the key goals would be increasing your awareness of your true feelings, wishes, etc. and providing a place where (probably unlike work) it is appropriate to express them.

The more that you are aware of the thoughts and emotions that you, like most people, have “running in the background” unnoticed, the better equipped you will be to make good choices for yourself and to avoid ensnaring yourself in traps of your own making.

Questions quoted are either actual letters/e-mails or paraphrased and disguised concerns expressed by individuals seeking assistance from Lawyers Concerned for Lawyers.

Questions for LCL may be mailed to LCL, 31 Milk St., Suite 810, Boston, MA 02109; e-mailed to email@lcma.org or called in to (617) 482-9600. LCL’s licensed clinicians will respond in confidence. Visit LCL online at www.lclma.org.

Visit www.MassBar.org

Open Dialogue on Court Practices

Welcoming attendees to the Open Dialogue session at the Brooke Courthouse were: Chief Justice for Administration and Management Robert Mulligan, Supreme Judicial Court Chief Justice Margaret H. Marshall, Court Management Advisory Board Chair Michael Keating, Boston Bar Association President Kathy Weinman, Boston Municipal Court Judge Rosalind Miller and MBA President Edward W. McIntyre.

The Open Dialogue on Court Practices series is sponsored by the Massachusetts Trial Court, the Court Management Advisory Board and the Massachusetts Bar Association. The Sept. 17 program was also co-sponsored by the Boston Bar Association. The next Open Dialogue session will be on Thursday, Oct. 16 at the Worcester Trial Court, and is co-sponsored by the Worcester County Bar Association. To R.S.W.P., call MBA Member Services at (617) 338-0530.
A managing partner of Kazarosian Law Offices in Haverhill, Kazarosian concentrates in civil litigation, family law and discrimination. She became partner in the practice in 1986 and took over from her father, Paul, in the early 1990s.

McIntyre said Kazarosian will help bring the needs of small-town Massachusetts attorneys to the MBA. McIntyre, himself a proud small-town attorney in Clinton, said Kazarosian will help provide “a voice” for those attorneys.

“She’s been on that street, small-town America main street, her entire professional career and she has a great sense of the needs of a small-town practitioner,” said McIntyre, who called her comfortable to be around. “She is direct, she is informative and she is what you see.”

Kazarosian has many professional memberships and leadership positions under her belt, including having served as president of both the Essex County Bar Association and the Massachusetts Academy of Trial Attorneys. She has also served as a contributing author and faculty member of various Continuing Legal Education programs.

MBA President-elect Valerie A. Yarashus said she is looking forward to working with Kazarosian as an officer of the MBA. “She brings experience, intelligence, dedication and a common sense approach to leading organizations into the future,” Yarashus said.

A member of the MBA since 1982, Kazarosian has served on nine committees and sections, including the Access to Justice, Civil Litigation, Family Law and Probate Law section councils. Kazarosian has also served on the MBA’s Executive Management Board, House of Delegates, Joint Bar Committee on Judicial Nominations, Nominating Committee and Gala Dinner Committee. She is a Life Fellow of the Massachusetts Bar Foundation and served on this year’s Fellowship Committee.

Wellington said Kazarosian’s thorough understanding of the MBA because of her many years of service will benefit the association, and her North Shore ties will also help expand the association’s geographic reach. “I think she’s really going to bring in a new voice,” Wellington said.

Kazarosian institutional knowledge of the MBA, coupled with her strength, will only mean great things for the association, MBA Treasurer Denise Squillante said. “I think Bob Lucas would be thrilled at his replacement. No one could ever fill his shoes, but I think that Bob would be confident, having known Marsha for 20 years,” Squillante said.

An accomplished trial lawyer, Kazarosian was named one of the top 10 lawyers in the state in 1999 by Massachusetts Lawyers Weekly after successfully suing the Haverhill Golf and Country Club for gender discrimination. In 2006, Massachusetts Super Lawyers magazine chose Kazarosian for its cover story titled, “The Power of Marsha Kazarosian.”

MBA Secretary Douglas K. Sheff, who has known Kazarosian both professionally and personally for more than 20 years, called her “of the highest caliber.”

“She’s extremely intelligent. She’s a quick study. Everything she does, she does it right with grace, class, dignity and a sense of humor,” Sheff said. “I’m very pleased to have her on the leadership team.”

Active in the North Shore Community, Kazarosian is a corporator of the Pentucket Five Cents Savings Bank and a member of the Essex County 150th Anniversary Committee. She has also served as a board member of the Northern Essex Community College Foundation. Kazarosian has three sons, one of whom is currently enrolled in Suffolk University Law School.

Fellow Essex County attorney Robert L. Holloway Jr., her co-vice president, said Kazarosian was wonderful to work with when they were both officers of the Essex County Bar Association. “She’s going to be a tremendous addition,” he said.

Kazarosian received her B.A. from the University of Massachusetts, Amherst in 1978 and went on to earn her law degree from Suffolk University Law School in 1982. She is a graduate of Phillips Academy in Andover.
MBA officers begin 2008-09 association year

Edward W. McIntyre
President

McIntyre is a solo practitioner concentrating in civil litigation in state and federal court. He concentrates his practice in the areas of spinal cord and brain injury law. McIntyre is a U.S. Army veteran. A longtime MBA volunteer, he has been a member of the House of Delegates since 1998, sat on the MBA President’s Task Force on Judicial Evaluations and the MBA’s ABA Nominating Committee. McIntyre has served two terms as MBA vice president and one term as secretary. He also fulfilled one-year appointments as vice-chair and chair of the Judicial Administration Section Council. McIntyre has chaired the MBA’s Judicial Performance Evaluation Standing Committee since 2004, is a former recipient of the MBA’s Community Service Award and is a Massachusetts Bar Foundation Fellow and Trustee. He lives and practices in Clinton, where he has hosted a local television program since 1994 and is a former president of the Wachusett Chamber of Commerce.

