



March Newsletter



Issue 3 | 2023 | The Bar Association of Frederick County, MD

100 Years Ago...

Frederick, Maryland.
January 22nd, 1923.

About thirty members of the Frederick County Bar met at the Court House at 2:30 P.M. on the above date and were called to order by W. Clinton McSherry, Esq., at whose request they met. Mr. McSherry briefly stated that he had been prompted to call them together for the purpose of forming an Association if the members of the Bar deemed such a course advisable.

He then introduced Jacob Rohrback Esq., who stated that as a result of "Joint Resolution No. 8 passed by the Legislature of 1922 providing for the appointment of a Judiciary Commission to study the Judicial system of the State and methods for its improvement and to report thereon to the Legislature of 1924," he had been appointed a member of this Commission and explained the difficulties confronting said Commission. He expressed himself as favoring the formation of an Association so that if any member of the Bar had any suggestions or recommendations to make looking to the improvement of the Judicial system of the State said suggestions or recommendations might be presented to the Bar Association first for its consideration and then have the Association present them to him to be submitted to the Commission.

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of Frederick County, MD, Inc.**

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THE NEWSLETTER

The Bar Association of Frederick County, MD, Inc. newsletter is published monthly. Articles and information to be included in the newsletter must be submitted in written or electronic format by the 25th of the month preceding publication month.

Classified and display advertising are available at a modest cost. Go to www.frederickbar.org for information.

Additional information regarding lunch sponsorships are available at www.frederickbar.org.

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Judge Glenn H. Worthington then made a motion, which was duly seconded and unanimously carried, that an Association be formed and that Milton G. Urner Esq. be chosen as its first President. W. Clinton McSherry was then elected Vice President and Guy K. Motter Secretary and H. Kieffer DeLauter Esq., Treasurer.

Upon motion duly made, seconded and carried the President was authorized to appoint a committee of three to draft a suitable Constitution and By-Law and Code of Ethics for the government of the Association. The President appointed on said committee; - W. Clinton McSherry, John S. Newman, H. Kieffer DeLauter.

Judge Hammond Urner then addressed the Association and stated that he was himself in very hearty accord with the action that had been taken and expressed the hope that there might be whole-hearted co-operation between the Bench and the members of the Bar.

Upon motion the Association stood adjourned to meet at the Court House Monday, January 29, 1923 at 2:30 o'clock P.M.

/s/

Guy K. Motter, Secy.



President's Message

Among the many events on the Bar Association's calendar for 2023 we are excited for the return of the Judges' Dinner on Thursday, May 18, at Dutch's Daughter. Once again BAFC will be hosting members of the Frederick bench along with many other members of the judiciary from across the State. Doors will open at 5p for a social hour, with dinner being served at 6:30p. The event is one not to miss.

At our Annual Meeting in February we elected a new Executive Committee, approved the annual budget, and took a quick review of what BAFC accomplished in 2022. Just a small sample: donated and assembled "to go" dinners for 478 people at the annual Salvation Army Thanksgiving Dinner; raised \$6,400 for a CINA Holiday Donation at the December Holiday Party; once again provided continuing education at the annual Mediation Seminar; turned out for the Salvation Army Day of Fishing at Culler Lake; made grants from the Justice For All Fund to the Spanish Speaking Community of Maryland (\$5,000.00), The Mental Health Association/CASA Program (\$10,000.00), and Asian American Center of Frederick County (\$5,000.00); and once again gathered for the Annual Summer Picnic and Gold Tournament.

We are looking forward to another great year and everyone's participation, but first you need, if you have not done so already, to make certain to pay your dues for 2023. This is very easy, just go [here](#). (If you need assistance, Maegan can be reached at info@frederickbar.org or 240-285-9660.)

Looking forward to a great year.

Tim Price, President.



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Member News

YLS Annual Awards – 2022 Winners Announced

At the February Annual Meeting, the Young Lawyer’s Section announced the 2022 winners of their two annual awards.

First, it was announced that replacing the Up and Coming Lawyer award would be the **Stephen LeRoux Memorial Award**, in memory of BAFC member Stephen LeRoux that passed away in March of 2022. This award will annually be given to recognize a young lawyer who exemplifies a broad range of high achievement, innovation, vision, leadership, and service to the legal community and the Frederick County Community at large. **Carin Golze** was announced as the inaugural recipient of the Stephen LeRoux Memorial Award. Carin has been a family law and criminal defense attorney with Alan Winik for the last nine years.

