

Annual Meeting Scheduled for November 13 *Award Ceremony and 30th Anniversary Celebration*

The Women's Law Center's annual meeting will be held on Wednesday, November 13 at the Baltimore Marriott Waterfront located at 700 Aliceanna Street. This will be a very exciting event because we will celebrate the organization's 30th anniversary and will honor the accomplishments of two outstanding women.

The 17th Annual Dorothy Beatty Memorial Award will be given to Dean Karen H. Rothenberg. Dean Rothenberg is the first woman to head the University of Maryland School of Law. She is a distinguished scholar and has researched and written extensively in the areas of women's health, genetic testing, and gender bias in the area of clinical research. She is also very committed to supporting women in leadership in the legal community. "Dean Rothenberg's appointment as the first woman Dean of the University of Maryland's Law School is an extraordinary accomplishment," said Gwen Tromley, President of the Women's Law Center of Maryland. "Her leadership at the Law School and her pioneering research have benefited the entire community." Susan Leviton, a law professor at the University of Maryland School of Law and a founding member of the Women's Law Center, will introduce Dean Rothenberg.

The Honorable Louise G. Scrivener will receive the 10th Annual Rosalyn B. Bell Award for her outstanding achievements in the area of family law. Judge Scrivener spearheaded the formation of the Family Division in Montgomery County, one of the first in the State, and was the Presiding Judge in that Division for three years. She also served as the Chair of the statewide Ad Hoc Committee of Family Judges. Importantly for the Women's Law Center, Judge Scrivener was instrumental in the creation and implementation of the Domestic Violence Assistance Program in Montgomery County. This is a joint project of the Women's Law Center and the House of Ruth and provides legal representation to victims of domestic violence. "Judge Scrivener has a keen appreciation of the special needs of litigants in family law cases, particularly where domestic violence is involved. We are pleased to honor her for her sensitivity and leadership in this area," said Vice President Francine Krumholz.

In addition to honoring the two award recipients, this year's annual meeting will celebrate the Women's Law Center's 30 years as a leading voice promoting justice and fairness for women. Many of the founding members and key leaders of the

organization will be present. They will describe the challenges, milestones and many achievements that make up the legacy of the Women's Law Center. Women's Law Center memorabilia will also be displayed.

Tickets for the 30th Anniversary Celebration and Awards Celebration are \$65 for members and \$75 for non-members. Tables of ten may be purchased for \$650. Program listings, which may include a logo and a brief message, are available for \$300 – \$750. For more information or to reserve tickets, call the Women's Law Center at 410-321-8761.

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Message from the Executive Director

The annual meeting is just around the corner and it's going to be a great event. As always, it will be a wonderful opportunity to see old friends and colleagues. This year the event is particularly special because we are celebrating the Women's Law Center's 30th anniversary and honoring two outstanding women for their contributions to the legal community. Dean Karen Rothenberg, who will receive the Dorothy Beatty Award, and Judge Louise Scrivener, who will receive the Rosalyn Bell Award, are both excellent examples of women who personify the mission and values of the Women's Law Center.

In preparation for the 30th anniversary celebration at the annual meeting, we contacted several of the organization's leaders from over the years. They included founding members who came together for mutual support to fight blatant sex discrimination, Board members who organized \$5 fundraisers to help meet payroll and visionaries who guided the organization through growth pains as it enhanced its structure and fundraising capacity. We invited these leaders to share the milestones, the challenges and the accomplishments of the organization. As so often happens when a group of women gets together to talk, there was lots of laughter, some swapping of pictures of children and grandchildren and an overwhelming sense of camaraderie and shared purpose.

Listening to the organization's leaders reminisce about the Women's Law Center's history, and what it meant to them personally, was truly inspiring. Their vision for change was clear, their commitment to women's rights was unwavering, their ability to respond appropriately to nurture an organization through all its stages of growth was impressive and their commitment to one

another, even during disagreements, was unambiguous.

The organization and the legal community have benefited from the talents of very bright, insightful and spirited women and their commitment to improving women's rights through their work with the Women's Law Center. This tradition continues as the current Board completes a strategic plan to guide the organization into its 4th decade.

Please join us on November 13th to hear from a few of the gifted leaders of this organization. This is sure to be a moving and inspirational presentation – and will include some great stories. See our display of Women's Law Center memorabilia. You may even see a picture of yourself! I hope you will be able to join us for the reminiscing and celebrating.