Robert L. Holloway Jr.
Vice President

Holloway is a shareholder and president of MacLean, Holloway, Doherty, Ardiff & Morse PC in Peabody. Holloway is a long-term member of the MBA’s Ethics Committee, a member and past chair of the MBA’s Civil Litigation Section Council and a former regional delegate to the MBA House of Delegates. In addition, Holloway received the MBA’s Community Service Award in 1993 and has served on the Joint Bar Committee on Judicial Nominations for six years. He is also a regular panelist for continuing legal education programs. Holloway is an emeritus member of the Board of Editors of Massachusetts Lawyers Weekly, having served on that board since 1981. He has been recognized by Boston magazine as a “Super Lawyer” in the area of business litigation. Holloway is also a past president of the Essex County Bar Association. He lives in Topsfield, where he has served on the Board of Health and Masconomet Regional School Committee.

Denise Squillante
Treasurer

Squillante is a solo practitioner in Fall River who concentrates in family law, corporate law, injury and estates and also provides business and legal consulting services to corporations. Long active in the MBA’s Family Law Section Council and its committees, Squillante has sat on the MBA’s Presidential Task Force on Terrorism, the Amicus Committee and the Joint Bar Committee. She is a former recipient of the MBA’s Pro Bono Publico Award, a longtime member of the House of Delegates and a Massachusetts Bar Foundation Fellow. Squillante helped establish the MBA’s General Practice, Solo & Small Firm Section and leads the MBA’s efforts to assist lawyers who are entering or transitioning back into the practice of law. She previously served one term as MBA secretary and two terms as vice president. In addition, Squillante is serving as the Massachusetts delegate to the American Bar Association’s House of Delegates for the 2008-09 year.

Valerie A. Yarashus
President-Elect

Yarashus is a founding partner of Yarashus, Wagner, Cook, Freiburger & Washenko LLC in Boston, where she concentrates in plaintiff’s trial practice and a wide variety of other general liability cases. Yarashus spearheaded the MBA Task Force on Diversity in 2005, and co-chairs the MBA’s recently established monthly Leadership Roundtables. In 1997, Massachusetts Lawyers Weekly named Yarashus one of the “Rising Stars” in the legal profession. In 2006, she was inducted into the Massachusetts Lawyers Weekly Up-and-Coming Lawyers Hall of Fame. Yarashus is a past president of the Massachusetts Academy of Trial Attorneys. She has been listed in every edition of Best Lawyers in America since 2004. Yarashus has also been listed by Boston magazine’s “Best of Boston” as a “Super Lawyer” in the field of personal injury every year since 2004, and as one of the top 50 female attorneys in Massachusetts (including every practice area) every year since 2005. She lives in Holliston.

Marsha V. Kazarosian
Vice President

Kazarosian is managing partner of Kazarosian Law Offices in Haverhill, where she concentrates in civil litigation, family law and discrimination. Kazarosian has served on nine MBA committees and sections, including the Access to Justice, Civil Litigation, Family Law and Probate Law section councils. She has also served on the MBA’s Executive Management Board, House of Delegates, Joint Bar Committee on Judicial Nominations, Nominating Committee and Gala Dinner Committee. A Life Fellow of the Massachusetts Bar Foundation, Kazarosian serves on the Fellowship Committee. An accomplished trial lawyer, she was named one of the top 10 lawyers in the state in 1999 by Massachusetts Lawyers Weekly. In 2006, Massachusetts Super Lawyers magazine chose Kazarosian for its cover story titled, “The Power of Marsha Kazarosian.” She is a past president of both the Essex County Bar Association and the Massachusetts Academy of Trial Attorneys. She is also active in the North Shore Community, where she is a corporator of the Pentucket Five Cents Savings Bank.

Douglas K. Sheff
Secretary

Sheff is senior partner at Sheff Law Offices in Boston, where he specializes in all aspects of personal injury law and is considered an expert in brain injury law. A past president of the Massachusetts Academy of Trial Attorneys, Sheff has been appointed Trustee of the National College of Advocacy, which provides education and training for trial lawyers across the country. He is also a director of the Belli Society, a group of outstanding trial attorneys, and a five-time recipient of the American Association for Justice’s Wiedemann Wysocki Award. Sheff has also served as chair of the AAJ’s Council of Presidents and was elected by his peers nationally to chair the Association of Trial Lawyers of America’s 100 State Delegates. Sheff lives in the North End neighborhood of Boston.

Photos by Jeff Thiebauth and Christine Peterson
Massachusetts Bar Association President Edward W. McIntyre has appointed the following members to serve as leaders for the association’s 17 sections and Young Lawyers Division during the 2008-09 year, effective Sept. 1:

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<tr>
<th>Section</th>
<th>Leader Name</th>
<th>Firm/Details</th>
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<tr>
<td><strong>ACCESS TO JUSTICE</strong></td>
<td>James T. Van Buren</td>
<td>Attorney at Law Fitchburg</td>
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<td><strong>BUSINESS LAW</strong></td>
<td>Steven Y. Chow</td>
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<td>John G. Dugan</td>
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Get Involved!

