

### Baltimore City POARP Wins Appeal

**O**n August 7, 2001, Baltimore City POARP and WLC celebrated a big win! After waiting for over 18 months, the Court of Special Appeals finally issued a decision in *Peterson v. Peterson*. The Court dismissed a challenge to the entry of a Protective Order and affirmed the order of the Baltimore City Circuit Court holding the appellant in contempt for failure to pay Emergency Family Maintenance (EFM).

On November 5, 1998, Tina Peterson filed a form "Petition for Protection From Domestic Violence," alleging that her husband, Warren Peterson, had abused her. She checked all of the boxes next to the various types of requested relief except the one pertaining to EFM. The court issued an ex parte order for protection from abuse the same day. Tina's petition, and the ex parte order were served on Warren on November 9 by the Baltimore City Sheriff's department. Warren failed to appear for the November 19 hearing for a Protective Order, at which time Tina furnished a Financial Statement to the court

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### WLC to Honor McIntosh and Rasin at Awards Dinner

**T**he Women's Law Center will host its Annual Dinner and Awards Ceremony on Monday, October 29. The event will be held at 5:30 p.m. at the Hyatt Regency Inner Harbor Hotel in Baltimore.

The WLC has selected the Honorable Maggie McIntosh to receive the 16<sup>th</sup> Annual Dorothy Beatty Memorial Award for her significant contribution to the advancement of women's rights. "Delegate McIntosh has been a strong supporter of the legal rights of women in Maryland throughout her career," said Nancy Gregor, President of the WLC. "As the new Majority Leader in the House of Delegates, she continues to be a role model for women interested in effecting change through the political process."

The Honorable Martha F. Rasin will receive the 9<sup>th</sup> Annual Rosalyn B. Bell Award for her outstanding achievements in the area of family law. "During her tenure as Chief Judge of the District Court of Maryland, Judge

Rasin has made increased access to the courts for victims of domestic violence a top priority," said Gwen Tromley, Vice President of the Board.

Ticket prices for the Annual Dinner are \$50 for members in advance, \$60 for non-members in advance and \$65 for all at the door. Tables of ten may be purchased for \$550. A program listing is \$300. For more information, please contact The Women's Law Center of Maryland, Inc. at (410) 321-8761. To register, use the form on the back cover of this newsletter.

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*Brooke Do*

## Message from the Executive Director

There are many exciting developments at the Women's Law Center. One of the most notable is the addition of several new staff members. Each brings a wealth of experience, energy and new ideas to the organization. I am delighted to work with such a competent and enthusiastic team.

The second major news is the award of a generous grant from the Lyn P. Meyerhoff Fund to research the implementation and effect of property distribution laws and to develop an educational campaign about these laws. This project is an excellent complement to the research on custody awards that is already underway through grants from the Administrative Office of the Courts and the Blaustein Foundation. Together, the research from these two projects will provide invaluable data to inform policy recommendations, legislative initiatives and educational campaigns.

Finally, we are thrilled to honor two notable women for their leadership on issues that have an impact on women. Delegate Maggie MacIntosh will receive the Dorothy Beatty Memorial Award and Judge Martha Rasin will receive the Rosalyn B. Bell Award. As usual, the Annual Dinner and Awards Ceremony promises to be an excellent opportunity to see old friends and colleagues, hear about the accomplishments of the Women's Law Center and join us in applauding the work of the awardees. I hope to see you there.

*L. Tracy Brown*

## WLC's 2002 Legislative Agenda

The General Assembly Session is approaching and the Women's Law Center's primary agenda will be the passage of the Paid Family Leave bill. This legislation would provide unemployment benefits for up to 12 weeks immediately following the birth or adoption of a child for the primary caretaker of the child. Under the Family and Medical Leave Act (FMLA), parents are entitled to *unpaid* leave only. Many families cannot afford this option and the primary caretaker must return to work. Therefore, paid leave would increase the options during the important early weeks.

Delegate Michael Dobson has again agreed to sponsor this important legislation. Maryland is one of twenty states that are seeking options to provide paid family leave.

The effort in Maryland will also have the support of the National Partnership for Women & Families Campaign for Family Leave Benefits. This will be the third year that the legislation has been introduced and we are optimistic about the chances for passage.

