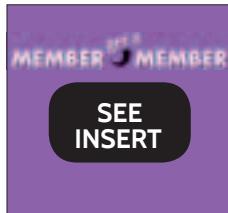


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MASSACHUSETTS LAWYERS JOURNAL

WWW.MASSBAR.ORG**VOLUME 20 | NUMBER 3 | NOVEMBER 2012**

Sen. Candaras, Rep. Fernandes lauded with MBA President's Awards

BY JENNIFER ROSINSKI

The Massachusetts Bar Association bestowed both State Sen. Gale D. Candaras (D-Wilbraham) and State Rep. John V. Fernandes (D-Milford) with the MBA President's Award, which honors local attorneys' service to the profession and their community. MBA President Robert L. Holloway Jr. presented the award at the Oct. 26 opening reception of the MBA's Annual Family Law Conference

at the Cranwell Resort in Lenox.

Candaras and Fernandes were honored for their work as members of a legislative task force that wrote the alimony reform bill signed into law by Gov. Deval L. Patrick last fall. MBA Past President Denise Squillante also served on the task force.

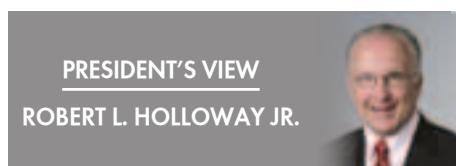
"Senator Candaras and Representative Fernandes have proven themselves to be exemplary legislators whose skills as attorneys helped Massachusetts overhaul

an antiquated alimony system," Holloway said at the reception. "The MBA applauds their far-reaching contributions to both the legal community and the citizens of Massachusetts."

The President's Award is given to individuals who have made a significant contribution to the work of the MBA, to the preservation of MBA values, to the success of MBA initiatives and to the promotion of MBA leadership role within the legal community in Massachusetts.

Candaras has been a member of the Massachusetts Senate since 2007, and currently serves as chair of the Joint Committee on Economic Development and Emerging Technologies as well as vice chair of the Joint Committee on the Judiciary. Previously, she was a member of the Massachusetts House of Representatives for nine years. A former member of the Wilbraham Board of Selectman, Candaras also sat on the town's Planning Board and Finance Committee.

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**PRESIDENT'S VIEW****ROBERT L. HOLLOWAY JR.**

Some thoughts on professionalism and craft

In 1973, when I started out as a lawyer, being a professional seemed to me to be taken for granted. The culture was that you behaved in a certain way simply because you were a lawyer. If you did not adhere to that culture, there always was someone to remind you to do so, either an older lawyer with whom you worked or some other lawyer. Being a professional was paramount. Being a lawyer was not just a job.

It is safe to say that culture has changed a bit over the last 39 years. Professional associations like the MBA and its affiliated bar associations are not simply trade associations. While bar associations sometimes perform functions similar to those of trade associations, bar associations are and should be committed to enhancing professionalism. A "profession" is "an occupation that properly involves a liberal, scientific, or artistic education." [Definition is from *Funk & Wagnalls Standard Dictionary*, the dictionary closest to my computer.] The word "education" in the definition of "profession" is important. As lawyers, we need to continue our education, honing our craft (another interesting word, which means generally, "skill or proficiency"). This education must include keeping current on the law relevant to our practice areas and enhancing our analytical skills, as well as our drafting and advocacy.

With the foregoing in mind, I recall an earlier life, before law school, when I worked as a copywriter for *Life*

Symposium features updates from Chief Justice Ireland, fresh perspective from new trial court administrator

BY LAURA SCHREIER

In his second Annual Address to the Legal Community, Supreme Judicial Court Chief Justice Roderick L. Ireland made early use of the word "optimism," a theme shared by other speakers at the Massachusetts Bar Association's Bench-Bar Symposium, even as they outlined some challenges that face the judiciary.

MBA President Robert L. Holloway Jr. called the assembled crowd to order in the Great Hall of the John Adams Courthouse in Boston on Oct. 17. Holloway warmly welcomed the legal community, greeting many judges by name. He introduced the topic of court reform — a dominant theme of the evening — by welcoming Leo V. Boyle to the stage.

Boyle, an MBA past president and former Court Management

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Supreme Judicial Court Chief Justice Roderick L. Ireland delivers his second Address to the Legal Community at the MBA's Bench Bar Symposium.

MBA, others call for independent investigation in wake of alleged evidence mishandling at DPH lab

BY TRICIA OLIVER AND LEE ANN CONSTANTINE

On Wednesday, Oct. 24, 2012, the Massachusetts Bar Association along with the Committee for Public Counsel Services, the Massachusetts Association of Criminal Defense Lawyers and the American Civil Liberties Union of Massachusetts called on Attorney General Martha M. Coakley to appoint or call for the appointment of an independent

investigator in the crisis involving the William Hinton State Drug Laboratory.

"As unimpeachable as the Office of the Attorney General is, an institution that prosecutes drug cases, supports the State Police unit that investigates drug cases and also supports drug prosecutions by district attorneys will be perceived as having a stake in the investigation's outcome," the letter



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PRESIDENT'S VIEW
Continued from page 1



magazine in New York City. I was the “cub” copywriter (the other folks in my department put a nameplate on my office door declaring me as such) in the circulation promotion department which functioned in many ways like an in-house advertising agency. The other copywriter, artists and I prepared various types of advertising and promotional materials for *Life* and a number of other Time, Inc. divisions. One of my jobs every week was to write the “teaser” cover flap copy for newsstand copies of *Life*. This was not considered a top assignment in my department and thus devolved to me as the “cub” copywriter. Every Monday at 11 a.m. I attended a meeting presided over by Marian MacPhail, one of *Life*'s editors and the sister of the baseball brothers MacPhail who ran the Yankees at that time. The meeting was for the purpose of telling the promotion and advertising people what was in that week's issue about to be published. Frequently, some very notable people were present, who were to be featured in *Life*. I saw Dean Rusk and Norman Mailer, among others, at these meetings. It was a heady experience for a cub of 23. Following the meeting, my job was to draft the cover flap “teaser” copy, which had to be approved by my copy chief and the head of my department. Thereafter, it had to be approved by one of the two assistant managing editors of *Life* and then the managing editor. All of this had to be done by a 3 p.m. deadline that day. I was usually done with my drafting by 1 or 1:30 p.m., and

my affable copy chief and even more affable department head almost always gave me a figurative pat on the head, approving my work without changes. Only after the first few times this happened did I realize why they did that.

My department was on the 32nd floor of the Time-Life building, and editorial was on the 34th floor. With some trepidation, I would head to the 34th floor to my first stop, the assistant managing editor. There were two, as I noted, and I will not name names, because one was — how shall I put this delicately — “less than affable,” while the other was what we might term “a prince of a fellow.” I usually had to deal with the less-than-affable fellow. My experience with him, for those of you who are Seinfeld fans, was a bit like dealing with the “soup Nazi.” I would stand at the entrance to his office after being allowed in for the sole purpose of handing him the copy I had prepared. It was never acceptable. The blue penciling was a sight to behold, with my original copy — as approved by my department bosses — totally obscured by that assistant managing editor’s changes. Armed with those changes and chastened by the disdain he exhibited toward my handiwork, I then would repair to the managing editor’s office, the estimable Ralph Graves, who would proceed to change everything the assistant managing editor had done. Like my experience with the assistant managing editor, I would stand at the door to Mr. Graves’ office, approaching his desk only twice, once to hand the already edited copy and then to get it back after he had re-written it. (By the way, when I occasionally dealt with the other assistant managing editor, he, like my department bosses, simply said nice work and sent me to Mr. Graves’ office, knowing full well that Mr. Graves was going to re-write everything anyway.)