PRO BONO PROFILE

Dial-A-Lawyer volunteer profile: Stuart I. Rosnick

Stuart I. Rosnick
15 Front St.
Salem, MA 01970
(978) 741-1130
tins.sandy@verizon.net

I volunteer for the Dial-A-Lawyer Program as a small way to give back and provide help and guidance for those in need.


I started my own law firm from the beginning. The number of attorneys working for me has ranged from zero to four.

My practice has always concentrated on litigation in most courts: criminal, civil, domestic, business, consumer rights, as well as Chapters 93A and 176D claims. In addition, I handle landlord/tenant, employment law (including MCAD and discrimination claims).

Hobbies include traveling, golf, antiques and collectibles. I am the founder of the Antique Advertising Association of America (AAAA) in 1993, and a director and attorney from inception to the present.

Dial-A-Lawyer volunteers needed

On the first Wednesday of each month, attorneys volunteer at the MBA Boston headquarters by providing free basic legal information by phone to callers between the hours of 5:30 and 7:30 p.m.

The MBA Boston office needs lawyers in all areas of practice who are willing to spend their time answering questions from the public on a wide range of legal topics. Past participants speak very positively of their experience helping others in this way and we have many return volunteers.

If you would like to volunteer, contact us by:

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phone: (617) 338-0556
fax: (617) 338-0503
mail: Massachusetts Bar Association
Attn: Dial-A-Lawyer
20 West St., Boston, MA 02111-1204

Visit www.MassBar.org

Get involved in Mock Trial

In preparation for the 24th Annual Statewide High School Mock Trial Program, the MBA invites you to volunteer as an attorney coach or judge.

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

As a Mock Trial judge, you will attend an orientation session in early January and be scheduled to preside over one or more trials in a courtroom near your home or office. Judges are especially needed during the preliminary rounds of the competition, which run from late January to mid-February. Each trial lasts approximately 2 ½ to 3 hours. You may volunteer to judge as little as one trial, although many judges prefer to judge more.

As an attorney coach, you will be matched with a teacher coach at a nearby school and serve as the team’s legal advisor. Some attorney coaches attend two to three team meetings throughout the year to assist the team in developing its basic strategy and courtroom techniques; others play a more active role in the team, accompanying it to each trial. While the actual time commitment varies from team to team, most teams begin working with their attorney coach when the case is released in early November.

For more information, contact Mock Trial Central at (617) 338-0570, or by e-mail at mocktrial@massbar.org.

Pro Bono Opportunities Guide now available online

For many years, the Massachusetts Bar Association has offered its membership an opportunity to access statewide and local organizations that are in need of pro bono services from attorneys, law students and paralegals. These services can range from actual client representation to the training of staff.

The MBA and the Massachusetts Bar Foundation, the MBA’s philanthropic partner, support attorneys in their efforts to provide pro bono services to those of limited means. Listed online are more than 100 agencies with a wide range of legal needs.

Visit www.massbar.org/publications/pbog to identify a volunteer opportunity that meets your needs. You may search by keyword, category and/or county.

Rule 6.1 Voluntary Pro Bono Publico Service
A lawyer should provide annually at least 25 hours of pro bono publico legal services for the benefit of persons of limited means. In providing these professional services, the lawyer should:

(a) provide all or most of the 25 hours of pro bono publico legal services without compensation or expectation of compensation to persons of limited means, or to charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means.

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

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**Health Law Section will train attorneys to help low-income residents save money on Medicare prescription drug benefits**

Free training session will be offered Oct. 29 and via webcast

by Kate O’Toole

Thousands of seniors and people with disabilities across the commonwealth are enrolled in the federal Medicare program, but many of them have overlooked the Low Income Subsidy (LIS) for Medicare Part D — a program that helps low-income beneficiaries pay for their prescription drugs.

Diane F. Paulson, an attorney with the Medicare Advocacy Project (MAP) at Greater Boston Legal Services and a former member of the MBA’s Health Law Section Council, observed that despite government outreach, a vast number of recipients who are potentially eligible do not even know about the subsidy. In addition, many low-income Medicare recipients have submitted incomplete applications and never received a response or unsuccessfully attempted to complete the application online.

Paulson’s colleague at MAP, attorney Donna McCormick, noted that without the subsidy, many low-income Medicare beneficiaries simply cannot afford the high costs of the Part D benefit. “Adding an outpatient prescription drug benefit to Medicare should be a plus — and is for some — but not for those who cannot afford their medications even with the benefit,” McCormick said. “The subsidy makes the difference.”

According to the Centers for Medicare & Medicaid Services (CMS), roughly 20 percent of Medicare recipients who are eligible nationally have not applied for the subsidy. “This percentage represents about 100,000 people in Massachusetts alone,” said Patrick Francomano, past co-chair of the General Practice, Solo & Small Firm Section. “That is a tremendous amount of wasted resources for those that need it the most.”

“The subsidy application is a 16-question form that takes a little information-gathering. It’s less complicated than the Probate Short Form Financial Statement,” explained Susan G. Anderson, immediate past co-chair of the Health Law Section Council. “From a lawyer’s perspective, it’s a simple form, but from a client’s perspective, it may be intimidating.”

CMS estimates that the LIS will save an eligible recipient an average of $2,000 a year, and up to $3,600 a year, depending on the number of prescription medications they use. These savings can boost a low-income Medicare beneficiary’s income by about 15 percent. If the MBA helps enroll 100 people in the program this year, their savings could total as much as $360,000.

