



NEWSLETTER

June 2022

President's Message

By: The Honorable Dino E. Flores, Jr., BAFC President

"In these uncertain times..." I am so tired of that phrase and every permutation of it. And of course, we are all tired of the pandemic and the problems it has caused all of us. Aside from the personal havoc it has wreaked in all our lives, our profession has been greatly affected. While the Courts are now back to Phase V (normal operations), we are still mindful of issues related to illness and infection. Frederick County recently reclassified our community COVID level as moderate and our transmission level as high, so the County recommends we all consider wearing masks indoors in public spaces. No one expects mask mandates to return, but the possibility always remains.



Remote hearings are still permitted in court, and I would suggest all attorneys review the Report of the Joint Subcommittee on Post-COVID Judicial Operations. View it [here](#). Section II-C highlights recommendations of when remote hearings are presumptively appropriate and in which situations they are presumptively inappropriate. A party, witness or attorney still needs to request Court permission to appear remotely. "It is not convenient for me" has never been an acceptable justification for a remote appearance, particularly now when we are operating all courtrooms normally. And no, it was not a Frederick County attorney that used that as his reason for not wanting to come to court here.

The Pandemic has affected this Bar Association as well. It has impacted our ability to gather in person, but thankfully we are back to having monthly luncheons and other events in person. We have noticed a decrease in membership renewals as well; this is the time of the year when we are striking former members from the official membership list.

The Maryland State Bar Association has also seen a decrease in membership. The Annual Legal Summit in Ocean City takes place beginning May 31, and I will be there representing our Bar. I know of quite a few other members of the BAFC that will be in attendance. Our profession needs to keep moving forward. The best way to do that is to stay together and unite for the common good. Please encourage your colleagues to remain involved with BAFC. I hope to

see some of you in Ocean City, and most of you at the next luncheon on June 7, 2022, at noon in the Delaplaine Arts Center. Our sponsor is Community Living, Inc., and our guest speaker will be State Sen. Michael Hough, who has served on the Judicial Proceedings Committee since 2015. Lastly, don't forget to buy your Frederick Keys July 8th baseball game tickets before the June 21st deadline.

A Bar Association of Frederick County Special Event



BAFC Friends & Family Night at the Frederick Keys

Friday, July 8

*Game starts at 7p.m.

*5p.m. Pre-game picnic sponsored by



McNees begins at 5p.m.

Plus  **FIREWORKS** after the game!

**The last day to purchase tickets will be Tuesday, June 21st.
There will be no refunds after June 21st.**

[Purchase Tickets Here.](#)

SECTION UPDATES

Young Lawyers Section

The **Young Lawyers Section** asks BAFC members to **save the date** of **September 10th for Brewfest at the Farm 2022** at Still Point Farm and Milkhouse Brewery. This fundraising event will benefit Camp Jamie. Look for volunteer signups this summer! Volunteers get free admission to the event.

Beginning in June 2022, the Young Lawyers section **Circuit Representative Liaison** will be **Clark Adams**.

For more information about the Young Lawyers Section, please email bafcyls@gmail.com.

Family Law Section

The **Family Law Section** has been invited to join the Business Law Section's presentation, **"What the Practicing Attorney Needs to Know about Business Valuation,"** with Alan Zipp, CPA, PC on **Tuesday, June 28th at 4:30pm**. **PLEASE RSVP** to: Rebekah Lusk, rlusk@lusk-law.com. It is

tentatively set to take place at her office: Where: Lusk Law, 113 E. Church St, Frederick, MD but that is subject to change based on the number of people responding.

For more information about the Family Law Section, please contact Carin Golze at Carin@WinikLaw.com.

Business Law Section

The **Business Law Section** would like to invite all attorneys to a presentation “**What the Practicing Attorney Needs to Know about Business Valuation**” by speaker Alan Zipp. The presentation will be on **June 28th from 4:30-6p at Lusk Law**. (More details on what to expect can be found in the "Upcoming Trainings/Presentations" section of the newsletter.) To ensure enough space, if you plan to attend **please RSVP to Rebekah Lusk at rlusk@lusk-law.com**.

The **Business Law Section** will meet on **July 21st at 12pm at Lusk Law**. (Zoom available upon request.)

Mark your calendars for an upcoming section presentation entitled “**Mind Your Business: Coordinating Business and Estate Plans to Preserve Value**”. This virtual presentation will be held **September 15, 2022 at 12pm, via Zoom**.