L. Tracy Brown

Request for WLC Memorabilia

To commemorate 30 years of excellence in the pursuit of justice and equality for women, we are creating an archive of WLC memorabilia. The archive will include items such as letters, publications, brochures, event programs, photographs and much more that will represent the legacy of the WLC. Some of these items will be displayed at the 30th Anniversary Celebration and Awards Ceremony on November 13. We would greatly appreciate your support and contributions to this endeavor. Please clean out your file cabinets and basements! If you have interesting memorabilia that you would like to donate, please contact us at 410-321-8761.

WLC Attends the MSBA Convention *2002 Pro Bono Award Received*

The 2002 Maryland Pro Bono Service Award sponsored by the Pro Bono Resource Center was presented to the Women's Law Center during the Maryland State Bar Association's 2002 Annual Meeting in Ocean City. Gwen Tromley, President of the Women's Law Center, accepted the award on behalf of the Board and volunteers. Several Women's Law Center Board and staff members were able to attend the Annual Meeting and participate in the award ceremony.

This prestigious award recognizes the WLC for its demonstrated dedication to the development and delivery of legal services to the poor through the Family Law Hotline that has provided countless hours of free legal information and advice by answering almost 3,000 calls each year. It also recognizes the tremendous contributions of the volunteer Board, including the management of current projects

and development of new initiatives. It was extremely gratifying to have the accomplishments of the organization acknowledged during the MSBA annual meeting. The award was especially meaningful since it comes during the celebration of the WLC's 30th anniversary.

The WLC also sponsored a booth in the vendor area of the Annual Meeting. This was a wonderful opportunity to describe the mission and services of the Women's Law Center to many members of the legal community. New members and Family Law Hotline volunteers were solicited. We also had the chance to greet our many current volunteers and supporters. The WLC display included brochures, descriptions of programs and publications for sale. And, very importantly, we gave away candy and WLC 30th anniversary pencils!

Paid Family Leave Passes in CA

California recently became the first state in the nation to create a comprehensive paid family leave program. Under this landmark legislation, workers are allowed to collect partial wages for up to 6 weeks while they take time off to care for a new child or a seriously ill family member, including a parent, child, spouse or domestic partner. Under the existing federal and state Family and Medical Leave Act, the 12 weeks of guaranteed leave are unpaid.

The benefit under the new California law is funded totally by the employee through contributions to the existing State Disability Insurance system. The average contribution is \$26/year. The benefit will replace up to 55% of the worker's wages.

Advocates across the nation lauded California as the first state to acknowledge that no one should have to choose between caring for a family member and bringing home a paycheck.

Paid parental leave has been a major legislative priority for the Women's Law Center. Unsuccessful proposals have included payment of unemployment benefits for up to 12 weeks immediately following the birth or adoption of a child. The victory in California may spur Maryland and other states to consider other funding options for paid parental and family leave. The Women's Law Center will continue to be active in efforts to reach this goal.



*At the MSBA Conference (left to right):
Gwendolyn Tate (POARP Supervising Attorney), Susan Elgin (Board Member), Tracy Brown (Executive Director), and Chief Judge Robert Bell*



Maryland Implements New Pro Bono Rule

WLC offers easy pro bono opportunity and reporting assistance

The face of pro bono is changing in Maryland. Effective July 1, 2002, the Court of Appeals revised the Rules of Professional Conduct and adopted three new rules relating to pro bono service. Now, all Maryland attorneys are strongly encouraged to provide 50 hours of pro bono service each year. This service is "aspirational," not mandatory, but all attorneys will be required to submit a pro bono report annually in order to maintain bar certification.

As revised by the Court of Appeals, Rule 6.1 of the Maryland Rules of Professional Conduct recommends that lawyers strive to render 50 hours of pro bono service annually, with a substantial portion of those hours being devoted to representing the poor or organizations that advance the needs of the poor, without expectation of fee or with the expectation of a substantially reduced fee. An attorney may also fulfill her pro bono service by providing legal assistance at clinics, visiting shelters, staffing legal service hotlines (such as the Family Law Hotline operated by The Women's Law Center of Maryland), serving as mentors, training volunteer lawyers and actively pursuing systemic change to improve Maryland's legal services delivery system. The revised rule leaves in place a provision permitting lawyers to discharge their pro bono responsibility by making financial donations to legal services organizations of their choosing, such as the Women's Law Center.

The three new rules adopted by the Court of Appeals establish a framework for implementing, tracking and evaluating this wholesale change to the legal services landscape. Rule 16-901 establishes a Standing Committee of the Court of Appeals on Pro Bono Legal Ser-

vice; Rule 16-902 provides for the creation of Local Pro Bono Committees and plans in each county and Rule 16-903 requires lawyers to report their pro bono activities annually.