“These are hard economic times,” added Health Law Section Council Co-Chair and Braintree attorney Frank J. Riccio. “Particularly for people on limited incomes who may feel they need to choose between heat, food and paying for their medications.”

**MBA proposes community-based solution**

To address the widespread lack of awareness about this valuable subsidy, the Health Law Section Council, with the help of General Practice, Solo & Small Firm Section leaders, is launching a community service and pro bono project that will assist potentially eligible beneficiaries with their LIS applications. The section council will offer a free training session for interested attorneys to address the basics of the Medicare Part D LIS form, and offer suggestions on how to work with local organizations to help Medicare recipients get the information and assistance they need.

“The hope is that MBA members will work with organizations such as Serving the Health Information Needs of Elders and local councils on aging to get the information out in their communities, and, as a second step, help some people apply,” Anderson said.

Organizers believe the project will be especially appealing to solo practitioners and young lawyers interested in pro bono work. Paulson, who recommended the initiative, described the project as “a good way for attorneys to assist eligible beneficiaries obtaining their LIS, because they can both demystify and assist with the process.” She added, “It is also a good way for an attorney to get involved and known in his or her community.” The project requires a modest time commitment, yet has the potential to make a substantial impact.

The training session will take place on Wednesday, Oct. 29, from 4 to 6 p.m. at the MBA’s offices at 20 West St. in Boston. The session will also be available via webcast.

For further details about the pro bono project, or to R.S.V.P. for the training session on Oct. 29, contact MBA Sections Administrator Jean Stevens at jstevens@massbar.org.

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**Immigration Law hosts noted author Kurzban in free program Oct. 27**


This special event, which is free and open to all members, will be held from noon to 3 p.m. at the Massachusetts Bar Association’s offices at 20 West St. in Boston.

Kurzban is a past national president and former general counsel of the American Immigration Lawyers Association. He has received national recognition for his work in the immigration field and litigated more than 50 cases concerning the rights of aliens.

Immigration Law Section members will receive a significant discount on *Kurzban’s Immigration Law Sourcebook*.

Space is limited, so contact Members Services at (617) 338-0530 to reserve your space.

Immigration law is an area that reaches many practitioners. In an ongoing effort to meet the needs of its members, the MBA is pleased to offer the inaugural year of the Immigration Law Section. The new section plans to offer a range of programming through Continuing Legal Education courses designed for everyone, from experienced practitioners to attorneys who only rarely confront immigration issues.
Young Lawyers hosts free “Online Networking for Attorneys” program Oct. 15

Young Lawyers begins its second full year as a division with a focus on reaching out to the commonwealth’s attorneys. Young Lawyers Division Chair Michael D. Broderick has its members to present a series of educational seminars and networking events during the 2008-09 association year.

On Wednesday, Oct. 15, YLD will present its first seminar and networking event of the year, “Online Networking for Attorneys.” The free seminar and networking cocktail reception will be held at the Massachusetts Bar Association’s offices at 20 West St., in Boston at 5:30 p.m. (To register, contact Member Services offices at 20 West St., in Boston at 5:30 p.m. (To register, contact Member Services offices at 20 West St., in Boston at 5:30 p.m.)

Designed to tackle one of the hottest topics in attorney marketing, this seminar introduces online networking in general, a description of the various kinds of networking Web sites, and a discussion of the pros and cons of online networking for attorneys.

Experienced social networking attorneys will explain how they have used social networking sites such as LinkedIn, Facebook and MySpace to build relationships with peers and potential clients.

In addition, this seminar will address concerns about social networking Web sites. For example, which sites are most appropriate and useful for attorneys? How can attorneys create effective online profiles? What are the appeals and limitations of legal-only sites?

The panel will also discuss how to use social networking to connect with clients and potential clients, how to use social networking for career development, social networking etiquette, and the extent to which online networking can replace actual in-person networking.


The panel also includes:

- Robert J. Ambrogi, Esq., of the Law Office of Robert J. Ambrogi, a Massachusetts attorney and internationally known authority on law and the Internet and technology;
- Kathleen A. Malone, Esq., of Colucci Norman LLP, who will provide advice and insight on using social networking Web sites for personal advancement and career development; and
- Jessica Margolin, Esq., of Ropes & Gray LLP, a labor and employment attorney who advises clients on a wide variety of issues, including employees’ use of social networking Web sites.
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Eco-Tips

Energy conservation
1. Stop using a screen saver.
   • Screen savers do not save energy, they save the screen from being permanently imprinted with an image.
   • Screen savers eat up lighting and processing energy.
   • Set screen savers to none or blank screen.
2. Consider laptops: Consider buying laptops instead of desktops, as they generally use less energy and are more efficiently made.
3. Consider office sharing: If you have a number of employees who don’t use the office regularly, consider assigning offices based on a schedule. You will save on utilities, equipment, furniture and more.

Environmentally conscious purchases
1. Choose your office envelopes wisely.
   • Avoid using envelopes with covered windows whenever possible, in order to enhance their recyclability.
   • Use adhesives on envelopes and mailing labels only if they are water-based and do not contain chlorinated organic compounds, many of which are toxic chemicals.
2. When choosing printer cartridges, consider buying those with toner powder derived from soybeans.

Greenhouse gas reduction
Offer bike parking: Provide employees with a secure space to park their bikes in order to encourage this mode of transportation.