These writing and editing dance steps at *Life* magazine went on for about a year. Those of you old enough to remember seeing newsstand copies of *Life* in the late 1960s will recall the cover flaps. There were not many words. The few there were had been massaged greatly, as I have described. (To give you an idea of one I remember, in particular, there was a cover story about Bebe Rebozo, friend of, advisor to and fundraiser for Richard Nixon. I wrote — this one miraculously survived the editing process mostly intact — “Bebe Rebozo: businessman, bon vivant and Nixon’s best friend.”)

I tell this story because I believe it says something useful about professionalism and craft. Even though I frequently did not like the changes made to my copy, I learned much about attention to detail and getting the words right from the perspective of the people with responsibility for the end product. The process involved caused very few words to get a great deal of attention.

We lawyers cannot always devote all the time to a matter we would like. Yet we have to make our best efforts to get right whatever it is we are doing, even if it is only a few words. That is professionalism. We should remind ourselves and each other that that is what we are about. ■

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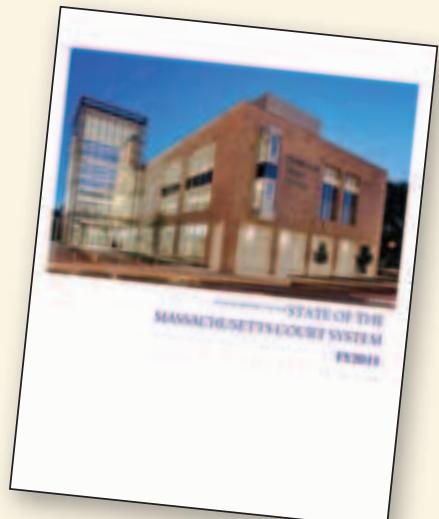
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LEGAL NEWS

News from the Courts

Massachusetts Court System FY 2011 Annual Report release

To view the submitted Annual Report on the State of the Massachusetts Court System for Fiscal Year 2011, visit www.mass.gov/courts/fy11-annual-report.pdf.



Report now available online.

Access to Justice Commission launches new Pro Bono Fellows Program

The Massachusetts Access to Justice Commission will launch a first-of-its-kind Pro Bono Fellows Program in which senior lawyers will partner with

non-profit and legal service organizations to provide critical legal assistance to underserved populations. Seven distinguished, experienced lawyers — who have retired or are transitioning into retirement — have been selected by the commission to participate in the statewide pilot project to help expand legal services to persons of limited means.

The first Access to Justice Fellows and their partners are as follows:

- **Hon. Patrick Fox, district court judge (1990-2010):** Massachusetts Justice Project, Dismas House, Lutheran Social Services of New England
- **Martha Koster, Mintz Levin litigation partner:** Political Asylum/Immigration Representation Project (PAIR), Access to Justice Fellows Project
- **William Patton, Ropes & Gray retired litigation partner:** Volunteer Lawyers Project/Senior Partners for Justice
- **Robert Sable, Greater Boston Legal Services, former executive director:** Greater Boston Legal Services
- **Richard Soden, Goodwin Procter business law partner:** Lawyers Clearinghouse
- **Eileen Sorrentino, retired solo practitioner from Chicopee:** Volunteer Lawyers Project/Senior Partners for Justice
- **Robert Tuchmann, WilmerHale Regulatory and Government Affairs and Corporate and Transactional depart-**

ments retired partner:

The Trustees of Reservations, Environmental League of Massachusetts, Community Dispute Settlement Center, development of urban agriculture

The Massachusetts Access to Justice Commission Fellows Working Group will meet with each fellow to design a project together with the provider or non-profit. The non-profit will provide training and support while law firms will provide resources, such as administrative support and office space. Each fellow is expected to devote between 10 to 20 hours per week to individual pro bono projects. In addition, the fellows will also meet once a month with community leaders, legal services providers, and public interest organizations, among others, to gain an in-depth understanding of the specific needs of the communities they will be serving. Susan Finegan and Martha Koster, partners at the law firm of Mintz Levin, led the Access to Justice Working Group in designing the program.

Amendment to SJC Rule 3:03

The Supreme Judicial Court has approved changes to Rule 3:03 of the Rules of the Supreme Judicial Court effective Monday, Oct. 15, 2012. Visit www.mass.gov/courts/sjc/amend-sjcr303-092812.html for the specifics. ■

Legislative Update: Uniform Commercial Code

BY LEE ANN CONSTANTINE

The MBA House of Delegates, at its September 20, meeting voted to support legislation updating portions of the Uniform Commercial Code. House bill number 25, sponsored by the Uniform Law Commissioners and the American Law Institute, would amend Article 1 containing general provisions, Article 7 regarding documents of title and Article 9 regarding secured transactions.

The bill is currently before the Joint Committee on Economic Development and Emerging Technologies. Passage of this bill would promote uniformity in state commercial laws and afford greater transparency in commercial transactions.

Since the UCC was last updated more than 10 years ago, the changes contained in House Bill Number 25 would put Massachusetts in line with many other states who have already enacted these changes. ■



SRBC

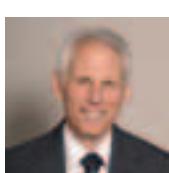
SUGARMAN, ROGERS,
BARSHAK & COHEN, P.C.
Attorneys at Law

Congratulations to
Regina E. Roman

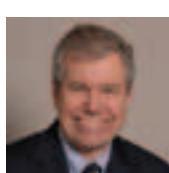
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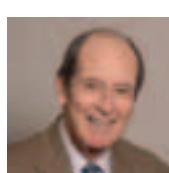
We are honored to have 14 additional partners recognized by *Best Lawyers* as leaders in their respective fields



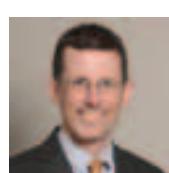
Michael S. Appel



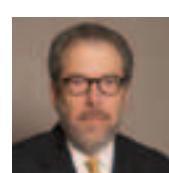
David A. Barry



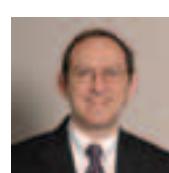
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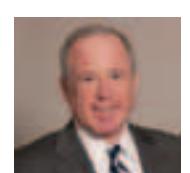
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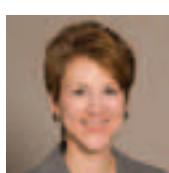
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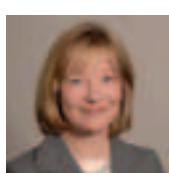
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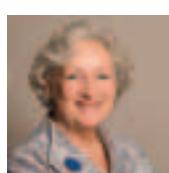
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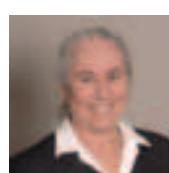
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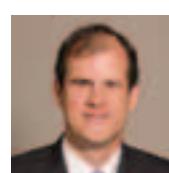
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BAR NEWS

MBA holds fall Western Mass. Dial-A-Lawyer

BY JENNIFER ROSINSKI

MBA volunteer lawyers helped answer legal questions from 357 callers from Berkshire, Franklin, Hampden and Hampshire counties on the afternoon and evening of Tuesday, Oct. 16. MBA's semiannual Western Massachusetts Dial-A-Lawyer call-in program provides legal advice at no charge as a public service of the MBA.