The Standing Committee will be comprised of eight lawyers, a member of the public defenders office, a circuit court judge, a district court judge, a legal services organization representative, and a member of the public. This committee will serve as a clearinghouse for pro bono materials, study long-range pro bono issues, receive plans and annual reports from Local Pro Bono Committees and non-confidential data from individual Lawyer Pro Bono Reports, offer guidance to Local Pro Bono Committees, and prepare a State Pro Bono Action Plan for submission to the Court of Appeals by July 2005.

Each county in the State will have a Local Pro Bono Committee which will be responsible for assessing the need for pro bono service in each county and the resources available to meet those needs. These local committees, made up of lawyers, legal services representatives, and members of the public, will then develop "Action Plans" to address the unmet needs for legal services. Local pro bono committees in neighboring counties, with the approval of the Standing Committee, may develop single Action Plans to address regional needs.

Finally, all Maryland licensed attorneys will be required to file annual Pro Bono Legal Service Reports stating the number of hours of pro bono service they rendered or contributions they made to legal services organizations in the previous year. The

reports, which are confidential, will be distributed by early January and due by February 15th. *Since this Pro Bono rule change became effective July 1, 2002, Maryland attorneys will be expected to file reports by February 15, 2003 for pro bono service performed in 2002.* As a direct benefit for Women's Law Center volunteers, WLC will be tabulating volunteer hours for 2002 and sending a report to each volunteer in time for the February 2003 filing date.

A lawyer who fails to file a Report after receiving notice of default will be decertified and prohibited from practicing law. Filing the delinquent Report can recertify the lawyer. A lawyer cannot be decertified for not performing pro bono service - - *only* for not filing the Pro Bono Legal Service Report. The purpose of required reporting is to obtain accurate information about the amount and nature of pro bono service being rendered by Maryland lawyers, to track the results of the Local Pro Bono Action Plans, and to provide reliable data from which to make decisions regarding the funding and planning of legal services programs and initiatives.

We don't have to tell you that the unmet legal needs of the poor in Maryland are overwhelming! The phones on both of the Hotlines operated by The Women's Law Center of Maryland ring off the hook, every day, all day. The doors of our courthouse-based protection order advocacy programs are clogged with battered women and men seeking the legal protection from domestic violence. These new pro bono rules will go a long way toward increasing the

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 delivery of critical legal services to those who need it most. The Women's Law Center applauds the Court of Appeals for its leadership, and looks forward to helping make these aspirational goals a reality.

What you can do to fulfill your Pro Bono responsibility:

- Volunteer for the Family Law Hotline – call (410) 321-8761 – we'll send you a summary of your pro bono hours for 2002 in time for filing in 2003!
- Explore other pro bono service opportunities by contacting the Pro Bono Resource Center at (410) 837-9379 or (800) 492-1964, extension 261 or pbrc@probonomd.org.
- Donate money to the WLC or other organizations that provide legal services to people with limited means.

This summary of the new pro bono rules is based on, and in part excerpted from, information provided by the Court of Appeals through its website: <http://www.courts.state.md.us>.

Staff Hellos & Good-Byes

Administrative Assistant **Carmen White** has returned to her beloved San Francisco, California. We wish Carmen all the best and thank her for her dutiful service to the WLC. Please join us in welcoming our new Administrative Assistant, **Krista Smith**. Krista graduated with honors from the University of Maryland, Baltimore County in Spring 2002. She will begin law school next fall and plans to become an advocate for children with special needs. We also welcome our new intern, **Rachel Stacy**. Rachel is a senior at Towson High School. After graduation in June, Rachel plans to attend college where she will study International and Peace studies.

Thank You FLH Volunteers

The Women's Law Center would not have received the Pro Bono award without the dedication and hard work of the Family Law Hotline volunteers. As Judge Albert Matricciani and Judge Kathleen O'Ferrall Friedman stated in the nomination papers, the Family Law Hotline is an "innovative and critical program [that] has allowed hundreds of attorneys to provide rewarding and useful service to the community. As a result, countless Maryland citizens have received expert legal information and

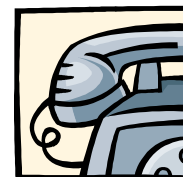
advice." The Family Law Hotline provides a convenient way for experienced family law attorneys to comply with the "aspirational" goal of 50 hours per year of pro bono service.

We know that the Hotline is "exceptionally successful" thanks to our many committed volunteers.