Paper reduction
1. The holiday season is fast approaching. When considering how to share holiday wishes with colleagues, clients, friends and family, choose eco-friendly options:
   • E-mail greeting cards
   • Cards printed on recycled paper and/or with soy-based ink

Sustainable practices
Avoid color printing: Color printing generally uses more ink, so print in black and white when you can.

“Women and Money” seminar
Sherri DuMon, vice president of marketing solutions for Allianz Life, discusses the Allianz Women, Money, and Power Study, the largest study ever of women and money. About 30 women attended the free program, which took place on Sept. 24. Upcoming free programs will take place on Oct. 30, Nov. 20 and Dec. 11. To R.S.V.P. for any of them, contact MBA Member Services at (617) 338-0530 or membership@massbar.org. The series is co-sponsored by the MBA Insurance Agency, in Boston and Springfield and MJP Associates Inc., in Farmington, Conn.
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Law Office Operating Platform ("the LOOP") combines case management, task manager, contact manager, third-party access, research management and time and billing needs into a single affordable package — offered to MBA members at the special price of $59 per month per user.

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Beacon Hill Staffing Group will credit any new client who is a member of the MBA with seven free hours of work on the first assignment that exceeds 35 hours in a single work week. First assignment must take place before Dec. 31, 2008.

Free placement
Beacon Hill Staffing Group will allow members of the MBA to convert a temporary employee on assignment to an employee of their firm at no cost after 90 days of temporary service, a potential savings of up to $15,000. The 90 days of temporary service must take place, in its entirety, between Feb. 1, 2008 and Dec. 31, 2008.
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Valid MBA membership is required.

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New Casemaker resource available through the MBA

The MBA’s comprehensive legal research database, Casemaker, will be expanding its product offerings for Massachusetts lawyers and law students. Casemaker 2.1 will be released in the near future, and a beta version is currently available for MBA members to try on www.massbar.org/casemaker.
Webinars, covering general searching and Massachusetts searching in Casemaker 2.1, can also be accessed through the beta version of Casemaker 2.1.
Casemaker 2.1 will feature substantial improvements over Casemaker 2.0, the prevailing version of the software. Casemaker 2.1 will have a completely new interface and breadcrumb navigation, but will retain the user-friendly nature of its search functions. CaseCheck will be expanded to include results from all 50 states.
Completely new to Casemaker 2.1 will be the “CaseKnowledge” function, which will retrieve any continuing legal education, American Bar Association or state publications related to your search results.
Updates on Casemaker products will be made available on the MBA Web site, www.massbar.org, as well as in its publications, Lawyers Journal and Lawyers e-Journal.
Retired Chief Justice Armstrong joins REBA Dispute Resolution

Retired Chief Justice of the Massachusetts Appeals Court Christopher J. Armstrong, has joined the panel of neutral mediators of REBA Dispute Resolution, an affiliate of the Real Estate Bar Association.

“We could not be more pleased that retired Judge Armstrong will join our growing program,” said REBA/DR President Hon. Mel L. Greenberg (ret). “His considerable experience on the appellate and trial court bench will be a great asset to our clients.”

Armstrong was appointed to the Appeals Court as an associate justice in 1972 and served as chief justice from 2000 to 2006. He was instrumental in seeking and obtaining from the Legislature an expansion of the Appeals Court as an associate justice in 1972 and served as chief justice from 2000 to 2006.

Catalano selected as Health Law Advocates Lawyer of the Month

Jeffrey N. Catalano, a partner at Todd & Weld LLP in Boston, was recently selected as Health Law Advocates’ Lawyer of the Month for his pro bono work on behalf of low-income, disabled and vulnerable children and individuals denied access to health care and services. He has served on the Health Law Advocates Pro Bono Legal Network since July of 2003.

Catalano is on the board of directors of HLA, a charitable, public interest law firm dedicated to health care justice. He will serve as co-chair of the Health Law Advocates 13th Annual Breakfast Benefit in November.

Three MBA members receive ST. Thomas More Award at Red Mass

Four members of the justice system, including three members of the Massachusetts Bar Association, were to be presented the St. Thomas More Award for dedicated service at the annual Red Mass on Sept. 28.

MBA members honored with the award are Judge Kevan J. Cunningham, presiding justice of Taunton District Court; attorney John F. Folan of Dartmouth; and attorney Richard McMahon, executive director of the New Center for Legal Advocacy in New Bedford.

Cunningham became first justice of Taunton District Court in February 1998. As presiding justice of that court, he serves as a trial judge and as its administrative head. He was appointed to the bench in 1996 as a district court associate justice.

Folan is a partner of Folan and McGlone PC in New Bedford. Folan has handled various litigation matters and trials in state and federal courts with an emphasis on civil litigation, including liability issues, civil rights violations and workers’ compensation. For 15 years, he has helped conduct the Trial Advocacy Workshop sponsored by MCLE Inc., and has served on the Hearing Committee for the Board of Bar Overseers.

McMahon has been executive director of the New Center for Legal Advocacy since January 1997. He is a member of the Massachusetts Access to Justice Commission, Massachusetts Supreme Judicial Court Committee on Pro Bono Legal Services, Better Community Living Inc. of New Bedford, and several coalitions in Bristol County addressing homelessness, poverty and family issues.

The Red Mass is hosted each year by the Fall River diocese to recognize those who work to provide justice for the Board of Bar Overseers.

Soule appointed executive director of MetroWest Legal Services

MetroWest Legal Services, formerly South Middlesex Legal Services, recently appointed Betsy Soule as its new executive director. MetroWest Legal Services provides free legal services to the poor, elderly and other disenfranchised people across 36 towns throughout the Metro West region.