As always, the WLC will continue to monitor legislation that impacts Maryland's women and children and take action as necessary. We will also continue to circulate legislative action alerts when needed.

If you would like to receive legislative alerts about this bill or others, please contact Jessica Morgan to be added to the alert list. Alerts will be sent via fax or email only. Jessica can be reached at 410-321-8761 or [jmorgan@wlcmd.org](mailto:jmorgan@wlcmd.org).

## MEDOVI Update

**A**ccording to recent census figures, Maryland has experienced a 69% increase in its foreign-born population since 1990. The numbers are impressive -- 530,417 in 2000 compared to 330,000 counted ten years ago. Latinos, Africans, and Asians dominate the ethnic groups new to Maryland. Furthermore, the census indicates that 17.6% of the foreign-born speak languages other than English at home and 16% of Maryland's foreign-born speak little or no English. Through the Multi-Ethnic Domestic Violence Project (MEDOVI), WLC is involved in a number of outreach efforts to address the special needs of Maryland's foreign-born population, particularly in the areas of domestic violence and access to the courts.

Once such effort is the Safety Initiative Workgroup, formed by the Community Services Administration of the Maryland Department of Human Resources. The goal of the Workgroup is to design appropriate and accessible services geared to the unique needs of the elderly, people with disabilities, and individuals with limited English proficiency who have been victims of domestic abuse and/or sexual violence. A core advisory group identified these three populations as those who have historically been either unserved or underserved. Gusty Taler, MEDOVI Project Director, was invited to participate in the Workgroup to assist in the development of programs aimed at those with limited English proficiency. The Workgroup met for the first time in July to discuss existing resources and services and to begin crafting a strategic plan.

WLC is also involved in efforts to enhance access to the courts for those with limited English proficiency. Last spring, the Administrative Office of the Courts established a committee to assist the Courts in strengthening its interpreter program. Chaired by the Honorable Audrey J. S. Carrion of the Circuit Court for Baltimore City, the committee is comprised of members of the judiciary, court personnel, court interpreters, and representatives from the Public Justice Center, CASA, and WLC. The committee's first task was the drafting of an Administrative Rule focusing on the appointment, qualifications, and use of interpreters by the courts. A draft of that Rule was recently presented to, and well received by, the General Court Administration subcommittee of the Maryland Rules committee.

Another project currently in the works is the development of a coordinated domestic violence program for Baltimore's Latino community. Spearheaded by the Centro de la Comunidad, a local Latino service provider, this project offers an opportunity for MEDOVI and the Baltimore City Domestic Violence Coordinating Council to provide technical support in the areas of a needs assessment and program planning.

MEDOVI has also accepted several Battered Spouse Waiver cases and is working with the Maryland Office of New Americans to plan their November conference on Serving Limited English Proficient Clients. Stay tuned for updates on these and other MEDOVI projects!

## Women's Law Center Lends Its Support

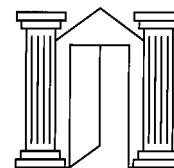
The Women's Law Center provided its support to the following initiatives by signing on to a:

Letter from the **National Coalition Against Domestic Violence** to President Bush asking him to declare October Domestic Violence Awareness Month.

Letter from the **Women's Law Project** to the FBI to change the definition of rape to insure that statistics more accurately reflect the true incidence of serious sex crimes.

Declaration to support **Health Care for All** sponsored by the Maryland Citizens' Health Initiative Education Fund and endorsing a comprehensive health care system which would guarantee quality health care for all Marylanders.

**The Women's Law  
Center of  
Maryland, Inc.**



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**Advocating for the legal rights  
of Maryland's women and  
children since 1971.**

## Welcome! WLC Hires New Staff...

### **Rebecca Bainum, Legal Projects Manager**

In July of this year, I joined the staff of the Women's Law Center as the new Legal Projects Manager, which means I will be coordinating the various legal initiatives of the Women's Law Center.

I bring to the Women's Law Center a commitment to working as an advocate on legal issues facing women and strong litigation skills. I worked for many years after college as the Program Director for the National Abortion Rights Action League in New York City where I developed and implemented state-wide legislative and electoral operations, coordinated the speakers' bureau and coordinated numerous other programmatic activities. Following law school, I spent several years as legal counsel to a Massachusetts State senator who is a leader on domestic violence issues. As her counsel, I was responsible for drafting legislation, including victims' rights and domestic violence prevention initiatives, and for developing legislative strategies for legislation relating to child custody, privacy of counseling records and workplace discrimination, among



*Rebecca Bainum (l) with POARP Attorney, Gwen Lubbert (r)*

other issues. Later, I honed my litigation skills at a private firm in Boston representing plaintiffs in complex civil litigation, including product liability, civil rights, medical negligence and education claims.