For more information about the Business Law Section, please contact Rebekah Lusk at rlusk@lusk-law.com.

We're on Facebook! Follow us at [The Bar Association of Frederick County, MD](#) for updates, reminders, photos, and announcements.

SALVATION ARMY FISHING TRIP

Friday, July 15, 2022 from 8:30-10:30
a.m.
at Culler Lake

The BAFC once again is sponsoring a morning fishing outing for children attending the Salvation Army Day Camp. We anticipate 40 children will attend this year, and we need your help.



We need:

- At least 30 member volunteers
- 45 fishing poles (to borrow)
- Fishing tackle (bobbers, swivels, and hooks)
- Bait
- Bottled water
- Ice

Anyone who is interested in donating items or volunteering, please contact Ricky Sandy at Richard.Sandy@MDCOURTS.GOV or Mike Moore at MMoore3@statesattorney.us



RECENT EVENTS

Legal Clinic

On May 17, 2022, a group of lawyers and administrative professionals volunteered for The Frederick Center's inaugural legal clinic providing free brief legal advice to the LGBTQ+ community.

Andy Nichols, Lorraine Prete, Carin Golze, Blaine Hoffman and Trevor Addie-Carter were on hand to provide legal advice while Charlene Shapiro, Joanie Raymond and Chelsea Kadish assisted with intake and administrative duties. The Frederick Center hopes this becomes a quarterly event. If you are interested in volunteering at future clinics or in being an attorney on The Frederick Center's clearinghouse panel, please contact Trevor Addie-Carter at taddiecarter@hormannichols.com.



Shown are: Andy Nichols, Johanna Dolan, board member, Joanie Raymond, Lorraine Prete, Charlene Shapiro, Carin Golze, Trevor Addie-Carter, Chelsea Kadish; not pictured are: Blaine Hoffman and Megan LeRoux

BAFC PRACTIONERS AT THE BAR- Judge Edward Schley

by: Tom Slater, BAFC Historian

Judge Edward Schley Delaplaine was one of Frederick's most esteemed members of the bar but might perhaps be most remembered as a historian. Part of the well-known Delaplaine family – his father, William T. Delaplaine, Jr., opened a print shop on South Market Street with his wife's uncle, Thomas Schley, and eventually sold Peerless Paper Meat Sack, real estate, and typewriters. Shortly thereafter, Delaplaine and Schley started a newspaper, The Daily News which eventually morphed into The Frederick News-Post. William T. Delaplaine, Jr. and his wife had four children, the youngest being Edward Schley Delaplaine. When Edward was sixteen months old, tragedy struck the young Delaplaine family. Their 35 year-old father died during a massive winter storm when temperatures dipped below zero and snow covered the ground amidst the Great Blizzard of 1895. This was also the time of one of the worst depressions in American history. Stores were closed throughout Frederick. The elder Delaplaine insisted on delivering needed food and coal supplies to the suffering citizens of Frederick, developed pneumonia, and left four boys without a father in February 1895.

Eventually, each of the four Delaplaine sons played a role in the publication of the Frederick News-Post but Edward, as the youngest, struck out initially on a different path. After graduating at the head of his class from Boys High School in Frederick, he attended and graduated in three years from Washington and Lee College in Lexington, Virginia, where he won honors in debate and track and was selected for Phi Beta Kappa. After college he attended the University of Maryland Law School and was admitted to the bar at age 21. Almost immediately after starting his practice of law, Delaplaine was elected to the Maryland House of Delegates for one term. At the end of World War I he served with the Counsel of National Defense in Washington, D.C. and then returned to practice law in Frederick. His great uncle, Frederick Mayor Gilmer Schley, appointed the young lawyer to be the city attorney where he organized and published the Frederick City Code. Delaplaine was appointed Frederick County attorney in 1934 until Republican Governor Harry Nice appointed him to the Circuit Court for Frederick County and as Frederick's representative on the Maryland Court of Appeals in 1938, where he served until his resignation in 1956.