Soule’s appointment follows the December 2007 death of Nancy King, who was the longtime executive director of MetroWest Legal Services from 1979 through 2007. The MBA honored King with a posthumous Lifetime Achievement Award in 2008.

Soule will be responsible for the strategic management of the agency and its day-to-day operations. She brings significant experience in advocacy work on behalf of low-income families to her new position.

“We believe that Betsy Soule is particularly well suited to succeed our late, great leader, Nancy King, and lead the agency into the future,” says board President Jack Merrill.

“The board is pleased that the long evaluative process that led us to Betsy Soule yielded such an outstanding new executive director. We are excited about what the future holds under her leadership.”

For the past 20 years, Soule has worked as an elder law attorney and has led the benefits unit of South Middlesex Legal Services. In addition to being a faculty member for the Trial Skills training program at the Center for Legal Aid Education in Boston, she has taught as a visiting clinical supervisor at the Boston College Legal Assistance Bureau and given presentations on a variety of elder law topics. She currently serves as board chair of the Wayland Council on Aging and as board president of the Weston Friendly Society of the Performing Arts.

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MBA holds 2008 Bar Leadership Institute

by Jennifer Rosinski

The Massachusetts Bar Association welcomed leaders of its affiliated bars to the 2008 Bar Leadership Institute held at the Courtyard by Marriott in Marlborough on Sept. 12. The all-day event brought together leaders from across the state to discuss relevant issues facing the bar.

MBA President Edward W. McIntyre and MBA Executive Director Marilyn J. Wellington welcomed the crowd of nearly 100 before McIntyre launched into a talk about developing future leaders. He was then joined by MBA President-elect Valerie A. Yarashus, who discussed building a diverse leadership team.

Among the other topics discussed at BLI were “Effective Organization of Your Bar Association,” “Preparing Your Membership for Disaster Planning and Preparedness,” “Communicating with Members,” “Fiduciary Responsibility of Board Members,” “Working with Your Volunteer Board,” “Motivating Volunteers” and “Educating the Public and Creating Visibility.” That session included a media panel comprising Lawyers Weekly Senior News Reporter David E. Frank, WBZ-AM 1030 Reporter Lisa Meyer and Worcester Business Journal Editor Christina H. Davis.

South Asian Bar Association celebrates India Day and Pakistan Day

The South Asian Bar Association of Greater Boston celebrated the independence of India and Pakistan by holding voter registration drives at both the India Day and Pakistan Day celebrations on Aug. 17.

India Day 2008, organized by the Indian Association of Greater Boston, was held at the Hatch Shell on the Boston Esplanade; the Pakistan Day celebration took place at Colt State Park in Rhode Island and was organized by the Pakistan Association of Greater Boston.

To encourage South Asian participation in the American political process, SABA GB set up voter registration tables at each event, offering help in completing the forms and mailing them to relevant town authorities.

“SABA GB’s voter registration event is one of my favorites of the year,” said SABA GB Vice President Natasha Varyani. “It is important that our community be represented in the political process. The first step is to make sure our community is registered to vote.”

As a chapter of the North American South Asian Bar Association, SABA GB supports and encourages the advancement of South Asians to leadership positions within the legal community and the community at large.

For more information, visit www.sabagb.org or contact SABA GB President Samia Kirmani at kirmanis@jacksonlewis.com.

SAVE THE DATES
Oct. 23
Women’s Bar Association 2008 Annual Gala

Oct. 27
Bar Association of Norfolk County Legislative Breakfast

Nov. 3
Real Estate Bar Association for Massachusetts Annual Meeting and Conference

Nov. 6
Middlesex County Bar Association Annual Banquet

Dec. 11
Plymouth County Bar Association Annual Meeting and Dinner

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**MBA CALENDAR OF EVENTS**

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

**TUESDAY, OCT. 14**

**The Epidemic of Domestic Violence and How It Plays Out In Court — Session II:**
Evaluating Batterers’ Treatment Programs

Luncheon roundtable (lunch provided)
Course #: FLC09
Introductory level
12:45–2 p.m.
Hampden Hall of Justice, Springfield

Session II will explore the advantage of batterers’ treatment programs versus anger management as a means to address and treat the batterer, as well as perceived impediments to participation, such as the costs and length of batterers’ treatment programs. A panel of men who have participated in certified batterer intervention programs will also discuss their experiences and the role of the programs in their rehabilitation.

*NOTE:* Attendees had to register for Session I on Oct. 8 to attend the second session.


**Preparing to File a Lawsuit**

Course #: CLH09
Introductory level
Western New England College School of Law, 1215 Wilbraham Road, Springfield

Join us for this practical seminar that will cover the mechanics of preparing to file a lawsuit from start to finish. Our experienced faculty will begin by conducting mock client interviews and then discuss child support after age 18, as well as any new developments.

Faculty: Carolyn A. Muzzi, Esq., program chair, Mass. Department of Revenue, Springfield.
*Additional faculty to be announced.

**WEDNESDAY, OCT. 15**

**Making Sense of the Child Support Guidelines Luncheon Roundtable**
Course #: FLC09
Introductory level
MBA, 73 State St., Springfield

Child support guidelines can be confusing. This roundtable will help you make sense of the ins and outs of the guidelines and give you practical advice for interpreting them. Panelists will discuss child support after age 18, as well as any new developments.

