



NEWSLETTER

April 2022

President's Message

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

I was prepared to provide some commentary about the confirmation hearings of Judge Ketanji Brown Jackson to the United States Supreme Court, but something closer to home tragically intervened. Our fellow member and friend to all in the BAFC, Stephen LeRoux, passed away Friday morning, March 25, 2022. Most of our membership were well-aware of Stephen's health struggles, and so many of us were stunned by the suddenness and severity of his illness. Stephen was very active in our association, particularly when it came to pro bono work. Stephen frequently offered his services for little or no cost to people who need assistance. I personally was involved in a mediation where

Stephen was representing his client pro bono, and I saw with my own eyes his dedication to his work and to his client's well-being. Even outside of his legal practice Stephen spent time helping others; he was involved with a local artistic not for profit organization, and he was actively involved in FCPS mock trial competitions. He previously acted as Attorney Coach for Tuscarora High School as well as for his alma mater, Frederick High.



I first met Stephen when I conducted his Character Committee interview for admission to the Bar. He was unsurprisingly a terrific candidate who was admitted to the Bar without a hitch. I remember telling Stephen that he had an advantage in our legal community; he was from Frederick. In our community, being from Frederick County can mean a lot. Stephen later served a clerkship for Judge G. Edward Dwyer, Jr., in the Circuit Court for Frederick County, and went on to live his too-brief professional life in his hometown. And of course, most of us know his wonderful mother Megan, who worked in the Clerk's Office for the Circuit Court for many years, and now works with Heartly House. Lorraine Prete told me that every year on his birthday, Stephen would send Megan flowers to celebrate her giving birth to him. And now she and all of us must move forward. As a personal favor to me, please call your mother if you still can, and tell all your loved ones how you feel about them today. The Bar Association of Frederick County sends our condolences to Megan, Stephen's wife Emily, and to all of Stephen's family and friends. With a nod to Stephen's former partner Alan Winik, we will miss our brother at the Bar.

Member Update

Ethridge Quinn is excited to announce that as of January 1, 2022 **Margaret 'Mimi' Teahan and Morgan Wheeler** have been added as **partners!**

Prior to joining Ethridge Quinn in 2017, Mimi was a career public defender. Since joining Ethridge Quinn, Mimi has focused on the areas of criminal defense, family law, and traffic citations.

Morgan has been with Ethridge Quinn since 2014, where she started as a law clerk. Her practice areas include family law, civil litigation, and criminal defense.

Ethridge Quinn welcomes these fabulous women as partners to the firm!



February 2022 - January 2023

Second Thursday of the Month

12:00 noon - 1:15 p.m.

ALL WORKSHOPS WILL BE VIRTUAL
(WORKSHOPS WILL NOT BE RECORDED)

American College of Trial Lawyers

COURTROOM WORKSHOPS FOR NEW LAWYERS

All Lawyers are Invited/Encouraged to Attend!

Next Workshop - April 14, 2022

**Opening Statement, Demonstration
and Analysis**

FOR THE GOVERNMENT

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Kramon & Graham

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JUDGE PAUL W. GRIMM
United States
District Court

FOR THE DEFENDANT

PAUL MARK SANDLER
Shapiro Sher Guinot &
Sandler, P.A.



PANELISTS:

Judge Paul W. Grimm -
United States District Court
(Moderator)

Judge Keith R. Truffer
Circuit Court for
Baltimore County

Judge Nancy Alquist
United States
Bankruptcy Court

Mary Elizabeth Kaslick
Kaslick & Prete

Richard Burch
Mudd, Harrison & Burch

To Register:
YESENIA@barmont.org

CO-SPONSORED BY:

Anne Arundel Bar Association
Bar Association of Baltimore City
Baltimore County Bar Association
Bar Association of Frederick County
Prince George's County Bar Association



SECTION UPDATES

Family Law Section

The **Family Law Section** will have a **Happy Hour on April 28, 2022 beginning at 4:30 pm at Frederick Social**. We will have the option of gathering both indoors and outdoors. This event is sponsored by Scheuerman Law, LLC. There will be complimentary food along with drinks of your choice.

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

Business Law Section

The **Business Law Section** will meet on **April 21, 2022 at 12pm at Lusk Law**. (Zoom available upon request.)

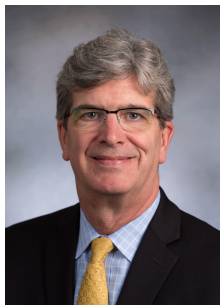
A link to the section's new **quarterly newsletter** can be found [HERE](#).

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.