I am coming to the Women's Law Center with a sense of returning home – both professionally and personally. After several years in private practice, I am honored to be able to dedicate my legal skills to the broad range of issues on the agenda of the Women's Law Center. And after living for many years in New England, I felt it was time to return to Baltimore where I was born and raised. In short, I have returned to both issues and places of great significance for me. I look forward to helping shape the direction of the Women's Law Center in the coming years, and I look forward to sharing this journey with all of you.

### **Carmen White, Administrative Assistant**

While I miss my beloved San Francisco tremendously, in September of this year I landed well in my new position as Administrative Assistant here at the Women's Law Center. Everyone has been so great and welcoming that I'm beginning to feel right at home.

My administrative experience is highlighted by my work at Gladstone and Vettel, a law office dealing primarily with commercial real estate, and at the San Francisco Planning and Urban Research Association, a private, non-profit membership organization working on public policy issues for the San Francisco Bay

area.

I am sincerely delighted to be a part of the work here at the WLC, and hope to contribute much more in the future.

### **Melissa Mineo, Attorney Advocate**

My association with the Women's Law Center of Maryland, Inc., began in August of this year, when I accepted the position of Attorney Advocate for the Protection Order Advocacy and Representation Project (POARP) in the Baltimore City Circuit Court. In this role, I will assist victims of domestic violence in obtaining and enforcing protective orders against their abusers. POARP's representation comes at a crucial time in these victims' lives, and it is my goal to effectively counsel such persons in breaking the cycle of violence.

Prior to joining POARP, I spent a substantial amount of time working with poverty law clinics on issues such as Social Security, Landlord/ Tenant Disputes, Custody, Divorce, Guardianship and Domestic Violence. My involvement began while attending the Washington and Lee School of Law in Lexington, Virginia, where I served as an intern (and later a clinician) for the Legal Aid Society of Roanoke Valley. Upon graduation, I continued to assist indigent clients by volunteering at the South Royalton Legal Clinic and the Legal Aid Society in Springfield, Vermont. Most recently, I was part of the committee of the Women's Bar Association of Montgomery County that organized an auction to benefit the Montgomery County Bar Foundation Pro Bono Program. These experiences proved to be both rewarding and



*Administrative Assistant, Carmen White*

enjoyable.

Before accepting the Attorney Advocate position, I worked in private practice with an emphasis on estate planning, probate and corporate law. I welcome the change in my professional focus, and I am honored to join an organization dedicated to pursuing equal rights for women under the law. This position will provide me with the opportunity to give much needed counseling and legal advice to an underserved portion of our community. I am eager to meet the challenges before me, and hope to become a successful part of the POARP team.

### **Brooke Do, Attorney Advocate**

This summer, the WLC welcomed Brooke Do, Esq. as the Attorney Advocate for the MEDOVI project. Brooke brings extensive experience in family law, domestic violence, and immigration law, and is fluent in conversational Vietnamese. Because MEDOVI focuses exclusively on the legal needs of foreign-born victims of domestic violence, the WLC is incredibly fortunate to have Brooke join Gusty Taler as part of the MEDOVI legal team! Brooke will be a tremendous asset to our clients and to the Project.

## **...and says “Goodbye”**

### **Tara Boyd**

If you have called the WLC within the last year and a half, you can't help but remember Tara! Our Administrative Assistant since February 2000, Tara worked at the WLC during the day, while completing her Masters Degree in Women's Studies from Towson University at night. Considering how smart and funny Tara is, we knew that one day we would have to let her go...so on August 1, Tara left the WLC and headed west to California where she is now attending law school in San Diego. Upon graduation, Tara plans to work in public interest law, specifically with juveniles. Who knows, she may be back at the WLC next year as a legal intern! We wish Tara all the best in California and thank her for her service to the WLC.

### **Melvina Ford**

Melvina has left the WLC to pursue an entrepreneurial endeavor. We are deeply grateful for the leadership and creativity that she brought to the Legal Project Manager position. Her energy, intellect and commitment to women's issues will be missed.