We would like to thank the following volunteers who worked on the Family Law Hotline between January 1, 2002 and September 30, 2002:

- Nancy Allen
- Meg Attanasio
- Charles Balint
- Ruben Ballesteros
- Zoa Barnes
- Michael Blum
- Stephen Britz
- Harry L. Chase
- John Condliffe
- David Diggs
- John Doud, III
- Catherine Drummond
- Dorothy Fait
- William Fanning
- Elizabeth Farquhar
- Conrad Fleck
- Jo Fogel
- Theresa A. Furnari
- Sally Gold
- Donald Goldbloom
- Barbara Gorinson
- Dennis Gottesmann
- Roanne Handler
- Michele Hansen
- Dorothy Haynes
- Fred Hecker
- Suzanne Hood
- Kristine Howanski
- Kathleen Huber-Scott
- Robert Kahoe
- Frederick Kobb
- Mary Kramer
- Albert Laisy

- Susan Land
- Martin Lessans
- Phillip Levin
- Leah Lewis
- Christine Malagna
- V. Peter Markuski
- Shirley Massey
- Lynn Mathias
- William Mitchell
- Cynthia Mulligan
- Barbara Novak
- Joseph Paradiso
- Frederick Raab
- Charles S. Rand
- Ralph Rothwell, Jr.
- Leonard Schwartz
- Judith Shub-Condliffe
- M.L. Smith
- Linda Spevack
- Bobbie Steyer
- Amy Strent
- Rebecca Taylor
- Marty Voelkel-Hannsen
- Jane Wiley



30 Years of Advancing Women's Legal Rights

This article originally appeared in the August edition of the Maryland Bar Bulletin.

The Women's Law Center turned 30 this year. The organization was formed because a group of women attorneys and law students saw that women needed legal representation that specifically addressed their needs, particularly in the area of discrimination. Since then, the Law Center has been a leading voice for equality of legal rights for women. Its history parallels, and reflects, the many social and legal changes that have affected women attorneys and litigants over the past three decades.

To assess how far we've come and the Women's Law Center's achievements, it is informative to consider its early priorities. During the 1970s, as now, the Law Center

took the lead in current issues. For instance, we submitted an amicus brief supporting a woman's right to continue using her birth name after marriage. Our advocacy on behalf of a pregnant teacher resulted in rejection of the rule requiring women teachers to take maternity leave after the fifth month of pregnancy. We negotiated a policy change that allowed a married woman to establish credit in her own name. These causes seem anachronistic now. Nevertheless, they demonstrate the status of women at that time, especially regarding the vital issues of identity and independence.

In the '80s, information was an essential tool to empower women. The Women's Law Center was determined to provide reliable and accessible information to women and the legal community. Its publications initiated during the 80s, and which continue to be valuable resources to the public, include: *Legal Rights in Marriage and Divorce*, *Legal Rights of Unmarried Cohabitants* and *Battered: What Can You Do*, and *Sex Discrimination in Employment*.

Today, the Law Center is developing a publication that outlines the steps to establishing and maintaining financial security at all stages of life. Board President Gwen Tromley observes, "Members tell us that our publications are one of the most valuable benefits of membership. And I was especially pleased to see our publications offered to clients of family law practitioners on the Eastern Shore."

During the 90s, the Women's Law Center continued its work to improve the public's access to the courts by demystifying the legal system. The Law Center devel-

oped two award-winning hotlines that have assisted thousands of individuals in addressing their legal needs. The first of these, the Family Law Hotline, provides legal information and advice about family law matters five days a week through a partnership with the Legal Aid Bureau. Two of these days are staffed by the Law Center's volunteer attorneys. In addition to helping callers, the Hotline is an excellent opportunity for attorneys to fulfill their pro bono responsibilities in a convenient and rewarding manner. The second hotline, called the Legal Forms Helpline, assists pro se litigants in completing domestic relations forms.

Domestic violence remains a relentless and insidious problem for women. It harms the physical and mental health of the victim and her children, and interferes with her ability to work and care for her family. Three decades ago, there were no legal services available to address the victims' needs. Women's Law Center members worked for laws that now protect victims of domestic violence. Today, the indispensable role of the courts in protecting victims of domestic violence is well established. In partnership with the House of Ruth, the Law Center operates the Protective Order Advocacy and Representation (POARP) projects in several jurisdictions, including the newly opened office in Baltimore County. Lawyers in these programs represent victims of domestic violence, at no cost, in Protective Order hearings.

Despite substantial advances, women lawyers and litigants still encounter persistent barriers. The

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Changing the Face of Justice: Honoring Governor Glendening

The Specialty Bars of Maryland are co-sponsoring a gala evening honoring Governor Parris N. Glendening for his courage and commitment to the appointment of women and minorities to judge-ships.