The MBA's Dial-A-Lawyer program is co-sponsored by Western New England University School of Law, *The Republican*, *El Pueblo Latino*, the Massachusetts Association of Hispanic Attorneys and the Hispanic National Bar Association.

"People can call and ask a question with no strings attached," said longtime volunteer Michael Siddall, of Siddall & Siddall PC in Springfield, who has volunteered at the event for several years. "I've come to realize people really do rely on the program as a way to answer some lingering questions or to get a second opinion."

The two call-in programs held in Western Massachusetts complement the monthly Dial-A-Lawyer programs held at the MBA's Boston office on the first Wednesday evening of each month.

The next Western Mass. Dial-A-Lawyer will take place in May 2013. For more information on how to get involved, email Claudia Staten at cstaten@massbar.org.

The MBA thanks the following members for donating their time and energy to this important public service effort. Corey M. Carvalho, UMASS Legal Services, Amherst Charles R. Casartello, Jr., Pellegrini, Seeley, Ryan & Blakesley PC, Springfield

Petra I. Cervoni, Springfield

Mark David Cress, Bulkley, Richardson & Gelinas LLP, Springfield

Leslie A. Curley, Berkshire Mediation Group, Pittsfield



Michele Feinstein, Shatz, Schwartz and Fentin PC, Springfield

John E. Garber, Weinberg & Garber PC, Northampton

Lisa L. Halbert, Bacon & Wilson PC, Northampton

Elizabeth D. Katz, Ostrander Law Office, Northampton

Kelly A. Koch, Bulkley, Richardson & Gelinas LLP, Springfield

Eric D. Kornblum, Law Office of Eric D. Kornblum, Westfield

Edward J. McDonough, Egan, Flanagan & Cohen PC, Springfield

L. Jeffrey Meehan, Doherty, Wallace, Pillsbury & Murphy PC, Springfield

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Andrea D. Reid, Reid & Gaudet Law Group, LLP, Springfield

Timothy A. Reilly, Law Office of Timothy A. Reilly, Springfield

Daniel Mark Rothschild, Bulkley, Richardson & Gelinas

LLP, Springfield

Paul H. Rothschild, Bacon & Wilson, Springfield

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BAR NEWS

MASSACHUSETTS
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MBF Fellow Spotlight

Jamie A. Sabino, Esq.
Domestic Violence Project Coordinator
Trial Court of Massachusetts
Boston, MA
MBF Fellow since 2005

Jamie A. Sabino is currently serving as the VAWA STOP Grant Coordinator for the Administrative Office of the Trial Court of Massachusetts, working on how the court handles cases involving domestic violence and sexual assault. She formerly practiced in the law firm of Klibaner and Sabino in Cambridge. Sabino is a past president of the Women's Bar Association and Women's Bar Foundation of MA and remains active on both boards. She is also a past Chair of the Planned Parenthood League of MA and currently sits on board of the Planned Parenthood Advocacy Fund.

Why did you decide to become a fellow of the MBF?

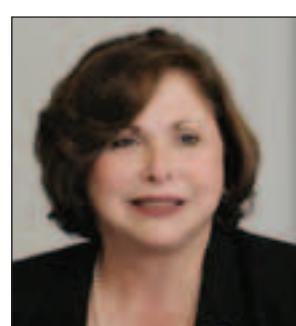
As the founding president and continuing board member of the Women's Bar Foundation, an MBF grantee, I have long been aware of the great work of the MBF. In my professional work, I have also had the opportunity to interact with many other MBF grantees across the state. So when a friend nominated me to become a fellow and I learned how, because of the different fellowship tiers, it was so affordable, I felt it was time to put my money where my mouth was — and support access to legal services with my dollars as well as with advocacy.

SEN. CANDARAS, REP. FERNANDES LAUDED WITH MBA PRESIDENT'S AWARDS

Continued from page 1

She earned a Bachelor of Science degree, magna cum laude, from Fairleigh Dickinson University and her law degree from Western New England College School of Law.

Fernandes has served on the Massachusetts House of Representatives since 2007, and is also vice chair of the Joint Committee on the Judiciary. He is a former member of Milford's Board of Selectman, Milford School Committee and Blackstone Valley Regional Vocational Technical High School Committee. Fernandes currently sits on Milford's School Building Committee, Long Range Educational Planning Committee and Ad Hoc Duplex By-law Committee. A graduate of UMass Amherst, he earned his law degree from Suffolk University Law School. ■



Sen. Gale D. Candaras



Rep. John V. Fernandes

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BAR NEWS



MASSACHUSETTS
BAR FOUNDATION

MBF celebrates at 2012 Grantee Receptions

Fellows and friends of the MBF celebrated its 2012 grantees, Legal Intern Fellows, and President's Award recipients at two Grantee Receptions this fall, one in Boston and one in Springfield.

At both receptions, MBF President **Jerry Cohen** began the night by applauding all in attendance for their role in increasing access to justice in the commonwealth and highlighting the crucial work of MBF grantee organizations. In Boston, he invited 2012 MBF Legal Intern Fellow **Rachel Smit**, a student at Boston University Law School, to share her experience as an intern with Greater Boston Legal Services' Employment Unit this summer. In addition to thanking the Fellows in attendance, whose contributions made her summer experience possible, she spoke compellingly of GBLS's critical work assisting those who are mistreated, abused, and marginalized in the workplace. In Springfield, he invited **Faye B. Rachlin**, Deputy Director of Community Legal Aid, to speak about CLA's work providing civil legal services to the poor of the five western counties of the state. MBF funds support CLA's core work in housing and domestic violence/family law.

MBF Vice President **Robert J. Am-**

brogi introduced the 2012 President's Award recipient in Boston, **Lu Ann Reeb**, founder and president of Boston Media Group and Legal Talk Network, LLC. Attorney **Archer Battista**, who is of counsel at Lyon & Fitzpatrick LLP in Holyoke, received the award at the Springfield reception and was introduced by MBF Trustee Judge **Anne M. Geoffrion**.

The MBF President's Award is given to individuals who have demonstrated exemplary service to the Massachusetts Bar Foundation, as well as the Massachusetts legal community, through their leadership and commitment to increasing the availability of legal services for low-income citizens of the state.

MBA President **Robert L. Holloway, Jr.** closed out the program with congratulations for the attendees and appreciation for the MBF's constituents' efforts to increase access to justice for all in the Commonwealth. Attendees enjoyed the rest of the evening catching up with friends and colleagues over refreshments.