### **Interns**

This summer, the WLC was fortunate to recruit four legal interns to assist our attorneys with research, intakes, and writing! We wish to thank the following women for their hard work and dedication to the WLC...

**Heather Gomes** returned home for summer break from Cincinnati, where she is a law student at the University of Cincinnati College of Law in the M.A./J.D. program with Women's Studies. Heather will graduate in 2003 and plans to focus on women's legal issues.



*Tara Boyd says “goodbye” to the WLC and Baltimore!*

**Gwendolyn Johnson** a resident of Maryland, also interned with us this summer. Gwen is a student at University of Baltimore, graduating in 2003. Upon graduation, Gwen plans to work in the area of health care law, specifically, addressing health care fraud issues.

**Jennifer White** worked in our Montgomery County DVA office over the summer, a great help to Supervising Attorney, Andrea Levy. Jennifer is a student at American University, planning to graduate in 2002.

**Emily Megnin** worked in the Baltimore City POARP office over the summer, assisting the PAORP staff with various administrative duties. Emily is an undergraduate student at Goucher College, majoring in Sociology and Women's Studies. Emily will graduate in 2002.



*Summer interns, Emily Megnin (l) and Heather Gomes (r)*

## THANK YOU DONORS!

The WLC wishes to thank the following supports who responded to our mailings and phone calls during the 2001 Phonathon and the "Donate Your Rebate" drives. We value your support and your contributions.

Laila Atallah  
Mimi Azrael  
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Jodi Hammerman  
Hon. Ellen Heller  
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Rebecca Korzec  
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Martin Lessans  
Susan Leviton

## Letter from a POARP Client

Following is the text of a letter received by Baltimore City POARP Supervising Attorney, Gwen Lubbert. Gwen helped Grace\* receive a Protective Order in May 2001.

Dear Gwen,

*I couldn't fit everything I wanted to say on a thank you card, so you will have to excuse this notebook paper. I want you to read this letter when you have a bad day. I want you to read this when a woman in an abusive relationship goes back to her abuser, after you advised her not to. I want you to read this when another woman loses her life because she won't testify in court against her abuser, and he goes free. I want you to read this if you ever sometimes wonder if what you do really effects women (and their children).*

*Believe me, it does. Because of you, I am on my way to being a success story. You believed in me when I didn't even believe in myself anymore. You never judged me or made me feel bad because of the situation I was in when we met. I felt like a person, and not like a case number, you always treated me with respect. Words cannot express my appreciation for all your hard work and support during this most difficult time in my life. You were always there for me. Because of your legal information, your time, and emotional support, I felt a little bit stronger. You helped me empower myself. After all, knowledge is*

*power. I'm starting to live again. I'm finding me after 44 years! Imagine that! I feel brave and strong, you gave that to me. I am starting to learn (with the help from the House of Ruth) how to take care of me. And I started on May 4<sup>th</sup>. I'm setting up boundaries for myself for the very first time in my life. I know how far I have come and how far I have to go. But I know one thing, I'm never going back to the old me again. I deserve better! I believe we are all here for a reason, if our life is spared, it's because our job here on earth isn't done yet. I'm not done yet! God wants me to be a voice speaking out about domestic violence. My parents are embarrassed to tell other people and relatives what happened between Ralph\* and me. In fact, my mom told my aunt that Ralph\* went away on a business trip! ... But see, it's attitudes like that that cost abusive women their life. It almost cost me mine.*

*God sends angels down on earth disguised as humans. You are my angel! Words don't seem to be enough to tell you how I feel in my heart.*

*I really am a survivor of domestic violence, and not a victim of domestic violence.*

*My life is better today, because of you, Gwen. I thank you!*

Sincerely,  
Grace\*

\*Names have been changed.

## Baltimore City POARP Wins Appeal *Cont'd*

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and requested EFM. The Court (Judge Bonita Dancy) found by clear and convincing evidence that Warren had committed acts of physical abuse against Tina and issued the Protective Order. The Protective Order required, among other things, that Warren have no contact with Tina and that he pay Tina EFM in the amount of \$592.95 per month. The court properly mailed a copy of the Protective Order to Warren.