The event will be held on Thursday, November 21, 2002 from 6 to 9 pm at the University College Inn and Conference Center located at 3501 University Boulevard East, Adelphi, Maryland.

Tickets are \$80. Checks should be made payable to The Governor's Gala and mailed to 8 Randall Street, Annapolis, Maryland 21401. For more information, call 410-263-0060.

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ABA Commission on Women in the Profession's report *The Unfinished Agenda* cites, among these, gender stereotypes, inadequate access to support networks, limiting workplace structures, sexual harassment and gender bias. Although Maryland's Select Committee on Gender Equality reports significant decrease in the impact of gender bias in the courts, it observes that disturbing vestiges linger. Continuing challenges include troubling reports of inappropriate judicial conduct, workplace discrimination and harassment, and inequities in the disposition of family law cases. These and other issues have informed the Women's Law Center's current work. The Law Center's Judicial Selections Committee evaluates candidates on several factors, including perspective on women's issues in the legal system. The Law Center is researching the factors that influence financial distribution in divorce and custody decisions. Future plans include possible projects to address gender issues in employment law.

"The Women's Law Center has been a leader, and partner with others, in shaping the development of women's rights in Maryland," says Ms. Tromley. "As it moves into its fourth decade, the Women's Law Center remains firm in its commitment to securing a legal system that is free of gender bias." At its Annual Meeting in November, the Law Center will celebrate its 30th anniversary, and its legacy of advocating for justice and fairness for women.

WLC Urges AG to Investigate "Crisis Pregnancy Centers"

In August, the Women's Law Center of Maryland joined with other organizations concerned about civil rights and reproductive rights in asking the Maryland Attorney General, Joseph Curran, Jr., to investigate the practices of so-called "Crisis Pregnancy Centers."

A recent study by Maryland NARAL (National Abortion and Reproductive Rights Action League), found that these centers provide women with unplanned pregnancies with only limited information about their reproductive health options. In particular, the study found that the centers routinely failed to provide information about abortion services. In a letter to the Attorney General, the Women's Law Center expressed a concern that women seeking reproductive health care services are "not receiving the comprehensive, reliable and non-biased information about their reproductive health options to which they are legally entitled." The letter informed the Attorney General that the "deceptive practices" engaged by the crisis pregnancy centers prevent women from making fully informed decisions about their medical options. This deception endangers women's health and "directly interferes with a woman's constitutionally protected right to choose."

The WLC urged the Attorney General, as part of his commitment to consumer protection, to scrutinize the practices of crisis pregnancy centers in Maryland. So far, the Attorney General's office has not indicated whether it will conduct an investigation. WLC will be following the issue. Stay tuned.

Kudos to Members And Staff

Women's Law Center members and staff are everywhere and are doing great things! The following members are recognized for their contributions to the legal community:

Rebecca Korzec, Professor, University of Baltimore School of Law, was appointed as co-chair, with the Honorable Lynne Battaglia, of the Baltimore City Bar Association's Special Committee on Gender Issues and as a member of the MSBA and Judiciary's Select Committee on Gender Equality.

Dorothy Lennig, Director, House of Ruth Legal Clinic, received the Daily Record's Maryland Leadership in Law Award.

Jessica Morgan, WLC Operations Manager, was elected to the Democratic Central Committee representing Council District 1 in Baltimore County.

Jane C. Murphy, Director of Clinical Education, University of Baltimore School of Law, received the Benjamin L. Cardin Distinguished Service Award from the Maryland Legal Services Corporation.

Gusty Taler, member and WLC MEDOVI project staff, was appointed to the Commission on Racial and Ethnicity Fairness in the Judicial Process.

Halee Weinstein was appointed to the District Court of Maryland for Baltimore City.



Legal Round Up: A Summary of Noteworthy Cases...

Litigation

Alimony

Karmand v. Karmand, ___ Md. App. ___ (CSA No. 01-518, filed July 2, 2002): The Court of Special Appeals upheld the trial court's exercise of discretion in denying the appellant-husband's request for indefinite alimony. Here, both parties were about 60 years old and had been married for 20 years. The husband earned \$67,000 and the wife earned nearly \$200,000. Finding that both parties were self-supporting and that their standards of living were not unconscionably disparate, the trial court declined to award indefinite alimony. The appellate court upheld the trial court's findings, stating "A mere difference in earnings of spouses, even if it is substantial, and even if earnings are the primary means of assessing the parties' post-divorce living standards, is not automatically establish an 'unconscionable disparity' in standards of living." Slip. op at 20.