Please visit www.MassBarFoundation.org to view photos of the events and find a list of the 2012/2013 MBF grants awards. ■



Left to right: MBF Program Assistant Sarah A. Levy; 2012 MBF Legal Intern Fellow Rachel Smit, student at Boston University School of Law; MBF President Jerry Cohen of Burns & Levinson LLP in Boston; 2012 MBF President's Award recipient Lu Ann Reeb of Boston Media Group and Legal Talk Network; MBF Executive Director Elizabeth M. Lynch; and Robert L. Holloway, Jr., of MacLean, Holloway, Doherty, Ardill & Morse P.C. in Peabody.



2012 MBF President's Award recipient Archer B. Battista celebrates with his wife, Judy, on his left, his son, Alan, on his right, and colleagues from his firm Lyon & Fitzpatrick LLP in

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Stephen P. Eichel, Esq., program chair Choate, Hall & Stewart LLP, Boston

PROBATE LAW

How to Draft a Trust that Works

**Thursday, Nov. 15, noon–4 p.m.
MBA, 20 West St., Boston**

Faculty:

Albert Gordon, Esq., program chair Albert Gordon Attorney at Law, Springfield Lucy J. Budman, Esq. Curley Law Firm, Wakefield Michael R. Christy, Esq. Mirick, O'Connell, DeMallie and Lougee LLP, Worcester Maureen E. Curran, Esq. Law Office of Maureen Curran, Boston Robert H. Ryan, Esq. Estate Planning and Protection Law PC, Shrewsbury Ken W. Shulman, Esq. Day Pitney LLP, Boston



Sponsoring section: Probate Law

FACULTY SPOTLIGHT

ALBERT GORDON, ESQ.

Law Office of Albert Gordon, Springfield

Program chair: "How to Draft a Trust that Works"

Prior to entering private practice, Gordon worked for the Massachusetts Medicaid agency (Mass Health) and has seen the administrative appeals process from both sides of the table. He now concentrates in all aspects of estate planning and elder law dealing with issues affecting the elderly and disabled. In addition to practicing in Massachusetts courts, he is also admitted to practice before the U.S. District Court for the District of Massachusetts as well as the U.S. Court of Appeals for Veterans Claims located in Washington, D.C.

Gordon is a member of the Probate Section Council for the Massachusetts Bar Association where he serves as chair of the elder law subcommittee. He has written articles for the *Massachusetts Lawyers Journal*, most recently two articles on "The Nightmare of Trust Law vs. Medicaid Regulations" describing the administrative appeals process with the Massachusetts Office of Medicaid. Gordon is active with the Massachusetts Chapter of the National Academy of Elder Law Attorneys, Estate Planning Council of Hampden County, Pioneer Valley Estate Planning Council and Massachusetts Senior Partners for Justice.

He has spoken at seminars for the MBA, Massachusetts Continuing Legal Education, Senior Partners for Justice and the Hampden County Bar Association on estate planning and elder law topics.

REGISTER ONLINE AT WWW.MASSBAR.ORG/CLE OR CALL (617) 338-0530.



Sixth Annual Public Law Conference

**Thursday, Nov. 1, 9 a.m.–2 p.m.
MBA, 20 West St., Boston**

Faculty:

Stacey G. Bloom, Esq., conference co-chair Massachusetts Department of Youth Services, Boston Kathleen Colleary, Esq., conference co-chair Massachusetts Department of Youth Services, Boston Brian C. O'Donnell, Esq., conference co-chair Massachusetts Office of the Inspector General, Boston Michele E. Randazzo, Esq., conference co-chair Kopelman & Paige PC, Boston Ira Fader, Esq. Staff Counsel, Legal Services, Massachusetts Teachers Assoc., Boston Robert Fitzgerald The Lorenzi Group LLC, Topsfield Linda M. Hamel, Esq. Massachusetts Exec. Office of Admin. and Finance, Information Technology Div., Boston Jenny Hedderman, Esq. Massachusetts Exec. Office of Admin. and Finance, Information Technology Div., Boston Judy A. Levenson, Esq. Brody, Hardoon, Perkins & Kesten LLP, Boston Henry C. Luthin, Esq. First Assistant Corporation Counsel, City of Boston Jeffrey J. Pyle, Esq. Prince, Lobel, Tye LLP, Boston

Sponsoring section: Public Law



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Register at MassBar.org/PublicLaw or call (617) 338-0530.



11th Annual Western Massachusetts Bankruptcy Conference

**Thursday, Nov. 8, 4–7 p.m.
WNEU School of Law, 1215 Wilbraham Road, Springfield**

FACULTY:

Justin Dion, Esq., conference co-chair Bacon Wilson PC, Springfield George Roumeliotis, Esq., conference co-chair Roumeliotis Law Group, Hartford, CT Spencer Stone, Esq., conference co-chair Bacon Wilson PC, Springfield Hon. Frank J. Bailey U.S. Bankruptcy Court, Boston Hon. William C. Hillman U.S. Bankruptcy Court, Boston Hon. Henry J. Boroff U.S. Bankruptcy Court, Springfield Hon. Melvin S. Hoffman U.S. Bankruptcy Court, Worcester James Lynch Bankruptcy clerk, U.S. Bankruptcy Court, Boston Stephanie Fitzgerald, Esq. Fitzgerald Attorneys at Law PC, East Longmeadow Alex Hogan, Esq. Shatz, Schwartz and Fentin PC, Springfield Bonnie C. Mangan, Esq. Law Office of Bonnie Mangan, South Windsor David Ostrander, Esq. Ostrander Law Office, Northampton Kara Rescia, Esq. Eaton & Rescia LLP, East Longmeadow

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10TH ANNUAL IN-HOUSE COUNSEL CONFERENCE

Best Practices for In-House Counsel

**FRIDAY, Nov. 30, 8:30 a.m.–1 p.m.
MBA, 20 West St., Boston**

FACULTY:

James C. Donnelly, Esq., conference co-chair Mirick, O'Connell, DeMallie and Lougee LLP, Worcester Robert J. Kerwin Esq., conference co-chair Tarlow, Breed, Hart & Rodgers PC, Boston Peter D. McDermott, Esq., conference co-chair Banner & Witcoff Ltd., Boston David A. Parke, Esq., conference co-chair Bulkley, Richardson & Gelinas LLP, Springfield Hon. Judith Fabrictant Superior Court, Boston Hon. Thomas P. Billings Superior Court, Boston Hon. Peter M. Lauriat Superior Court, Boston Hon. Janet L. Sanders Superior Court, Boston Hon. Christine M. Roach Superior Court, Boston Angelo P. Lopresti, Esq. IPG Photonics Corp., Oxford Robert Fitzgerald The Lorenzi Group LLC, Topsfield Lauren Stiller Rikleen Rikleen Institute for Strategic Leadership, Wayland John Weinfurter Witt Associates, Washington, D.C. David Hershey Sprague Energy, Portsmouth, NH Andrew Levchuck, Esq. Bulkley, Richardson & Gelinas LLP, Boston Mark Kerwin, Esq. The Lorenzi Group LLC, Topsfield

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New England IN-HOUSE



BAR NEWS

BENCH-BAR SYMPOSIUM

Continued from page 1

Advisory Board member, brought context to the topic by discussing its 40-year history. Briefly charting its progress from 1976 through 2011, Boyle said reports and advisory committees had long urged the courts to appoint the kind of administrator Massachusetts now has. And in creating that position, the state "had history on its side."