2022-2023 BAFC Executive Committee



2022 BAFC Executive Committee (Top to Bottom): The Honorable Dino Flores (President), Tim Price (President Elect), Carla Clarke (Treasurer), Mimi Teahan (Secretary), Magistrate Julie Minner (Assistant Secretary), Michael Moore (Assistant Treasurer), and Cristine Evans LoVetro (Past President)

Report from our Bar Historian

by: Tom Slater, BAFC Historian

W. Jerome Offutt celebrated his 100th birthday on August 27, 2017. He was born at the time of the Russian Revolution and America's entry into World War I. Not many people are able to reach their 100th birthday, but reaching his 100th birthday was but one of many accomplishments of "Jerry" Offutt. The W. Jerome Offutt Award is given by the Bar Association of Frederick County annually to a member of the bar for recognition for the advancement of professionalism and civility in the practice of law in Frederick County. Jerry was the first recipient of that award in 2005. He practiced law in Frederick County for more than 75 years. After graduating from college at the age of 19, he actually starting practicing law under the tutelage of David C. Winebrenner, III in 1939 before he was awarded a law degree. He practiced primarily in the area of estates and trusts, real estate and other civil matters. Service to the bar association included Vice President of the Maryland State Bar Association from 1956 to 1960, State Chairman of the Young Lawyers Conference of the American Bar Association, years of involvement in the MSBA Estates and Trust Council and president of the Bar Association of Frederick County. He was also a director of the St. Thomas More Legal Society of Maryland. He was aptly described in the Frederick News-Post as a "Legal Lion" in a February 14, 2015 article. In that article many leaders of the Frederick County Bar Association spoke of his insistence on ethical behavior, old-fashioned manners, and his mentoring of young lawyers.

Jerry's legal sponsor, David C. Winebrenner, III died at the young age of 42 in 1940, but not before being recognized as the undisputed Democratic political leader of Frederick County, serving as Secretary of State of Maryland under his cousin, Governor Ritchie, from 1925 to 1935 as well as serving as chair of the Democratic State Central Committee for Frederick County. No doubt influenced by his mentor, Jerry ran for and was elected to the Maryland House of Delegates in 1942 and served one term.

Not limiting himself to the political area, Jerry became a powerful force in the social and economic fabric of Frederick society. It is hard to imagine anyone who had more influence on the daily lives of Fredericktonians than Mr. Offutt had over the many years that he was active. Just to name a few of his accomplishments: City Attorney for the City of Frederick, attorney for the Board of Election Supervisors, member of the Frederick City Planning Commission, member and president of the Frederick Rotary Club, president of the Frederick Chamber of Commerce, founding director of the Goodwill Industries of Monocacy Valley, director of the Jeanne Bussard Workshop, and lifetime member of the Great Frederick Fair. He also had time to be involved with such organizations as the Maryland Society for Crippled Children and Adults, the Bishop McNamara Council, the Knights of Columbus, Frederick B.P.O.E., Fraternal Order of the Eagles, Frederick County Fish and Game Protective Association, Catoctin Fish and Game Protective Association, Tuscarora Gun Club, Brotherhood of the Jungle Cock, judge of the harness racing program at the Frederick Fair, Sons of the American Revolution, Frederick Farm Bureau, United Fire Company and Jefferson Grange. Needless to say, he was the recipient of many civic and professional awards including the Good Samaritan Award from Frederick Memorial Hospital. In the pre-ZOOM days it is hard to image how busy his schedule must have been, but he still had time for his wife,

children Paul, Thomas, Grace, and William, as well as his ten grandchildren, sixteen great grandchildren, and one great-grandson.

The crowning achievement of his contributions to Frederick was being one of the co-founders of the Community Foundation of Frederick in 1985 along with Donald Linton and Charles Main. The Community Foundation of Frederick has made an indelible impact on life in Frederick since its founding.

W. Jerome Offutt died on June 23, 2018, just about two months short of his 101st birthday. He was truly a "Legal Lion."



Photos (starting top left clockwise): 1) Young W. Jerome Offutt
2) "Older" W. Jerome Offutt
3) W. Jerome Offutt in front of the Offutt building with one of his grandsons.
4) BAFC gathering for W. Jerome Offutt's 100th birthday
5 & 6) W. Jerome Offutt bench in Baker Park



Plaintiff's Tip – Options for filing when an uninsured/underinsured (UIM) claim exists.

By: Steve Campen, Campen & Manganaro

When your client's insurance policy has UIM coverage for more than the liability coverage carried by the at-fault party, he or she has a UIM claim against his or her own carrier. Because we can't stack the UIM coverage on top of the liability coverage, the UIM claim will be for the amount of your client's UIM coverage over that of the liability coverage.