Interspousal Immunity

Bozman v. Bozman, ___ Md. App. ___ (CSA No. 1167, filed September 4, 2002): The Court of Special Appeals reaffirmed that the doctrine of interspousal immunity "remains a part of Maryland's common law." Slip. op at 1. In this case, the husband appealed from an order of the Circuit Court dismissing count one of his amended complaint against his wife on the ground that it was barred by interspousal immunity. Finding that the tort of malicious prosecution "is not so outrageous as to bring it within the narrow exception to the doctrine of interspousal immunity," (*id.*) the court affirmed the decision dismissing the

complaint. The husband had originally filed a complaint for malicious prosecution against his wife because she initiated three criminal charges against him, including stalking, harassment and multiple violations of a protective order. The wife filed a motion to dismiss the complaint, stating in part that the doctrine of interspousal tort immunity barred the suit (the original complaint was amended and the issue of immunity was raised again). The husband argued that the wife's criminal charges (which he alleged were false) amounted to an intentional deprivation of his liberty. The trial court disagreed. Although the CSA affirmed the dismissal of count one, it vacated the lower court's dismissal of count two of the complaint and remanded the case. Writing for the CSA, Judge Barbera included an extensive analysis of the legal history of interspousal immunity.

Joint Legal Custody

McCarty v. McCarty, ___ Md. App. ___, 2002 WL 31120004, (CSA No. 0171, filed September 26, 2002): The Court of Special Appeals affirmed an award of joint legal custody for a 3 year old girl, stating that the trial judge's decision awarding the parents joint legal custody (physical custody to the mother) did not constitute an abuse of discretion. At trial, the husband sought joint legal and joint physical custody, while the wife sought sole custody (both legal and physical). The trial judge awarded physical custody of the couple's young daughter to the mother, but awarded joint legal custody to both parents. The mother appealed that decision to the Court of Special Appeals, arguing that the joint legal custody award was improper

because she was unwilling to share legal custody and because the parents had an inability to communicate effectively with each other. The CSA rejected the mother's arguments, stating "a mere reluctance to participate [in joint legal custody] is not tantamount to a refusal to participate," (*4) and that, as a result of counseling, the record before the trial judge showed that the parties' "communicative situation [had been] brought up to an acceptable level." (*6).

Sexual Harassment

Ocheltree v. Scollon Productions, Inc., ___ F. 3d ___, 2002 WL 31261098 (4th Cir. (S.C.)): On appeal by an employer of a sexual harassment case brought by a female employee, the Court agreed with the employer that there was no evidentiary basis for a jury verdict awarding compensatory and punitive damages to the employee. The 4th Circuit reversed the lower court's denial of the employer's motion for judgment as a matter of law and remanded the case. The employee was the only female working in a section of a costume company production plant. Although she testified at trial to being subjected to several incidents of offensive sexual behavior by her male co-workers and a daily barrage of sexually explicit jokes and sexually vulgar language, the 4th Circuit determined that "there was no evidence demonstrating that the offensive behavior...was gender-related," *4, and that the employee "would have been exposed to the same atmosphere had she been male." *Id.* Characterizing the offensive incidents as "isolated," *5, and the sexual language as "banter," *id.*, the Court found that the female employee had failed to establish a

...Studies and Trends

cognizable hostile work environment claim and reversed the lower court's ruling. Circuit Judge Michael wrote a lengthy dissent.

Custody: Parental Alienation

Huber v. Huber No. 01-772, filed April 12, 2002. Unreported: On appeal from a custody order, the Court of Special Appeals, in an unreported opinion, affirmed a judge's consideration of parental alienation, and ruled that in a custody case, a court may consider "all factors that are applicable to the case," slip op. at 10, including the issue of parental alienation. In the couple's custody case, the trial court placed the couple's daughter with her mother and the father appealed, arguing that the court did not properly consider the factors enumerated in *Boswell v. Boswell*, 352 Md. 204 (1998) and that the court improperly considered the additional factor of parental alienation. *See id.* at 6-7. In its opinion, the CSA reviewed the case law outlining the various factors to be considered by a judge in order to make a custody determination, and emphasized the unique nature of each custody case: "As has so often been stated, because each case involving custody is unique, a court may also consider whatever additional factors are relevant to determining the best interest of the child." *Id.* at 9.