After she did not receive the EFM to which she was entitled, Tina filed for contempt against Warren. At a contempt hearing in April 1999 Warren was represented by counsel. Warren's counsel argued that Warren had not appeared at the Protective Order hearing because he did not have notice that EFM could be ordered. He further claimed that Warren could not be held in contempt because he never received the Protective Order. However, the Court (Judge Marcella Holland) found that Warren had been properly served with the Protective Order and that he had chosen not to pay the EFM he had been directed to pay. The Court held Warren in contempt and ordered him to pay the arrearage of EFM.

Warren's failure to pay the EFM continued, and Tina was forced to file for contempt a second time. Judge Albert Matricciani, who heard that second case, agreed with Judge Holland and held Warren in contempt.

Following Judge Matricciani's ruling, Warren filed several appeals, beginning on June 18, 1999. Oral arguments were held before the Court of Special Appeals on February 1, 2000. Andrea Levy of WLC argued the case on Tina's behalf.

In its recently issued decision, the Court of Special Appeals found that Warren waived his right to challenge the November 19, 1998 Protective Order because he did not file an appeal within 30 days of the final judgment. During the contempt hearing, Warren had moved to vacate or revise the portion of the November 19, 1998 Protective Order awarding EFM, on the basis that he did not have sufficient notice that EFM could be awarded because Tina had not checked off the box for EFM on her petition. The Court of Special Appeals rejected that argument and concluded that the "Notice to Respondent" served on Warren did not limit the relief that could be granted by the court. The Court held that the content of the notices did not constitute an "irregularity" within the meaning of Md. Rule 2-535 (b). Thus, the Court held that the lower court did not err in denying Warren's motion to vacate the portion of the Protective Order awarding EFM. In short, even though Tina did not check off the box requesting EFM, she could be awarded that relief by the Court at the hearing.

Tina is now anxious to finally receive her well-deserved monetary award.

Laurie Lyte  
Lisa Marts  
Hon. Susan Marzetta  
Paula Merkle  
Sayra Meyerhoff  
Jane Murphy  
Christyne Neff  
Stewart Oneglia  
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Jana Singer  
Ann Sjoerdsma  
Claire Smearman  
Barbara Spodak  
Jane Wiley  
Caren Williams  
Rachael Wohl

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Reminder: If you have made a pledge to the WLC and have not yet paid, please send your check in as soon as possible. Also, if we missed you during the Phona-thon, please consider making a donation to the WLC. Checks may be mailed to:  
Women's Law Center  
305 W. Chesapeake Avenue  
Suite 201  
Towson, MD 21204

VISA and Mastercard donations may be faxed to (410) 321-8761 or emailed to [admin@wlcmd.org](mailto:admin@wlcmd.org).

## Thank You Family Law Hotline Volunteers

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Jennifer Terrasa  
Jane Wiley  
Benjamin Woolery

## Domestic Violence Law Update

### **Katsenelenbogen v. Katsenelenbogen, 365 Md. 122 (2001)**

This summer, the Court of Appeals of Maryland addressed the question of what standard should be used by a trial court in a domestic violence hearing to determine whether a person has been placed in fear of imminent bodily harm or abuse. The Court addressed the merits of the case even though the protective order at issue had expired because, "we will on rare occasions address the merits of a moot case when 'we are convinced that the case presents unresolved issues in matters of public concern that, if decided, will establish a rule for future conduct,'" citing *Coburn v. Coburn*, 342 Md. 244, 250 (1996). The Court of Special Appeals, below, had previously concluded that the protective order statute required more than actual fear on the part of the victim -- that is, that the trial court had erred in not applying an objective standard in determining the reasonableness of the wife's fear before issuing a protective order. In doing so, the Court of Special Appeals expressed concerns that failure to use an objective standard might result in a protective order being issued without a sufficient legal basis and it vacated the protective order issued by the trial court.

The Court of Appeals vacated the judgment of the Court of Special Appeals and remanded the case with instructions to dismiss the appeal as moot. The holding of the Court of Appeals has important ramifications in two respects.

First, the Court of Appeals acknowledged that even though living and custody arrangements established as the result of a protective order may have relevance in subsequent litigation, such as custody and child support proceedings, a trial judge's sole concern in a domestic violence

hearing is fashioning appropriate relief to assure the safety and well-being of the victim of domestic violence, regardless of any potential impact on subsequent litigation.