Six of those years were when Stephen LeRoux was also a member of the practice. Prior to joining the practice, Carin clerked for the Honorable William R. Nicklas, Jr. Carin has chaired the Family Law Section of the Bar Association since 2021 and has helped coach Tuscarora’s High School Mock Trial team since 2018. Carin is also an active member of the Frederick community. She feels that the status she holds as an attorney in this community brings a responsibility to serve and help as many of its members as she can. This is a belief that she and Stephen shared. Carin is a member of the Frederick County Pro Bono Committee, the Frederick County Domestic Violence Coordinating Council, where she chairs the Community Engagement Subcommittee, and The Frederick Center Legal Committee. Carin also sits on the Board of Directors for the Mental Health Association of Frederick County. Congratulations Carin!



Each year the Young Lawyers Section also recognizes a member of the BAFC with the **YLS Mentorship Award**. This award recognizes a member who exemplifies the following criteria in his/her service in the Frederick County legal community:

- 1) Serves as a role model to young lawyers in the community;
- 2) Fosters the development of young lawyers;
- 3) Demonstrates significant interest in contributing to the advancement of younger members of the legal profession.

Congratulations to **Ian Bartman** for being named the **2022 winner of the YLS Mentorship Award**. Ian is a business and litigation attorney with Offit Kurman’s Frederick office. Ian clerked for the Honorable John H. Tisdale and is Past President of the Bar Association of Frederick County as well as Past Chair of the Young Lawyers Section. He is a member of the Maryland State Bar Association as well as a fellow and member of the Maryland Bar Foundation. Ian presently serves as Chair of the Board of Trustees of the Community Foundation of Frederick County and actively participates in the planning and execution of the Civics and Law Academy that the bar associations hosts with the Frederick County Public Schools. In his free time, he enjoys spending as much time as possible with his wife, two daughters, and dog. He also enjoys volunteering as a youth lacrosse coach in his hometown of Middletown, Maryland.



Section/Committee Updates

Family Law Section

The **Family Law Section** will be on Wednesday, **March 22nd, at 5pm via Zoom**. Connie Kratovil-Lavelle with the Collaborative Law and Justice Center will be joining us. She will provide an overview of Collaborative Law, its benefits, and best practices.

For anyone interested in becoming **certified as Child Counsel** (best interest attorney, child advocate, and child privilege attorney), the MSBA is hosting a **virtual training in April**. For more information, please visit the [website](#).

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

Young Lawyers Section

The **Young Lawyers Section** will hold a **Spring Happy Hour** on **March 9th from 4:30-6:30p** at Frederick Social.

The Young Lawyers Section wants members to **save the date of April 21st at noon** for a "**Pendente Lite Hearing Prep Seminar**" which will be held in Magistrate Facility 1. Our stellar Magistrates, Magistrate Raymond and Magistrate Minner, will be sharing some tips for PL hearing preparation, and answering questions. This event is a must attend for young lawyers and family practitioners. *More information and registration to come!*

For more information about the Young Lawyers Section, please contact by email at bafcylys@gmail.com.

Pro Bono Committee

On February 23rd, volunteer attorneys and legal professionals came together at The Frederick Center to provide brief legal advice to members of the LGBTQ+ community. Lorraine Prete, Carin Golze, and Trevor Addie-Carter provided advice while Charlene Shapiro, Magistrate Joanie Raymond, Jane Bownes, and Chelsea Kadish assisted with planning, coordinating, and running the event.

The Frederick Center Legal Services Committee would like to recognize Luqman Law for completing LGBT-101 Training. The Frederick Center offers LGBT-101 Training to assist interested organizations in developing awareness of LGBTQ+ identities and issues so that they may better serve and advocate for LGBTQ+ clients. For more information, please e-mail TFC@TheFrederickCenter.org.

Pictured L to R: Charlene Shapiro, Carin Golze, Magistrate Joanie Raymond, Jane Bownes, Chelsea Kadish, and Trevor Addie-Carter (not pictured: Lorraine Prete).



Dates to Remember

- **March 7, 12p: BAFC Monthly Luncheon Meeting.** Delaplaine Arts Center. Our speakers are Betsy Day, President & CEO, and Gordon Cooley, retired bank executive and BAFC member, talking about the Community Foundation of Frederick County.
- **March 9, 4:30-6:30p: YLS Spring Happy Hour.** Frederick Social.
- **March 22, 5p: Family Law Section Meeting via Zoom.** Connie Kratovil-Lavelle from the Collaborative Law and Justice Center will provide an overview of Collaborative Law, its benefits, and best practices.