Studies & Publications

Permanent Protection Orders

A one-year study conducted by the University of Washington found that permanent protection orders, which in Washington State last approximately one year, increase safety for victims of domestic violence. Women in the study who had per-

manent protection orders were 80% less likely to experience physical violence in the year after the order than women without protection orders. Women with temporary orders did not experience increased safety and incidents of abuse actually increased. This research is reported at jama.ama-assn.org/issues/v288n/toc.html.

Reproductive Health Care in Catholic Settings

Catholics for Free Choice recently published *Merger Trends 2001: Reproductive Health in Catholic Settings* which analyzes the rate of mergers between Catholic and non-Catholic hospitals and the impact on reproductive health services. Over the past 11 years, there have been 171 Catholic hospital mergers, with the smallest number occurring in 2001. A record number of Catholic hospitals were sold during 2001. However, many were sold with the restrictions on reproductive services in place. Catholics for Free Choice reports that its advocacy efforts make it more difficult for mergers to occur without scrutiny, thereby reducing the negative impact on reproductive health options.

Lesbian and Gay Domestic Violence

Several recent law review articles analyze issues surrounding lesbian and gay domestic violence:

- *Same Sex Domestic Violence: Claiming a Domestic Sphere While Risking Negative Stereotypes* by Nancy J. Knauer, 8 Temple Policy & Civil Rights Law Review 325 (1999).
- *Trouble in Paradise: Barriers to Addressing Domestic Violence in Lesbian Relationships* by

Krisana Hodges, 9 Law & Sex 311 (1999-2000).

- *Reconsidering the Abuse That Dare Not Peak Its Name: A Criticism of Recent Legal Scholarship Regarding Same-Gender Domestic Violence* by Kyiah Lilith, 7 Michigan Journal of Gender & Law 181 (2001).

Identity Theft on the Rise

Maryland has experienced a significant increase in complaints of identify theft. Maryland ranks 4th in the country for number of identify theft victims per 100,000. Family Law Hotline attorneys have been receiving reports of identity theft, and the national news has recently reported on several major identity theft scams. Some states, such as Iowa, are considering establishing an "Identity Theft Advocate" position to work with credit bureaus and other businesses as well as with state offices, such as Motor Vehicle Administration, to limit the damages suffered by victims.

The problem of identify theft has a disproportionate impact on low and moderate income people who may lose financial resources needed for the basic necessities of life, and whose credit may be marginal to begin with and will therefore be harder to re-establish after being destroyed by "theft".

The People's Law Library website (www.peoples-law.org) contains information about identify theft including a list of steps to take immediately to minimize the damage to credit and a description of legal protections against identity theft. This information can be helpful to clients and attorneys who are advising them.



Maryland IOLTA Honor Roll

The Maryland Legal Services Corporation and the Maryland State Bar Association have instituted a financial institution Honor Roll Program to help sustain funding for civil legal assistance programs. This program recognizes financial institutions that commit to pay an annual net yield of at least 2% on IOLTA accounts. The interest from IOLTA accounts is used to fund many important legal services programs, including the Women's Law Center.

As interest rates have declined over the past decade, the funds available to fund legal services have declined significantly. The current average interest rate on IOLTA accounts is only 1.13%. The institutions that commit to pay a higher annual yield make a significant contribution to insuring legal services for Maryland citizens.

The following financial institutions are currently members of the IOLTA Honor Roll. All WLC members are encouraged to use these institutions or ask their current institution to join the Honor Roll.

Allfirst Bank
American Bank
Bay National Bank
BB&T
Bradford Bank
First United Bank & Trust
Hagerstown Trust Company
Harbor Bank of Maryland
Key Bank & Trust
Maryland Bank & Trust Company
Maryland Permanent Bank
NBR Financial
Provident State Bank
Sandy Spring Bank
Susquehanna Bank

WLC Participates in Conference on Stalking

On September 18th and 19th WLC staff attorneys Ellen Hare, Donna Rismiller, and Gwendolyn Tate attended "Understanding Stalking Cases –Building a Foundation: Dotting the I's and Crossing the T's." This conference was presented by the Maryland Network Against Domestic Violence in cooperation with the Stalking Resource Center, a program of the National Center for Victims of Crime.

In addition to being a great opportunity to network and share experiences with fellow attorneys, law enforcement, and other domestic violence advocates, the program included excellent speakers and informative workshops. Speakers on the first day of the conference included Maryland Attorney General J. Joseph Curran, Jr.; Donna Hurst, a domestic violence survivor and Co-Founder of the Sacramento Area Stalking Survivors; and Eugene A. Rugala, Supervisory Special Agent of the Federal Bureau of Investigation.