Not content with only practicing law and being a jurist, Delaplaine was appointed to the Maryland and Virginia Potomac River Commission, which resulted in a compact between the states that was signed at Mt. Vernon in December 1958. Besides the law, "George Schley Delaplaine was a devoted student of history. He was especially fond of biographies as he penned biographies of Thomas Johnson (1937), Johns Phillip Sousa (1983), Francis Scott Key (1947), and John Frederick Amelung (1971). He also wrote about Abraham Lincoln's 1862 trip to Antietam battlefield (1954), wrote a history of Maryland and Law (1964), wrote about the origins of Frederick County (1950), and gave lectures and speeches, becoming known as Frederick's senior author and historian.

Delaplaine served on many boards and commissions and was active in clubs, including the Kiwanis Club, the Red Cross, the Maryland Tercentenary

Commission, the Frederick Centennial Commission, the Star Spangled Banner Sesquicentennial Commission, the Francis Scott Key Memorial Foundation, the Civil War Centennial Commission, the Frederick Landmarks Foundation and was a Trustee of the C. Burr Artz library. St. Mary's College granted an honorary doctorate to Delaplaine just before he died. He was also very active in the Frederick County Historical Society, the John Hanson Society of Maryland, All Saints Episcopal Church, the American Bar Association, the Maryland State Bar Association, and the Bar Association of Frederick County. Long a confirmed bachelor who lived with his widowed mother until her death, Judge Delaplaine married at age eighty and lived on Upper College Terrace until he passed away. He was the last surviving son of the founder of the News Post and was the chairman of the board of the parent company of the newspaper, The Great Southern Printing and Manufacturing Company, at the time of his death.

Sources: interview with George B. Deleplaine, Jr., nephew of Judge Delaplaine, [Read All About It! My Life And Times](#) by George B. Delaplaine, Jr., "The Family Business" (Stories in Stone blog 12/11/20), Edward Schley Delaplaine obituary in the *Frederick News-Post* (5/23/89)



Photos (L to R): 1) A flyer regarding one of Judge Delaplaine's books, 2) Judge Delaplaine's nephew (George) holding the Judge's book on the life of Thomas Johnson, and 3) Judge Delaplaine's house on Upper College Terrace.

SPONSOR SPOTLIGHT - Community Living, Inc.

Community Living, Inc. (CLI) is a nonprofit that supports people who have Down syndrome, autism and other intellectual and developmental disabilities.

A spin-off from the Arc of Frederick County, CLI was founded in 1979 with just two group homes and a mission to provide alternative housing options to people with developmental disabilities who, until that time, often only had state run institutions for housing. Over the years, the organization and number of houses grew, and now we operate 25 group homes here in Frederick. Our residential services are typically provided in three person homes with a full-time staff. We provide support in all aspects of a person's life from medical and personal hygiene to grocery shopping and a wide variety of recreational activities. We have three RNs who manage people's healthcare needs and a maintenance staff that keeps everything up and running.

Since it was founded, CLI has added many services, including Personal Supports (formerly known as Individual Support Services). This is a service provided to people who live with families or on their own and need some additional support for daily life. Oftentimes, people who start out receiving

Personal Supports end up living in CLI group homes. Staff from this department also provide the majority of our respite care – a service designed to give parents and caregivers a break from their daily duties.

Most recently (although it's been 10 years) CLI began providing a wider array of meaningful day services. We operated a retirement program for some years before that for people who no longer wanted to attend traditional day services, but in 2012, the Jeanne Bussard Center – probably the largest day services provider in Frederick County -- closed abruptly. Many people supported in CLI homes were left with no day services and some of them had been going there for 30 years.

CLI was in a position to take over many of those services starting in our office, then moving to a one room facility downtown, then to a location on Wisner Street and eventually to our current Hayward Road location. The program has grown to approximately 60 people (pre-pandemic) and has supported up to 30 people at a time in community-based employment. Day services include day activities, volunteer work, or employment as appropriate and desired by the individual.

We are primarily funded by the Developmental Disabilities Administration, part of the Maryland Department of Health which operates under Federal Home and Community Based Waiver programs. We work hard to partner with local organizations and businesses and have been supported by them in many ways.

We currently support about 160 people with a staff of approximately 190. The youngest person we support is 22 and the oldest is 81!

Our greatest need right now is staff. We need Direct Support Professionals who can work directly with the people we support. We have a variety of positions and shifts and offer good benefits. Candidates don't need experience, just a desire to empower someone to live a better life. We always have volunteer opportunities for people who want to share their talents. Or if physical labor is more your style, you can do an outdoor house cleanup – especially in the fall when the leaves are down. We are also looking to expand our board through our strategic planning process so if you are interested in being part of an organization that makes a difference every day, please contact me, Michael Planz, at michaelp@clifrederick.org.