If you are going to file suit in that instance, you have three (3) options to do so:

1. File a tort action against the liable tortfeasor only. If you choose this opinion, you need to put the UIM carrier on notice of the tort action but the UIM carrier does not have to formally defend the uninsured tortfeasor. As long as it is given timely notice of the tort action and a reasonable opportunity to intervene, the UIM carrier is bound by any judgment as to liability and damages. Of course, the UIM carrier can file a Motion to Intervene if it desires to do so. *Nationwide Mutual Insurance Company v. Webb*, 291 Md. 721, 436 A.2d 465 (1981). The plaintiff's insurer can also move to set aside an order of default entered against an uninsured motorist for failure to plead. *Bliss v. Wiatrowski*, 125 Md. App. 258, 724 A.2d 1264 (1999); *Nationwide Mutual Insurance Company V. Webb*.
2. File a breach of contract action against the UIM carrier only. (The claimant is not required, as a condition of recovery against the UIM carrier, to obtain a judgment against the uninsured tortfeasor. *Reese v. State Farm Mutual Automobile Insurance Company*, 285 Md. 548, 403 A.2d 1229 (1979)).
3. File a tort action against the uninsured tortfeasor and a breach of contract action against the UIM carrier.

My suggestion would in most cases be option #3 since that is the cleanest way to bring everything to a resolution and is also a good way to get the issue of insurance before a jury if you have to go that far. However, there may be cases in which your client is still treating, or you do not really know whether your case is big enough to tap into the UIM coverage and in that case, you would want to choose option #1. Option #2 would typically only be appropriate if you have settled the liability claim and have not been able to settle the UIM claim.

Happy hunting!



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UPCOMING TRAININGS

Continuing Mediation-Related Education Program

May 4, 2022, 8:00 am to 12:00 pm

Check in: 7:30 am

The Bar Association of Frederick County (BAFC) is sponsoring a four-hour Mediation Skills Update Seminar for civil and family mediators at the Delaplaine Arts Center, 40 S. Carroll Street in Frederick. Check-in starts at 7:30 am, and light breakfast will be served.

The cost of the seminar is \$75 for BAFC members and \$150 for non-members.

Local policies regarding COVID 19 safety protocols at the time of the event will be followed.

To register, please fill out the form below or register online at www.frederickbar.org/events.html.

Registration will be closed one week in advance of the seminar date; no requests for refunds will be honored after this date.

All mediators must complete four hours of continuing mediation-related education in each calendar year in one or more of the topics set forth in Rule 17-104. (Rule 17-205(a)(5))

MEDIATION SKILLS UPDATE SEMINAR REGISTRATION FORM

May 4, 2022, 8:00 am to 12:00 pm

Check in: 7:30 am

Name: _____

Email: _____

Registration Fee: \$75 BAFC members; \$150 for non-members

Include a check for the registration fee payable to: Bar Association of Frederick County
P.O. Box 3088
Frederick, MD 21705

Registration will be closed one week in advance of the seminar date (April 27, 2022); no requests for refunds will be honored after this date. **Registration is also available online at www.frederickbar.org/events.html.**

Register [HERE](#).

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Events

- **April 5, 12p: BAFC MONTHLY MEETING.** Please join us as we welcome our speaker Wayne Dorsey, President of Safe Ride. Thank you to our sponsor Planet Depos.
- **April 21, 12p: Business Law Section Meeting** at Lusk Law. (Zoom available upon request.)
- **April 28, 4:30 p: Family Law Section Happy Hour** at Frederick Social, sponsored by Scheuerman Law, LLC.

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

Save the Date

o **May 3, 12p. Monthly Luncheon Meeting.**

Delaplaine Arts Center. Our speaker will be Sheriff Chuck Jenkins.

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o **May 4, 8a-12p BAFC Mediation Skills Update Seminar.** Delaplaine Arts Center. Watch your email from registration coming soon.

o **May 31-June 3: MSBA's Legal Summit and Annual Meeting** in Ocean City.

o **September 15, 12p: 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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Attorney wanted

Centro Hispano would love to have an attorney offer a free initial meeting with potential clients at Centro Hispano twice a month. If the case is taken the hope is they could offer lower fees to the low income clients. Centro Hispano could offer interpreting services while at Centro Hispano, but a bilingual attorney would be ideal. If interested please contact Maria Shuck at 301-514-1633 or mtshuck@comcast.net.

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>

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.

LGBTQ+ LEGAL ADVICE CLINIC

**Family law, estate planning, guardianship,
name change, landlord-tenant, criminal law,
and other civil legal matters.**

About this event

The Frederick Center advocates on behalf of the LGBTQ+ community and through its Legal Services Committee has put together a pro bono event to provide the LGBTQ+ community with a free legal advice clinic. Attendees will have the opportunity to meet for fifteen minutes, one-on-one with local volunteer attorneys who can answer their questions and provide legal information and advice about specific legal matters they may have.

Tue, May 17, 2022 • 5:30 PM – 7:30 PM

**The Frederick Center
322 West Patrick Street, Frederick, MD 21701**

Registration Required

Eventbrite Registration

<https://www.eventbrite.com/e/307083824987>



The Frederick
Center
Embracing
Our LGBTQ+
Community