In Ireland's speech, the chief justice gave updates on other areas of progress for the judiciary. He began, as last year, with budget talk. However, the news was better this time around.

First, Gov. Deval Patrick had approved a supplemental budget for the judiciary, which had been proposed by the House under Speaker Robert DeLeo. So this year, although the budget is still tight, the judiciary can start to reverse the downward trend on personnel.

"We are hopeful that the worst is behind us, and that we can start the process of addressing critical staffing needs for our court," Ireland said to the crowd of nearly 150.

Ireland came to his first Annual Address last year with three major areas of focus, and used his second address to give a progress report and describe how the judiciary would build on its efforts thus far. Those ar-

eas include building bridges with key court constituencies; broadening access to justice by making courts more responsive; and educating the public, particularly youth, about the role of the judicial system.

BUILDING BRIDGES

Ireland said he's been working hard to get to know individuals in the legislative and executive branches, and added that his colleagues in the judiciary have also been actively reaching out to the two other branches of government. He thanked the MBA for its support of court funding as well.

In one example of outreach to the other branches, Ireland described how the judiciary sponsored its first education and training program for legislative staff. There, staff received information that enabled them to better answer constituents' frequently asked questions on the court system. Legislative leaders helped plan the event and said it was a positive experience, Ireland reported, and he added that he hoped to repeat the program in the future.

ACCESS TO JUSTICE

As for the second of his priorities, Ireland is looking to broaden access to justice by making courts ►16



(l to r) MBA President Robert L. Holloway Jr., MBA Chief Legal Counsel and Chief Operating Officer Martin W. Healy, House Speaker Robert A. DeLeo and Trial Court Administrator Lewis H. "Harry" Spence.



Leo V. Boyle, a past president of the MBA and former member of the Court Management Advisory Board, provided some historical context leading up to last year's enactment of key court reform legislation.



Trial Court Administrator Harry Spence discussed the challenges of his first six months on the job and shared his goals moving forward.

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Announcements

Look for information on these four features, plus more details on this newest member benefit, throughout December 2012.

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FOR THE ISSUES OF LIFE IN LAW

CONTINUED ON PAGE 12

MBA to launch innovative new section/division pages with My Bar Access



This December the Massachusetts Bar Association will launch My Bar Access – a new online member-to-member community exclusive to MBA members. A valuable new member benefit, My Bar Access transforms the way members can exchange information by combining social networking, member-created content and imperative bar resources, in one convenient web location.

My Bar Access member groups will replace the current section pages on www.massbar.org and allows members to instantly connect with each other through My Bar Access member groups, using these interactive tools:

- Announcements (ONLY available to Group Admins);
- Discussions (formerly known as listservs);
- Blogs; and
- Resource libraries.

In addition to offering member-created content, My Bar Access member groups provide information on

section-sponsored MBA On Demand programs, *Section Review* articles, section leadership and more.

As an added benefit, My Bar Access is completely customizable to the user – allowing members the ability to decide how often they wish to receive My Bar Access group activity notifications.

Take advantage of this invaluable resource, which enables you to connect, share and collaborate with members of the legal community. Look for upcoming My Bar Access details on www.massbar.org, in *Lawyers e-Journal* and in future Lawyers Journals. ■



MBA HOLDS FALL WESTERN MASS. DIAL-A-LAWYER

Continued from page 4

Denise M. Shear, Ostrander Law Office,
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Gregory A. Wolf, Law Office of Gregory A.
Wolf Esq., Pittsfield ■



BAR NEWS

Don't shoot the messenger

Best practices of in-house counsel theme of upcoming conference**BY CHRISTINA P. O'NEILL**

The role of in-house counsel is not an easy one. Just ask James C. Donnelly Jr., co-chair of the MBA's 10th annual In-House Counsel Conference. The person in that role must not only give management cutting-edge thinking about a broad range of topics – “sometimes they have to give management messages that management is not going to be happy to receive,” he said.

The conference, he says, “frankly addresses the challenge of being the legal watchdog at the same time that you are a corporate officer. And then it gives [attendees] the opportunity to interact with other in-house counsel.”

The half-day conference takes place Friday, Nov. 30, from 8:30 a.m. to 1 p.m. at MBA headquarters at 20 West St., Boston.

Lauren Stiller Rikleen’s opening remarks will focus on practical tips for managing a multi-generational workforce and the clients they serve. The Millennial generation and the generations that predate them have differing approaches to the workplace. They communicate differently and have different expectations with regard to work-life and other key workplace issues, including the use of technology and social media. Lauren will address what the workplace - and Millennials - can do to strengthen intergenerational teams.

This year’s best practices theme presents in-house counsel with information from in-

house practitioners, outside counsel and experts in selected areas of current interest to in-house counsel. Co-chairs include Donnelly, Peter D. McDermott of Banner & Witcoff, Ltd; Robert J. Kerwin of Tarlow, Breed, Hart & Rogers P.C.; and David A. Parke of Bulkley, Richardson and Gelinas LLP.

“In the past, this program has received excellent reviews, and we are hoping again to present a conference that participants will find rewarding,” said Parke, noting the variety of topics to be presented, such as cybersecurity issues, insurance planning, and developments in the areas of patent law and internal investigations. “We are fortunate to have presentations by judges from the Superior Court Business Litigation Session, and to have Lauren Stiller Rikleen open our conference with remarks concerning multigenerational relationships in the workforce. Those who arrive early will be treated to breakfast and some remarks by John Weinfurter, of the consulting firm of Witt Associates, regarding



Lauren Stiller Rikleen, keynote speaker at the upcoming In-House Counsel Conference.



James C. Donnelly



David A. Parke

what in-house counsel can expect from the recent elections.”

Also on the agenda is an update from the Business Litigation Session of the Superior Court Department regarding the BLS Pilot Project. Donnelly calls it “an underutilized tool,” which offers the advantages of expe-

ding and simplifying litigation in ways that people associate with out-of-court arbitration, while keeping it within the court system, retaining rights to appeal novel issues of law, he says.

A segment on Traps for the Unwary focuses on Independent Investigations. ➤18

Calendar of Events

THURSDAY, NOV. 1

Annual Public Law Conference
9 a.m.–2 p.m.
MBA, 20 West St., Boston

WEDNESDAY, NOV. 7

MBA Monthly Dial-A-Lawyer Program
5:30–7:30 p.m.
Statewide dial-in #: (617) 338-0610

THURSDAY, NOV. 8

Western Mass. Bankruptcy Conference
4–7 p.m.
Western New England University School of Law, 1215 Wilbraham Road, Springfield

Tiered Community Mentoring Career/Law Day Event
2–3:30 p.m.

New Mission High School, 67 Alleghany St., Boston

WEDNESDAY, NOV. 15

MBA House of Delegates meeting
4 p.m., reception to follow
MBA, 20 West St., Boston

How to Draft a Trust That Works
Noon–4 p.m.