SAVE THE DATE

April 4, 2023

BAFC Monthly Luncheon
12p Delaplaine Arts Center

May 3, 2023

Mediation Skills Update Seminar
8a-12p Delaplaine Arts Center

*Thank you for supporting the
Justice For All Fund last month:
Julie Winner*

JEZIC & MOYSE

A WINNING DEFENSE

CRIMINAL

IMMIGRATION



Andrew Jezic

- Top 10 MD Lawyers, Superlawyers, 2022 and 2023
- Fellow, American College of Trial Lawyers
- Published West co-author, *Maryland Law of Confessions*
- Dozens of acquittals in felony jury trials

David Moyse

- Washingtonian Best Lawyers, 2017-2022
- Superlawyers Best Lawyers, Maryland, 2014-2023
- Chair, Montgomery County Criminal Law Section
- Handled 50+ jury trials

Tamara Jezic

- Washingtonian Best Lawyers, 2017-2022
- Harvard Law School
- Lectured around the U.S. on asylum law to immigration lawyers
- Several precedent-setting 4th Circuit wins

Himesdes Chicas

- Washingtonian Best Lawyers, 2017-2022
- Maryland Federal Public Defender's on-call expert consultant
- Several precedent-setting BIA and Fourth Circuit decisions

*Each case is different; prior results do not guarantee a similar outcome.

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RECENT EVENTS

Opening Term of Court

February started off with Opening Term of Court on Monday, February 6th. The benches in Circuit Courtroom 1 were full as members and colleagues gathered for this ceremonial event.

The morning started with Jennifer Dayton reading the Memorial Resolution for BAFC member Blaine Hoffmann. Blaine's parents, Anne and Ken Hoffmann were present to hear the resolution as well as several of his co-workers from Heartly House.

We also had several lawyers sign the Lawyer's Book, a Frederick County tradition dating back to 1946. Congratulations to Juliana Felkoski, Morgan McLaughlin, Aaron Weiss, Sandra Stalzer, Rada Machin and Manuel Machin.

Lastly, the Honorable Dino E. Flores, Jr. , BAFC President gave a summary of the activities of the Bar Association over the last six months before State's Attorney Charlie Smith sworn in the new grand jury.

Mark your calendars for Monday, September 11th for the next Opening Term of Court. We look forward to seeing you there.



BAFC Annual Meeting

The BAFC Annual Meeting was held on Tuesday, February 7th. Approximately 60 members showed up to witness to the approval of the 2023 budget and new Executive Board. (Or maybe they showed up for the baked potato bar complete with all the toppings you could imagine...the jury is still out.)

The Young Lawyer's Section also took this meeting as an opportunity to announce the winners of the 2022 YLS Awards.

We also approved 4 attorneys for membership and heard a presentation by the Mental Health Association of Frederick County's CEO, Shannon Aleshire, about several of the services the organization offers to the Frederick Community.



BAFC PRACTITIONERS OF THE BAR: Edwin F. Nikirk, Sr.

An occasional series of profiles of former Frederick County attorneys

By: Tom Slater, BAFC Historian

“Get Nikirk!” When I first started practicing law in 1981, often someone who was subject to serious criminal charges was told that he or she better “get Nikirk.” Ed Nikirk had the reputation as the go-to attorney for criminal defendants. He also had a sterling reputation for dealing with complicated civil trial matters. That reputation was well-earned.

Ed Nikirk, a native Fredericktonian, was born on September 16, 1916, the son of Glen R. and Annie N. Sheffield Nikirk. He was admitted to the practice of law in Maryland in 1938 after graduating from Frederick High School and the University of Baltimore School of Law. His legal career spanned more than 60 years, interrupted by three years of service in the Army during World War II. Active in the Democratic Party, Ed Nikirk served as chair of the Democratic State Central Committee and was elected as Frederick County’s 19th State’s Attorney in 1942. He remained active in Frederick City and County politics until his death. Former Maryland Republican House of Delegates member Julian Delphey said, “I know he gave Frederick City and many politicians good advice and it has panned out very well.” When he ran for State’s Attorney in 1946 and was elected, he appealed to the voters to return him to the position of State’s Attorney that he was forced to leave due to military service. A mystery to me is who took his place as State’s Attorney while he was serving in the military. The list of State’s Attorneys from Frederick County found in the Maryland State Archives lists Nikirk as serving from 1943 to 1951. He was succeeded as State’s Attorney by Charles U. Price (1951-54), Samuel W. Barrick (1954-59), and Robert S. Rothenhoefer (1959-82).

Elected to a third term as State’s Attorney in 1958, when State’s Attorney Sam Barrick ran for and was elected to the State Senate, Nikirk was forced to resign in 1959 after being indicted and convicted of Federal income tax evasion. The Circuit Court appointed Bob Rothenhoefer to replace Nikirk as State’s Attorney. After being disbarred due to his criminal conviction, Nikirk was re-instated by the Court of Special Appeals and resumed the practice of law. He continued to build his reputation as one of Frederick’s premier attorneys. Both Barrick and Rothenhoefer talked about how difficult it was being Mr. Nikirk’s adversary in court but what a pleasure it was to deal with a gentleman whose word was his bond. Rothenhoefer said of Mr. Nikirk, “we were the best of enemies; we were the best of friends. We had hundreds of cases together. He made me a better attorney. He taught me to work harder to beat him.” Washington County attorney Irving Einbinder reported that Nikirk was “always in the forefront, always prepared, always a gentleman.”