After lunch, the conference divided into three workshops focusing on stalking cases from the law enforcement perspective, from the prosecution and judicial perspective, and from the advocate and medical personnel's perspective.

After finishing the workshops on day two, Captain Mel Blizzard and Captain Larry Suther of the Baltimore County Police Department presented a Case Study of the Joseph Palczynski Hostage Incident.

The conference was an excellent resource for WLC staff to learn how to advocate for domestic violence victims who fear that they are being stalked by their abusers. Through the presentations and writ-

Calling All Cell Phones!

Have you upgraded your cell phone recently? Have you had to get a new cell phone because you switched providers? Do you have an old cell phone you're not using? The Women's Law Center will gratefully accept your (tax deductible) donations of cell phones to assist victims of domestic violence in emergencies.

The phones do not need to have incoming service or a service provider – we will reprogram them so they can be used for emergency 911 calls only. This is a terrific way to help us help victims of domestic violence. Just delete any personal information from your phone (such as personal phone numbers) and send or drop off the phone and charger or other unwanted equipment at The Women's Law Center of Maryland, 305 W. Chesapeake Ave., Suite 201, Towson, MD 21204. Call for more information.

Verizon Wireless has also recently launched a cell phone collection program (called Hope-line) to aid victims of domestic violence. This program was announced by Verizon Wireless and the Maryland Family Violence Council. Donations to the Hope-line program can be made at any Verizon Wireless store.

ten materials provided, WLC staff learned the complexity of prosecuting stalking cases and how to better prepare clients for these cases by logging their stalkers actions. More importantly, staff attorneys learned invaluable safety tips to help victims further safeguard against stalking behavior.

Thank Yous from Clients

The following is a letter that was sent to WLC attorney, Melissa Mineo. Melissa is a staff attorney working in the Baltimore City Protection Order and Representation (POARP) Project in the Baltimore City Circuit Court.

Dear Melissa,

I would like to thank you for everything you have done for me. I really don't think I would have made it without you. No matter what happens I really appreciate your support. I know we met under terrible circumstances, but I hope we can keep in touch. I consider you a true friend.

Thank you so much,
Diane*

* Name has been changed.

Next is a letter that was sent to the WLC by a woman who called the Family Law Hotline. The attorney staffing the Hotline on the day that this call was received was Jennifer Terrasa.

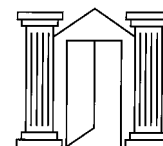
"This letter of thanks is written to each and every one of you who took their time to show your kindness, generosity, and to provide advice to me when I thought I had nowhere to turn. It has taken me a long time to put down into words how your actions moved me...

...When I called the Family Law Hotline I reached Angel #3...Aware of my mental anguish she continued talking to me and calmed me down. She proceeded to tell me that I was able to answer the emergency papers along with the complaint to modify support. Not knowing one thing about the law, procedure or filing, she talked me through the whole entire ordeal. I received so much knowledge and

she would be quite pleased to know that I think I did pretty well. My thanks go out to this special woman. I never met this Angel #3 but her kindness and caring will live on in my heart..."

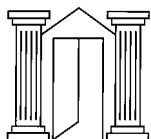
Great job, Melissa and Jen!

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



UNITED WAY, CCC, MCC,
CFC CAMPAIGN CODE:
3096

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



YES! I accept your invitation to join the Women's Law Center — advocating for the legal rights of Maryland's women and children!

\$50 \$100 \$250 \$500 \$1,000 Other \$_____

Name: _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____

Phone: _____ Fax: _____

VISA Mastercard

Card #: _____ - _____ - _____

Exp. Date: _____

Signature: _____

**RETURN COMPLETED
FORMS TO:
The Women's Law Center
305 W. Chesapeake Avneue
Suite 201
Towson, MD 21204
Fax Credit Card Orders to:
(410) 321-0462.**

A copy of our current financial statement is available upon request by contacting the Women's Law Center. Documents and information submitted to the State of Maryland under the Maryland Charitable Solicitations Act are available from the Office of the Secretary of State for the cost of copying and postage.



305 W. Chesapeake Avenue
Suite 201
Baltimore, MD 21204

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WLC Annual Awards Dinner, November 13

*5:30 p.m. at the Marriott Waterfront Baltimore , 700 Aliceanna Street
Registration Form*

Name: _____

Organization/Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

List Additional Registrants for Nametags: _____

Ticket and Sponsor Costs	Amount	Enclosed
WLC Member	\$65 each	\$ _____
Non-member	\$75 each	\$ _____
Tables of Ten	\$650	\$ _____
Total Enclosed		\$ _____

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
Market value for this event is \$40.