Second, the Court of Appeals clarified that the correct standard to be applied by the trial court when an act places a victim "in fear of imminent serious bodily harm" is an "individualized objective" one, such that a reasonable person in the petitioner's position could perceive the situation in the same way the petitioner did. *Katsenelenbogen*, 365 Md. at 138. The Court noted that a victim of domestic violence "may well be sensitive to non-verbal signals or code words that have proved threatening in the past to that victim but which someone else...would not perceive to be threatening," *Id.*, at 139, and that reasonableness "must be viewed from the perspective of the particular victim." *Id.*

The appeal on behalf of the petitioner was argued by Lisae C. Jordan from the House of Ruth's Domestic Violence Clinic – congratulations to Ms. Jordan and the House of Ruth!

### **Torboli v. Torboli, 365 Md. 52 (2001)**

In July, the Maryland Court of Appeals addressed the issue of what effect the parties' reconciliation during the term of the protective order would have on the enforcement of an emergency family maintenance award that was made as a part of the protective order. In affirming the judgment of the Court of Special Appeals, the Court of Appeals concluded that it was proper for the husband/respondent to offer proof of reconciliation as a defense to the wife/petitioner's enforcement action.

In June 1995, the petitioner was granted a six-month protective order against her husband. Almost

## Domestic Violence Law Update *cont'd.*

ten months after the protective order expired, the petitioner asked the court to order the husband to pay to her the balance due under the emergency family maintenance portion of the order. The trial court held that a reconciliation between the parties during the effective period of the protective order nullified emergency family maintenance payments, and the intermediate appellate court affirmed. In her appeal, the petitioner asserted that any reconciliation was irrelevant since section 4-507(a)(1) of the Family Law Article provides the exclusive method for modifying or rescinding a protective order – it must occur during the term of the order and only by the court that issued the order. Even though the Court of Appeals agreed with the petitioner on this specific point, it nonetheless concluded that there is a difference between an attempt to modify or rescind a protective order, on the one hand, and a defense offered to defeat enforcement of a protective order, on the other hand. The Court held that the statute does not address an enforcement action and does not preclude the offer of a defense to such action. Therefore, proof of reconciliation during the term of the protective order may be offered by the respondent as a defense to enforcement after the order has expired, even though proof of reconciliation, had it been offered during the term of the protective order, would have been a basis for its modification or rescission.

### **Zetty v. Piatt**, 365 Md. 141 (2001)

In mid-July, the Maryland Court of Appeals held that a county sheriff is not an authorized person to file a petition for contempt that alleges a violation of a protective order and that initiates a constructive civil contempt proceeding. The Court also held that when incarceration is sought in a constructive civil

contempt hearing and the person alleged to be in contempt appears in court without counsel, that person must receive notice of the right to counsel and must knowingly and voluntarily waive that right if the hearing is to proceed.

In this case, Susan Piatt, the petitioner, had received a protective order against her boyfriend, Terrence Zetty. As part of that order, Mr. Zetty was ordered to surrender all firearms in his possession for the duration of the protective order against him. Mr. Zetty claimed he did not have any firearms in his possession, but an officer from the Charles County Sheriff's Department obtained information from the State Police indicating that there were nine firearms registered in Mr. Zetty's name. When Mr. Zetty denied having any firearms in his possession, the officer filed a Petition for Civil Contempt in the Circuit Court. At the contempt hearing, Mr. Zetty was not represented by counsel, and the court sentenced him to 179 days in prison. Mr. Zetty later filed a motion for reconsideration, arguing (this time through counsel) in part that the sheriff did not have standing to file the contempt action in the first place. The circuit court denied his motion for reconsideration, and Mr. Zetty appealed to the Court of Special Appeals. The Court of Appeals granted certiorari on its own initiative before that court's consideration.

The Court of Appeals held that Rule 15-206(b) does not authorize the sheriff's office to initiate a constructive civil contempt proceeding. It also held that Title 4, Subtitle 5 of the Family Law Article, titled "Domestic Violence," does not authorize a police officer to file a Petition for Contempt when a protective order has been violated. The Court therefore held that the Petition for Contempt should have been dismissed.