Faculty: Carolyn A. Muzzi, Esq., program chair, Mass. Department of Revenue, Springfield.
*Additional faculty to be announced.

**THURSDAY, OCT. 16**

**36th Annual Robert Fuchs Labor Law Conference**
12:30–5:30 p.m.
(Session to follow until 6:30 p.m.)
Suffolk University Law School, 120 Tremont St., Boston

The 36th Annual Labor Law Conference addresses topics of critical importance to practitioners, analyzes developments and frames forthcoming issues. Sponsors include Suffolk University Law School and the Labor & Employment Law Sections from the Boston, Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont bar associations. To register, visit www.law.suffolk.edu/academic/als or call (617) 573-8627.

**Open Dialogue on Court Practices**
4:30–6:30 p.m.
Worcester Trial Court 225 Main St., Worcester

As part of a concerted effort to continually improve communication between the trial courts and attorneys who present cases in them, a series of interactive bench-bar sessions is being held across the state. Practitioners’ perspectives are sought to better determine how court practices affect attorneys’ lives and how the court and the bar can work together on operational improvements. The series is jointly sponsored by the Massachusetts Trial Court, Massachusetts Bar Association, the Court Management Advisory Board and the Worcester County Bar Association.

**WEDNESDAY, OCT. 22**

**How to Probate an Estate: Part I**
4–7 p.m.
Course #: PLE09
Introductory level
Registry of Deeds, 90 Front St., Worcester

The proliferation of free, user-friendly social networking Web sites can provide new and exciting ways for attorneys to market themselves and their firms. At this free seminar, faculty will introduce online networking in general, describe the various kinds of networking Web sites, and discuss the pros and cons of online networking for attorneys. Experienced social networking attorneys will explain how they have used social networking sites such as LinkedIn, Facebook and My Space to build relationships with peers and potential clients. A networking reception will follow.

Faculty: Scott M. Heidorn, Esq., program chair, Campbell, Campbell, Edwards & Conroy PC, Boston; David A. Barrett, Esq., Hulien & Barrett LLC, Boston; Kathleen A. Malone, Esq., Colucci Norman LLP, Beverly.
*Additional faculty to be announced.

**THIRD ANNUAL BENCH-BAR SYMPOSIUM**

**Open Dialogue on Court Practices**
Thursday, Oct. 22
4:30 p.m.
John Adams Courthouse, Boston

**Bench-Bar Symposium**
4:30 p.m.
John Adams Courthouse, Boston

The third annual Bench-Bar Symposium will begin at 4:30 p.m. and feature Supreme Judicial Court Chief Justice Margaret H. Marshall’s Annual Address to the Legal Community.

**WEDNESDAY, OCT. 28**

**How To Try a Custody Case Effectively and Ethically**
4–7 p.m.
Course #: FLB09
Introductory level
Holiday Inn 700 Myles Standish Blvd., Taunton

Preparing for a custody trial? Learn the strategies for effective trial preparation well in advance of a trial. Sharpen your skills on questioning and cross-examination of witnesses, including a guardian ad litem on his or her investigation and report. Also, review some ethical issues in preparing and trying a custody trial.
Faculty: Denise Squillante, Esq., program chair, Law Office of Denise Squillante, Fall River; Hon. Elizabeth O’Neill-LaStaiti, Bristol Probate and Family Court; Jeffrey Woolf, Esq., Board of Bar Overseers.

*Additional faculty to be announced.

Seventh Annual Western Mass. Bankruptcy Conference
4–7 p.m.
Course #: BLA09
Intermediate level
Western New England College School of Law, 1215 Wilbraham Road, Springfield

This annual program will provide practical discussions regarding issues facing today’s bankruptcy practitioners and update attorneys on changing bankruptcy case and statutory law. The conference will cover issues regarding mortgage foreclosures, as well as various recent developments.


**WEDNESDAY, OCT. 29**

**How to Probate an Estate: Part II**
4–7 p.m.
Course #: PLF09
Introductory level
Registry of Deeds, 90 Front St., Worcester

Part II will focus on the taxation of estates, including collecting the information you need to decide whether the estate is subject to estate or income tax and preparing estate tax returns. *For a fuller description of this program, see the Oct. 22 calendar entry.

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

**Disaster Recovery and Planning**
4–7 p.m.
Course #: LPA09
Introductory level
MBA, 20 West St., Boston

Learn how to prepare for a disaster — not only natural disasters, but also sudden illnesses of key personnel, technology failures or acts of terrorism. Learn to deal with a crisis, assess a situation and create procedures for getting your business operational as quickly as possible after a disaster.

Faculty: Rodney S. Dowell, Esq., program chair, Law Office Management Assistance Program, Boston.

*Additional faculty to be announced.

**THURSDAY, OCT. 30**

12:30–2 p.m.
Course #: MONEY2
MBA, 20 West St., Boston

The MBA invites you to the second session of a free, four-part educational series designed for female attorneys. Upcoming seminar topics include: A Girl’s Guide to Retirement Planning (Nov. 20); and Insure Your Future (Dec. 11).

**Representing the OUI Client**
4–7 p.m.
Course #: CJA09
Introductory level
Massachusetts School of Law 500 Federal St., Andover

Review how to successfully represent a client charged with OUI. Faculty will provide unique and current information on this constantly changing subject. Topics will include: assessing the case; using experts; motions to suppress; how discovery can win your case; and trial tactics.