MBA, 20 West St., Boston

FRIDAY, NOV. 16

Juvenile & Child Welfare Legal Chat Series
1–2 p.m.

NOTE: There is no on-site attendance available for Legal Chats

Tenth Annual Advanced Mediation and Advocacy Skills Institute

Friday, Nov. 16, 8 a.m.–4 p.m.
Hilton Boston Back Bay, 40 Dalton St., Boston

FRIDAY, NOV. 30

10th Annual In-House Counsel Conference
8:30 a.m.–2 p.m.
MBA, 20 West St., Boston

TUESDAY, DEC. 4

Tiered Community Mentoring Holiday Event
4–6 p.m.
Suffolk University School of Law, 120 Tremont St., Boston

WEDNESDAY, DEC. 5

MBA Monthly Dial-A-Lawyer Program
5:30–7:30 p.m.
Statewide dial-in #: (617) 338-0610

THURSDAY, DEC. 13

2012 MBA Holiday Party: Casino Royale
5:30–8:30 p.m.
MBA, 20 West St., Boston


Tenth Annual Advanced Mediation and Advocacy Skills Institute
Thursday, Nov. 15, 8 a.m.–6 p.m.
Hilton Boston Back Bay, 40 Dalton St., Boston

Featured speaker, MBA ADR Committee Chair Michael Zeytoonian

 Real-time webcast available for purchase through MBA On Demand at www.massbar.org/ondemand.

 Indicates recorded session available for purchase (after live program) through MBA On Demand at www.massbar.org/ondemand.

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- Hon. Andrew J. Peck, U.S. Magistrate Judge, S.D.N.Y.

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Continental breakfast, lunch, and refreshments are included. There is no registration fee, but space is limited so please register early.

December 13, 8:30 to 2:00
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CONTINUED FROM PAGE 10

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BAR NEWS

MEMBER BENEFIT

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ADDRESSING THE DRUG LAB CRISIS

Continued from page 1

states. Visit www.massbar.org to read the full letter.

Following the delivery of the letter to Coakley, the signing parties received multiple media inquiries. Comments from MBA Chief Legal Counsel and Chief Operating Officer Martin W. Healy were included in articles and segments featured in/on The Associated Press, *The Boston Globe*, *Massachusetts Lawyers Weekly*, State House News Service, WBZ radio, WBUR-FM and Channel 5 WCVB-TV.

Since news broke in late August of alleged mishandling of drug evidence by a chemist at the Department of Public Health's Drug Laboratory at the Hinton State Laboratory Institute in Jamaica Plain, the MBA has been actively working and meeting with state officials from the Gov. Deval L. Patrick Administration, Attorney General's Office, U.S. Senator John Kerry's office, courts and the Committee for Public Counsel Services to address the ongoing issues surrounding the crisis.

The association established an online resource center to assist practitioners representing affected clients. Members of the bar who have clients affected are encouraged to visit the MBA's online Drug Lab Crisis Resources Center at www.massbar.org/legislative-activities/drug-lab-crisis-resource-center.

"Providing access for counsel representing clients in thousands of cases affected, has been a priority of the MBA," said MBA Vice President Robert W. Harnais.

Reports indicate that the rogue chemist may have handled more than 60,000 samples with 34,000 cases potentially being impacted.

In addition to creating the online resource center, at the request of the Executive Office of Public Safety and Security, the MBA disseminated time sensitive information on access to data-

base information to identify individuals whose cases may have been affected. The MBA followed those efforts with a training seminar in early October. Seminar materials can be found at the online resource center.

On Sept. 20, Gov. Deval Patrick announced his appointment of David Meier, a former Suffolk County homicide prosecutor and current partner at Todd & Weld, to lead the effort of reviewing the tens of thousands of cases that may have been affected by this evidence tampering (see related article on page 13).

A week following his appointment, Meier reported that 690 people were in state prison and 450 people are in county jails or houses of correction due to evidence that may have been mishandled at the lab.

The courts responded accordingly. "The Trial Court is ready and available to handle cases immediately," according to an Oct. 2, 2012 press release issued by the Supreme Judicial Court. The release detailed the creation of dedicated court sessions and named the assigned judges in the Superior, District and Boston Municipal courts to oversee the cases' prioritized processing.

For a list of sessions and judges, visit the MBA's online resource center at www.massbar.org/legislative-activities/drug-lab-crisis-resource-center.

News of the breach at Hinton State Laboratory first came at the end of August, with more details issued by the State Police in the first weeks of September. Annie Dookhan, a chemist who worked at the DPH drug lab for nine years, allegedly mishandled drug evidence used in criminal cases by altering the weight of drugs, not calibrating machines correctly, and manipulating samples to test as drugs when they were not. The Hinton State Laboratory was closed on Aug. 30. ■

CONTINUED ON PAGE 14

BAR NEWS**Member Spotlight****MEIER CHOSEN TO LEAD REVIEW OF DPH LAB CASES****David E. Meier**

Boston attorney and Massachusetts Bar Association member David E. Meier has been selected by Gov. Deval L. Patrick to lead the review of all criminal cases potentially affected by the mishandling of drug evidence in Jamaica Plain's Department of Public Health lab.

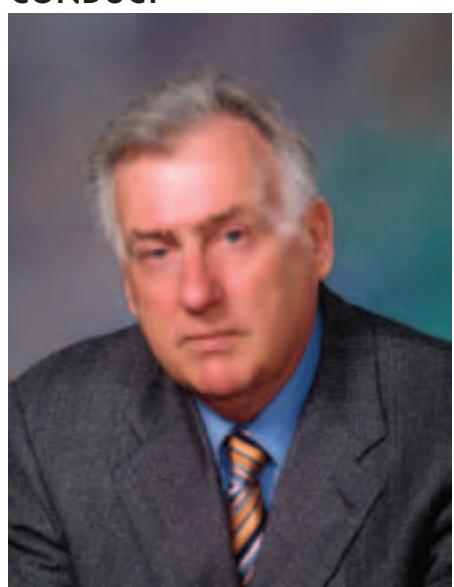
Meier is a partner at Todd & Weld in Boston where he specializes in criminal defense and government investigations.

As reported in the *Boston Globe*, Meier said he would lead the review "as an advocate for fairness and due process on behalf of the criminal justice system."

Prior to private practice, Meier worked as a prosecutor for 20 years in both Suffolk and Middlesex counties. For 12 of those years Meier was chief of the homicide unit in the Suffolk County District Attorney's Office. During that time he was involved in the post-conviction review and investigation of cases that lead to the exoneration of multiple defendants wrongfully convicted.

Meier has been recognized by *Massachusetts Super Lawyers* and in 2007 was honored by *Massachusetts Lawyers Weekly* as a "Lawyer of the Year." Recipients of the award demonstrate "integrity, professionalism and determination" in the practice of law.

In addition, the Massachusetts District Attorneys Association awarded him Prosecutor of the Year in 2004.

CARROLL APPOINTED TO THE COMMISSION ON JUDICIAL CONDUCT**John J. Carroll Jr.**

Chief Justice of the Trial Court Robert A. Mulligan has appointed Massachusetts Bar Association member John J. Carroll Jr. to the Commission on Judicial Conduct. Carroll has served as a commission alternate

member since 2008.