The Court of Appeals found that

the Circuit Court failed to ascertain that Mr. Zetty had received notice of his right to counsel and that he made a knowing and voluntary waiver of that right. Following the view of the majority of courts in the country, the Court of Appeals held that due process requires the appointment of counsel or a knowing and voluntary waiver of the right to counsel when incarceration is being sought in a constructive civil contempt proceeding. A violation of Mr. Zetty's right to counsel alone would be grounds for remanding the case for a new contempt proceeding; however, the contempt proceeding should not have occurred in the first place because the person who initiated it was not authorized to do so.

### **Employment Discrimination Cases Sought**

The Baltimore District Director of the Equal Employment Opportunity Office (EEOC), Mr. James Lee, recently met with the Women's Law Center's Employment Committee to discuss employment discrimination in the Baltimore region. The District Office is interested in identifying employment discrimination cases that involve a pattern of behavior that has an impact on a large number of employees. Recognizing the WLC's leadership role in the legal community and access to attorneys, advocates and complainants, Mr. Lee reached out to the organization to help identify sex discrimination cases. Potential cases could include grounds such as sexual harassment, sex discrimination or patterns of lack of action or indifference when domestic violence spills into the workplace. If you are aware of any appropriate cases for referral to the EEOC, please contact Rebecca Bainum, the Legal Project Manager at the Women's Law Center at 410-321-8761.

# Financial Distribution in Divorce Research Funded

The Women's Law Center has been awarded a grant from the Lyn P. Meyerhoff Fund for a research and advocacy project regarding financial distributions in divorce. The purpose of the project is: 1) to research whether distinctions based on gender exist in Maryland in financial distributions in divorce; 2) to develop policy recommendations to address these distinctions; and, 3) to sponsor an educational and outreach effort to inform women about how to protect themselves financially during marriage and divorce.

The Women's Law Center is very fortunate that Jeanette Karpay will direct the Financial Distribution in Divorce project. Ms. Karpay is a former member of the Women's Law Center Board and brings many years of family law and program development experience to this project. An Advisory Committee will be convened to oversee the imple-

mentation of the project and the development of policy recommendations. The Committee will include a representative of the judiciary, a litigant and several practicing attorneys.

The research component of the Financial Distribution in Divorce project is comprehensive. A national study will be conducted of existing research and best practices, including guidelines for property distribution. A systematic sampling of Maryland cases throughout the State will be analyzed to evaluate the factors that influenced the property distribution in divorce. Factors to be considered will include: financial information; the education, work history, age and health of the parties; whether the case was settled or litigated; custody and child support awards; and whether the parties were represented by counsel. The best practices from other jurisdictions will be applied to a sampling of Maryland cases to compare results. In addition, focus groups will be conducted with attorneys, judges and litigants to gather anecdotal information about the experiences of participants in the system and factors that influenced their decisions.

The educational effort will be underway while the research component of the project is being conducted. A publication will be created and distributed to instruct women about how to protect themselves financially during marriage and divorce. A curriculum for an educational presentation will be developed based on the publication. A small group of speakers will be trained and will be available to make presentations to appropriate audiences. In addition, this educational infor-

mation will be made available on the internet and a chat portal will be created to allow exchange of information and experiences.

The conclusions drawn from the research will be analyzed in conjunction with the feedback gathered during focus groups and speaking engagements. Policy recommendations will be formulated and a plan for implementation of the recommendations will be developed.

This project will also be coordinated with the Women's Law Center's other research project regarding custody decisions. Together, these two initiatives will provide a wealth of information about key decisions in family law cases.

The Women's Law Center is very grateful to the Lyn P. Meyerhoff Foundation for its generous support for this exciting project.

## Congratulations, Gwen!

Attorney Gwen Lubbert, who has been the attorney advocate in the Baltimore City POARP office since 1999, was recently promoted to the position of Supervising Attorney. In this position, Gwen conducts most of the protective order hearings, organizes and facilitates domestic violence awareness trainings for court personnel and serves as a liaison between the POARP program and various state agencies that work with victims of domestic violence. Gwen has already shown great initiative in her new position and we congratulate her on a job well done!

## Peer Review Panel Opportunity

As part of the new disciplinary rules for Maryland attorneys, the Attorney Grievance Commission is in the process of establishing peer review panels. The Women's Law Center has been invited to make recommendations for lawyers to serve in on these panels. This is an excellent opportunity to participate in a process that helps insure the integrity and professionalism of lawyers in Maryland. If you are interested in serving on a Peer Review Panel, please contact the Women's Law Center at 410-321-8761.