**MBA GALA DINNER**
6 p.m.
John J. Moakley U.S. Courthouse, Boston

The 2008 Gala Dinner will feature keynote speaker Leonard L. Riskin, Chesterfield Smith Professor of Law at the University of Florida Levin College of Law, who will discuss mindfulness in the law. See p. 4 for a preview.

**MBA CALENDAR OF EVENTS (CONT.)**

**18TH ANNUAL FAMILY LAW CONFERENCE**

**ENHANCE YOUR TRIAL I.Q.: COMPLEX EVIDENTIARY ISSUES IN DIVORCE AND CUSTODY CASES**

**COURSE #: FLA09**

**FRIDAY, OCT. 17–SATURDAY, OCT. 18**

**OCEAN EDGE RESORT & CLUB, BREWSTER**

*Sponsored by the Family Law Section Council

**STOPS ALONG THE ADR SPECTRUM**

**MATCHING THE BEST OPTION WITH THE SITUATION**

**COURSE #: BLC09 • INTRODUCTORY LEVEL**

**THURSDAY, OCT. 16, 9 A.M.–NOON, MBA, 20 WEST ST., BOSTON**

Today the need and demand for alternative dispute resolution is increasing. While lawyers and clients have a general idea of the more familiar types of ADR, they are less familiar with other ADR tools and methods such as case evaluation and collaborative law.

On Conflict Resolution Day, our experienced panelists will provide practical advice on the following topics: use and value of case evaluation in resolving disputes; continuing value of a case evaluator-turned-mediator; varying styles and roles of mediators; advantages of using mediation early in dispute resolution; and Collaborative Law’s interest-based, client-centered elements.

**FACULTY:**
Karen J. Levitt, Esq., program co-chair
Levitt Law Group, Lowell
Michael A. Zeytoonian, Esq., program co-chair
Hutchings, Barsamian, Mandelcorn, & Zeytoonian LLP, Wellesley Hills
Dawn Dweir Effron, Esq., Mediator, Brookline
John Wilner Fieldsteel, Esq., Case evaluator, Urbelis & Fieldsteel, Boston
John Adams Fiske, Esq., luncheon speaker
Healy, Fiske, Richmond & Matthew, Cambridge
Warren Fitzgerald, Esq., ADR Committee Chair
Fitzgerald Dispute Resolution LLC, Boston

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MBA expands 2008-09 CLEs; Lawyers in Transition, Family Law conferences in October

The Massachusetts Bar Association is substantially increasing its Continuing Legal Education offerings this association year, with plans to hold a multitude of valuable seminars and programs during the 2008-09 term.

Each month, at least 10 seminars will be offered from 4 p.m. to 7 p.m. In addition to more programming in the Greater Boston area, the MBA will increase the number ofCLE programs held in Springfield, Marlborough, Andover, Taunton and Worcester. For more information on new programs, visit www.massbar.org.

Also, the Second Annual Lawyers in Transition Conference took place on Oct. 7, at the Courtyard by Marriott in Marlborough. The conference included “Back to Basics” instruction in family law, estate planning, immigration and civil litigation, as well as sessions on “Traps for the Unwary,” “Strategies for a Successful Transition” and “New Technology for Re-Entering the Practice.”

A networking luncheon featured keynote speaker Lauren Stiller Rikleen, Esq., the executive director at the Bowditch Institute for Women’s Success and a partner at Bowditch & Dewey LLP in Boston. She is also the author of “Ending the Gauntlet: Removing Barriers to Women’s Success in the Law.” The conference will end with a networking reception featuring mentors from the MBA’s Mentoring Program.

The 18th Annual Family Law Conference, “Enhance Your Trial I.Q.: Complex Evidentiary Issues in Divorce and Custody Cases,” will provide practitioners with ways of enhancing their trial I.Q. The conference will take place from Friday, Oct. 17, through Saturday, Oct. 18, at Ocean Edge Resort & Club on Cape Cod.

This conference will provide practitioners with a unique opportunity to meet judges, socialize with colleagues and update their skills. Learn techniques and gain insight from a distinguished panel of judges and other legal experts on a range of specialties.

Sessions include “The Evidence Standards,” “Discovery and Admissibility of Medical Evidence” and “Hot Off the Presses: The New Child Support Guidelines.” This year’s conference luncheon will also feature Hampshire Probate and Family Court Justice Gail L. Perlman as the keynote speaker.

Massachusetts Bar Foundation seeks new Fellows

The Massachusetts Bar Foundation is seeking recommendations of outstanding members of the bar to join the MBF Society of Fellows. All current MBF Fellows are encouraged to submit nominations of lawyers and judges who have demonstrated a commitment to ensuring equal access to the legal system for all Massachusetts citizens, consistent with the mission of the MBF.

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

The MBF’s greatest strength lies in the leadership, commitment and support of its Fellows. Please help us to strengthen the Foundation today by submitting your nominations at www.MassBarFoundation.org. Initiating the process is easy and takes less than five minutes.

For more information on becoming a Fellow, contact MBF Development Director Susannah Thomas directly at (617) 338-0647 or by e-mail at sthomas@massbar.org.

Massachusetts Bar Foundation calls for nominations to Board of Trustees

The Massachusetts Bar Foundation seeks dedicated individuals to serve on its Board of Trustees who are committed to strengthening the legal community’s premiere charity by:

• Helping to advance the mission of the MBF through leadership and vision
• Serving as stewards of the Foundation’s assets of approximately $16 million
• Participating in development and grantmaking activities

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

To register for the above conferences, contact MBA Members Services at (617) 338-0530 or membership@massbar.org.

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