Established in 1978, the Commission on Judicial Conduct investigates allegations of misconduct by state judges. The commission is composed of three judges appointed by the justices of the Supreme Judicial Court, three attorneys appointed by the Chief Justice of the Trial Court and three lay persons appointed by the governor.

Carroll is an attorney at Meehan, Boyle, Black & Bogdanow PC in Boston, where he has worked since 1985 specializing in personal injury claims.

A former MBA House of Delegates, Executive Management Board member and a current member of the Governance Committee, Carroll received the 2008 Massachusetts Bar Foundation's President's Award. In addition, Carroll served as a hearing officer for the Board of Bar Overseers from 2001 to 2007.

Carroll received his B.A. from Boston College in 1968 and went on to earn his law degree from Boston University Law School in 1974.

GARTENBERG WILL HELP LEAD SEARCH FOR NEW COMMISSIONER OF PROBATION FOR MASSACHUSETTS**Lee J. Gartenberg**

Massachusetts Bar Association Executive Management Board and House of Delegates member Lee J. Gartenberg will serve on a recently formed committee to assist the Trial Court in selecting a new Commissioner of Probation. Acting commissioner Ronald P. Corbett Jr. will retire in January 2013.

Convened by Chief Justice of the Trial Court Robert A. Mulligan and Court Administrator Lewis H. "Harry" Spence, the committee will conduct interviews and recommend finalists for consideration.

Gartenberg is the director of Inmate Legal Services in the Middlesex County Sheriff's Office, a position he has held for over 25 years. As the director of Inmate Legal Services, Gartenberg oversees the legal needs of more than 1,000 inmates in the county detention system.

A long-time MBA member and leader, Gartenberg has served the association in many capacities. He is a former chair of the Criminal Justice Section, and also previously led the Judicial Administration and the Individual Rights & Responsibilities sections. He has made invaluable contributions to the MBA's Budget and Finance Committee and House of Delegates.

In 2008, Gartenberg received the Massachusetts Bar Association Gold Medal Award, an honor reserved for individuals who have provided outstanding legal services that have benefitted the legal profession in Massachusetts. ►17

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FOR YOUR PRACTICE

Massachusetts mom founds company to support attorneys with families

BY NORA LOCKWOOD TOOHER

When Trish Landgren was pregnant with her daughter, she had a hard time finding an attorney to fill her corporate counsel position while on maternity leave.

After her daughter was born and the company she worked for was sold, Landgren decided not to pursue full-time, in-house counsel work. Instead, she co-founded her own law firm — Corporate Legal Partners LLC — aimed at making life easier for her and other female attorneys juggling the dual demands of motherhood and law.

The firm, founded in 2001, also fills a critical niche in the legal field, providing experienced corporate counsel to companies in need of reasonably priced, high-level legal work.

"We're not a traditional law firm, or a temp firm," Landgren explained. "We will place people on site for a few days a month, or three months at a time, but the typical service is on an as-needed basis."

Fee arrangements are flexible. Corporate Legal Partners offers hourly, retainer and project-based billing.

Some clients, for example, pay a fixed amount at the beginning of each month for a certain number of hours. Anything beyond those hours is billed on an hourly basis.

Fee arrangements are "really catered to client needs," Landgren explained. "It might be a project for three months, or it might be work onsite."

Unlike larger firms that provide a wide range of specialized outside counsel legal work such as patent law, Landgren's firm focuses on day-to-day legal issues.

The firm's specialty is corporate transactions and contracts. Other practice areas include employment, real estate, banking and finance.

Overhead is minimal. Landgren has a small office in Topsfield, and most of her attorneys work at home.

FISH STICK INSPIRATION

Landgren built her client base by contacting potential clients whose services or products she used or liked.

She started with a product familiar to every parent searching for a quick dinner for young children — fish sticks. Landgren contacted Gorton's, the Gloucester-based seafood company, and convinced the firm to hire her. Other clients include the apparel firms Chico's and Boden.

Corporate Legal Partners LLC has a roster of eight attorneys — all senior attorneys, and all women with children.

Working for Landgren's firm allows them continue practicing law, while limiting the number of hours.

"It's a great opportunity for them," she commented.

It's also a strategic, cost-effective solution for corporate clients, she noted.

"The companies are getting such quality attorneys," she commented. "They're coming from top-notch law



Trish Landgren

schools, firms and corporations."

The quality of the work is also top-notch, she added. "We've got remarkable turnaround and attention to client matters because we don't have a huge caseload," she explained.

Unlike temp firms, Corporate Legal Partners strives to establish long-term relationships with clients.

"Usually, I will pair up an attorney with one or two clients. So, there's not that huge learning curve every time," she noted.

Corporate Legal Partner attorneys are available, however, to work on short-term projects for clients, or to fill in for in-house lawyers on maternity or medical leave.

Landgren has hired male attorneys in the past, but they are usually lawyers in transition between full-time jobs.

"They want to be in that office environment every day as a general counsel," she remarked.

That's not, however, Landgren's goal.

She has more than 12 years of experience providing general counsel services to public and private companies, both in-house and as a consultant.

Landgren graduated from the Dickinson School of Law, served as an officer in the Army JAG Corps and spent six years at a \$1 billion public, promotional products company. She also served as legal counsel to numerous companies, including a venture-backed, privately held professional consulting services company, a high-tech software services firm and a multi-national environmental consulting firm.

Currently, she devotes about 10 to 15 hours a week to legal work, specializing in advertising and marketing law.

"I cherry pick the work because it comes through me," she said. "I truly try not to take on too much."

She and her husband, Mark Landgren — who co-founded Corporate Legal Partners but is now chief operating officer and general counsel at The Nexus Group in Danvers — have three children. Their oldest daughter is now 13, and they have a 9-year-old son and a 2-year-old girl.

Corporate Legal Partners is thriving, Gorton's remains a valued client, and, Landgren noted, "We're still eating fish sticks."

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BAR NEWS

BENCH-BAR SYMPOSIUM

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more responsive to the public. To that end, the Access to Justice Commission and the Trial Court's Access to Justice Initiative "are going full steam," he said. The Access to Justice Initiative is improving language access through grant awards, and both groups are developing programs and using technology to make the courts more user-friendly.

PUBLIC EDUCATION

Ireland's third priority "stems from my prior experience as a juvenile court judge, and the recognition that our young people are the next generation of citizens and leaders," he said.

Ireland championed the Judicial Youth Corps (JYC) in particular, which was founded more than 20 years ago by then-Chief Justice Paul J. Liacos. More than 700 teenagers have participated, working in the court system and learning about it from the inside.

Three volunteers in the audience, each of whom has been working with students for more than 20 years, received special recognition: Catherine DeSimone, first assistant clerk of the Suffolk Superior Court Criminal Clerk's Office; Robert Lewis, clerk-magistrate of the Boston Housing Court; and Anthony Owens, clerk-magistrate of the Dorchester District Court.

Ireland then introduced a JYC alumna, Kenia Seoane Lopez, who



William "Mo" Cowan and Martin W. Healy.

worked in the program in 1991 and was recently appointed magistrate judge of the District of Columbia Superior Court.