# Web Sites for Lawyers: Public Interest Advocacy

**A**re you taking as much advantage of the Internet as you could be?

There are lots of useful websites out there that can help you with legal research, organizational information. Each quarter, the Women's Law Center will publish a list of 5-10 useful websites, broken down by broad categories. You can also find many other useful links on our own website: [www.wlcmd.org](http://www.wlcmd.org).

This issue, we focus on websites providing resources for public interest advocates:

**[www.mdjustice.org](http://www.mdjustice.org)** – Provides a forum for public interest advocates, legal services organizations, private attorneys doing pro bono work, and community advocates to share information.

**[www.peopleslaw.org](http://www.peopleslaw.org)** - Provides general legal information on various topics, including bankruptcy, criminal, domestic violence, elder law,

housing, immigration, landlord/tenant among others.

**[www.lab.org](http://www.lab.org)** – Website for the Legal Aid Bureau of Maryland. Provides information about services available, eligibility criteria, contact numbers.

**[www.mdnonprofit.org](http://www.mdnonprofit.org)** – Website for Maryland Association of Non-Profit Organizations with a variety of resources for non-profit organizations and those interested in working with such organizations, including training and technical assistance, public policy information, employment and event announcements.

**[www.pro-selaw.org](http://www.pro-selaw.org)** – Website of the Pro Se Law Center. Provides resources and information about representing yourself; also provides telephone hotline numbers.

**[www.mdlsc.org](http://www.mdlsc.org)** – Website of the Maryland Legal Services Corporation. Provides resources for low

and moderate income Maryland families; also provides employment and event announcements.

**[www.publicjustice.org](http://www.publicjustice.org)** – Website of the Public Justice Center, with information on its numerous projects, including housing, civil rights, children's rights, Latino assistance and worker's rights.

*\* This list is not intended to be complete. Obviously, there are many more websites out there than the WLC can list here. Feel free to make additional suggestions.*

**Upcoming topics include:**  
Winter 2001 –Legislative Resources on the Web

Spring 2002 - Domestic Violence Resources on the Web

If you would like to make suggestions for sites to be added to our lists, please email us at: [admin@wlcmd.org](mailto:admin@wlcmd.org). Thanks!

## Women's Law Center Merchandise

### Order Form

#### WLC T-Shirts

The front pocket displays the WLC logo and the back reads, "Advocates for Women and Children since 1971." Children's T-shirts read, "Small Injustices Count Too!" Shirts are purple with white printing. Adult shirts are \$15.00 each and children's are \$10.00 each. Adult sizes are M, L, and XL. Kids sizes are 6-8, 10-12, 14-16

#### WLC Memorial and Tribute Cards

The WLC offers beautiful tribute and memorial cards. The message in the cards expresses that the WLC is the grateful recipient of a donation from you to honor the memorial event. Boxed sets of 10 cards are available for \$30. The box gives you the convenience of having the cards on hand as they are needed.

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Item	Size	Quantity	Amount	Enclosed
Adult T-shirt	_____	_____	\$15 each	\$ _____
Child T-shirt	_____	_____	\$10 each	\$ _____
Tribute/Memorial Cards	_____	_____	\$30 each	\$ _____
<b>Total Enclosed</b>				\$ _____

**The Women's Law Center of Maryland, Inc.**  
305 W. Chesapeake Avenue  
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Baltimore, MD 21204

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## *WLC Annual Awards Dinner, October 29*

*5:30 p.m. at the Hyatt Regency Baltimore at the Inner Harbor, 300 Light Street  
Registration Form*

Name: \_\_\_\_\_

Organization/Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

List Additional Registrants for Nametags: \_\_\_\_\_

<b>Ticket and Sponsor Costs</b>	<b>Amount</b>	<b>Enclosed</b>
WLC Member	\$50 each	\$ _____
Non-member	\$60 each	\$ _____
Tables of Ten	\$550	\$ _____
<b>Total Enclosed</b>		\$ _____

(All tickets will be \$65 at the door)

Return registration form and payment to: Women's Law Center of Maryland, Inc., 305 W. Chesapeake Avenue, Suite 201, Towson, MD 21204 or fax registration with credit card information to 410-321-0462