Frederick County, Maryland has issued a Request for Proposals (RFP) #22-251 for Real Estate Brokerage Consultant, Title and Appraisal Services. The RFP document is available for download through Public Purchase, a government-focused e-Procurement service. Registration information is available at www.publicpurchase.com. Should you need assistance with registering in Public Purchase, please email Allen Daytner, Procurement & Contracting Buyer at ADaytner@frederickcountymd.gov. Proposals are due July 12, 2022 no later than 2:00 PM and must only be submitted electronically through Public Purchase. Proposals can be submitted on only one or more than one of the category of services.



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UPCOMING TRAININGS/PRESENTATIONS

Presentation by the Frederick Business Bar Section

“What the Practicing Attorney Needs to Know about Business Valuation”

Speaker: Alan Zipp

When: **June 28, 2022 4:30pm - 6:00pm**

Where: Lusk Law, 113 E. Church St, Frederick (subject to change depending on # of people attending)

Who Should Attend: Attorneys who practice business law (buy/sell, partnerships, business disputes), family law (specifically divorces), estates & trust, & tax.

Topics You will Learn:

When do you need a Business Valuation?
Different types of Valuations?
What type of valuation do I need for Court?
Do I always need a full evaluation?
What will it cost?
What goes into an evaluation?
Is it just an opinion?
Is the opinion credible?
How to cross-examine a business valuation?

RSVP: Rebekah Lusk, rlusk@lusk-law.com

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Events

- **May 31-June 3: MSBA's Legal Summit and Annual Meeting** in Ocean City.
- **June 7, 12p: BAFC MONTHLY MEETING.** Our speaker will be Senator Michael Hough, who serves on the Judicial Proceedings Committee. Thank you to our sponsor Community Living Inc.
- **June 28, 4:30-6p: The Business Law Section presents "What the Practicing Attorney Needs to Know about Business Valuation" by speaker Alan Zipp.** Lusk Law. **RSVP for space considerations to Rebekah Lusk at rlusk@lusk-law.com**

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www.communitylivinginc.org

LEARN MORE 

Save the Date

o **July 8, 5p: BAFC Night at the Frederick Keys.** Picnic sponsored by McNees Wallace & Nurick, LLC. Purchase tickets [HERE](#). **Deadline to purchase tickets is June 21st.**

o **July 15, 8:30-10:30am: Salvation Army Fishing at Culler Lake.** To help, contact Ricky Sandy at Richard.Sandy@MDCOURTS.GOV or Mike Moore at MMoore3@statesattorney.us

o **July 21, 12pm: Business Law Section Meeting.** Lusk Law. Zoom available upon request.

o **August 2, 12p: BAFC MONTHLY MEETING.** Delaplaine Arts Center. Thank you to our sponsors Amada and Oasis.

o **September 10th: Brewfest at the Farm 2022.** Still Point Farm and Milkhouse Brewery.

o **September 15, 12pm: Business Law Section presentation, “Mind Your Business: Coordinating Business and Estate Plans to Preserve Value”** via Zoom.

[Full Calendar of Events](#)



What's It **WORTH**? How can I **SELL** It?

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**Thank you for supporting
the **Justice For All Fund** last month:**
Ian Bartman

Are You Looking for a Paralegal?

If you are in need of a paralegal, Dr. Tracy Parker, Program Manager for Frederick Community College's Paralegal Program, may be able to help. You can reach Dr. Parker at : 301-624-2819, TParker@frederick.edu, To find out

more about FCC's Paralegal program visit:

<https://www.frederick.edu/programs/business/paralegal.aspx>

BAFC Website

Willing to Take a Pro Bono Case?

The Pro Bono Resource Center has a website called Statewide Opportunities (www.probonomd.org/statewide-opportunities) that shows users a database of pro bono service opportunities, trainings, public interest jobs, etc. around the state. The database can be filtered by county, as well as by specific types of opportunities. For example if you [click here](#), you will see only those opportunities that exist in Frederick County, OR that are statewide, remote, or online.

P.O. Box 3088, Frederick, MD 21705-3088 | info@frederickbar.org | www.frederickbar.org

STAY CONNECTED