Lopez took the podium and shared a funny, moving account of how the



A guest of Chief Justice Ireland, District of Columbia Superior Court Magistrate Judge Kenia Seoane Lopez shared the impact her experience with the SJC's Judicial Youth Corps had on her career.

JYC dramatically changed the course of her life. An average inner city high school student who wasn't above cutting class once in a while, she "carried more makeup in my bag than actual books." But a teacher who

saw her potential referred her to the JYC. Lopez signed up, mostly for the stipend she would receive, but got much more out of the experience. It gave her a sense of accomplishment, and she saw firsthand ►18

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BAR NEWS

MEMBER SPOTLIGHT

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FIVE MBA MEMBERS INDUCTED INTO NEW MASSACHUSETTS NADN CHAPTER

The National Academy of Distinguished Neutrals has announced the launch of its Massachusetts Chapter, inducting seven of the state's top Alternative Dispute Resolution attorneys as 2012 charter members, including five Massachusetts Bar Association members.

The NADN Massachusetts Chapter's website, www.NADN.org/massachusetts, is a tool for state ADR practitioners and provides a roster of the state's most trusted neutrals.

"We certainly look forward to working with the premier ADR practitioners in the state of Massachusetts in the years to come, and expect that this new chapter roster will prove just as useful to paralegals and attorneys across that state as it has in our others to date," said Darren Lee, executive director of NADN.

MBA members chosen as NADN Massachusetts Chapter 2012 charter members are:

- **Paul A. Finn**, the founder of Commonwealth Mediation and Conciliation Inc. in Brockton, has served as its president and CEO since 1992. Finn graduated from New England School of Law in 1976.
- **Warren F. Fitzgerald** is the founder of Fitzgerald Dispute Resolution LLC in Boston where he works as a full-time mediator and case evaluator. Fitzgerald graduated from Boston University School of Law in 1979.
- **Brian R. Jerome** founded Massachusetts Dispute Resolution Services in Boston, one of the first full-service ADR firms in Massachusetts, where he works as a mediator and arbitrator. Jerome graduated magna cum laude from New England School of Law in 1980.
- **Brian J. Mone** is the chief operating officer at Commonwealth Mediation & Conciliation Inc. in Brockton, where he works as a mediator. Mone graduated from Suffolk University School of Law in 1982.
- **Jeffrey S. Stern**, a partner at Sugarman, Rogers, Barshak & Cohen PC in Boston, chairs the firm's ADR practice group. Stern graduated cum laude from Harvard Law School in 1973.

CAMPBELL RECEIVES UMASS BOSTON'S DISTINGUISHED SERVICE AWARD



Richard P. Campbell

Massachusetts Bar Association Immediate Past President **Richard P. Campbell** is this year's recipient of the University of

Massachusetts Boston's Distinguished Service Award

Honored for his outstanding service as a member of the UMass Board of Visitors, his accomplishments in the legal profession and his work with the September 11th Victims Compensation Fund, Campbell was selected for this year's award by UMass Boston's Vice Chancellor for Athletics and Recreation Charlie Titus.

Campbell is the founder of Campbell, Campbell Edwards & Conroy PC in Boston, where he primarily represents national and international corporations in complex cases including multi-district litigation, class action, aviation, toxic tort and product liability disputes.

An MBA House of Delegates and Executive Management Board member, Campbell was president from 2011 to 2012. In addition, Campbell is a fellow of the American College of Trial Lawyers and chair of the Adjunct State Committee. He served for seven years as the chair of the Board of Overseers for Boston College Law School and in 1995 was honored with its highest award for dedication to the law, the Founder's Medal. Campbell was recently appointed to the ABA's Task Force on the Future of Legal Education to help review and make recommendations on the state of legal education and its responsiveness to the needs and opportunities of the legal market.

Campbell received his B.A. from the University of Massachusetts in 1970 and went on to earn his law degree from Boston College Law School, cum laude, in 1974.

CHIEF JUSTICE CAREY REAPPOINTED



Paula M. Carey

Chief Justice Paula M. Carey of the Probate and Family Court has been reappointed to a second five-year term, which began on Sept. 27, 2012.

Carey was appointed as a judge in the Probate and Family Court in 2001. In 2004 she was the recipient of a Massachusetts Judges Conference Judicial Excellence Award and in 2006 received the Massachusetts Bar Association's Daniel J. Toomey Judicial Excellence Award. In addition, in 2009 Carey was awarded the Distinguished Jurist Award from the Massachusetts Association of Women Lawyers. In 2011, she received a Boston Bar Association Citation of Excellence, the Middlesex Bar Association Distinguished Jurist Award and the Haskell Freedman Award of the Mass. Academy of Matrimonial Lawyers.

The Probate and Family Court Department is comprised of 14 divisions with 51 authorized judicial positions across the commonwealth. The Massachusetts Trial Court includes seven court departments with 380 judges who deliver justice to thousands of people daily in 101 courthouses across the state. ■

EXPERTS & RESOURCES

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BAR NEWS

BENCH-BAR SYMPOSIUM

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how many people in the court system needed help.

Inspired to try harder and dream bigger, she finished her senior year of high school, went on to Northeastern University and eventually law school.

"You can see what a profound effect this little program had on my life," she told the crowd. She thanked members of the legal community as well as her parents, Cuban immigrants who had wanted a better life for their children and done the hard work to make it happen.

Following Lopez's remarks, Ireland introduced Trial Court Administrator Lewis H. "Harry" Spence, who shared experiences from his first six months in the newly-created position. In that time, Spence has visited the staff of well over 20 courts. He told the audience that he believed the judiciary's staffing levels would remain contracted for the foreseeable future, as staff members struggle furiously to maintain services with fewer bodies. But there are opportunities here as well, he said — for instituting new governance, new hiring policies and better, merit-based promotions.

Spence said he has cause for optimism. Firstly, the appetite for change is greater than he'd assumed. And secondly, the staff members themselves are extremely competent.

However, Spence noted that the arc of career development is very limited for those people. In some courthouses, the only way anyone can move up is if the person ahead of them dies or retires, he said. "Personnel need to be able to move across the system with more dynamism," Spence said.

Also, he explained that courts must integrate back-office procedures to reduce overhead. "Specialized courts are necessary, but as it stands now each has its own back-office functions, which renders many processes redundant," he said. New performance appraisal methods are on their way, he added, and the courts must also increase their use of technology, such as centralized billing, internet payments, and e-filing, to improve the system.

The formal speaking program gave way to a networking reception help in the conference room at the courthouse. ■

DON'T SHOOT THE MESSENGER

Continued from page 11

Judges have recently been setting higher standards of proof of impartiality. While in-house counsel may be tempted to take investigative matters into their own hands, "their decisions are suspect because they are part of the organization."

Two intellectual property segments include a preview of the first-to-file patent system to be implemented in March 2013, and another segment on patent validity challenges by a licensee. The conference will also address insurance planning, particularly targeting gaps in insurance coverage.

The conference will again have brief "lightning round" presentations of five minutes per presenter, concerning current developments of interest to in-house counsel.

"My fellow organizers and I are looking forward to another successful conference," co-chair Parke said. ■

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