According to Nikirk, he “handled more than 30 murder cases in the Middle Atlantic states,” none of whom were convicted of first degree murder. The New York Post described him as “a high profile and expensive Maryland attorney.” He also was known as a tough adversary in complex and high dollar civil cases, known for his pre-trial preparation and impassioned speeches to juries, often resulting in generous monetary awards to his clients. He won national attention and recognition for his theatrical presentations to juries and his use of new trial techniques. It was reported that he was one of the first attorneys to use an accident reconstruction specialist in court. Upon his retirement in 1990, fellow attorneys Cleopatra Campbell and Richard Bricken organized a testimonial dinner for the man Bricken called “the grandfather of defense lawyers.”

Nikirk was very active on the Judicial Nominating Committee, the Maryland State Bar Association, and the American Trial Lawyers Association where he was often a lecturer and seminar participant. He was also a lifetime member of the Evangelical Lutheran Church where he taught a Bible class for many years, as well as the United Way, serving as chair of the bar association division, and the AMVETs, where he served as state commander.

Nikirk was married for more than sixty years to Dorothy Nikirk. They had two sons, Edwin F. Nikirk II and Thomas C. Nikirk. Both of their sons became lawyers, and they formed the law firm of Nikirk, Nikirk, and Nikirk in 1974. In 1989, as Ed, Sr. approached retirement and Ed II desired to strike out with his own law firm, the firm dissolved.

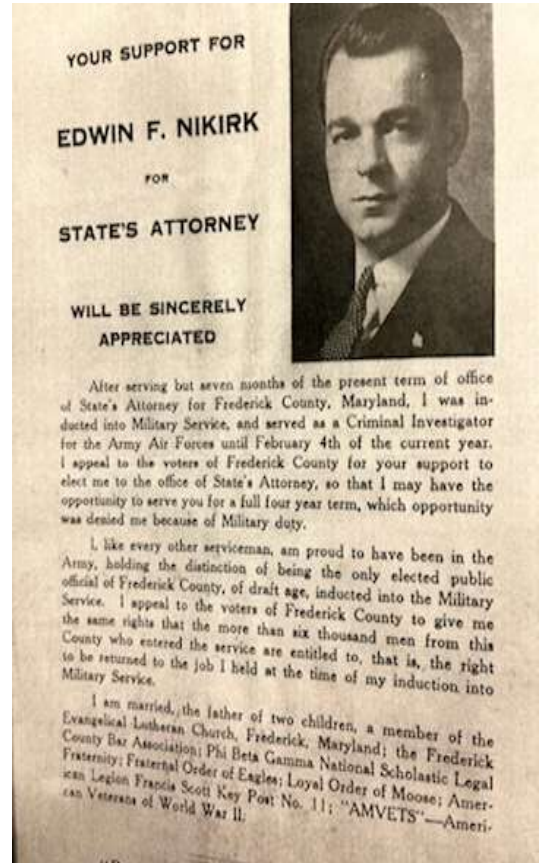


(Continued from pg. 8)

Thomas Nikirk, who has been retired for approximately twenty years, said that his father encouraged both of his sons to become lawyers. In a September 10, 1990 article in the Frederick Post, Nikirk, Sr. announced that he was fighting colon cancer, and at 74 he was semi-retired and seemed to get weaker every day. Ironically, he lived another ten years and was predeceased by both his wife in April 2000 and his son, Edwin II in May 1999.

Information for this article came from Ed's son, Thomas, as well as the obituaries of Edwin F. Nikirk, Sr., Edwin F. Nikirk II, and Dorothy Nikirk and several articles in The Frederick Post.

Pictures (Clockwise from top L): 1.) Edwin F. Nikirk, Sr. 2.) Ed Nikirk, Sr., second from left with his four brothers and their father, Glen, in front 3.) Campaign flyer for Nikirk's 1946 campaign for Frederick County State's Attorney 4.) The Frederick Post taken at the testimonial dinner for Ed Nikirk in 1990



Continuing Mediation-Related Education Program

May 3, 2023, 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 a light breakfast will be served.

The cost of the seminar is \$75 for BAFC members and \$175 for non-members.

To register, please fill out the form below or register online at www.frederickbar.org. 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 3, 2023, 8:00 am to 12:00 pm

Check in: 7:30 am

Name: _____

Email: _____

Registration Fee: \$75 BAFC members; \$175 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 26, 2023); no requests for refunds will be honored after this date. **Registration is also available online at www.frederickbar.org.**



HELP WANTED

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Firm with excellent reputation in personal injury and workers' compensation, is seeking candidates to help grow litigation and appellate departments. With offices in Montgomery, Baltimore and Frederick Counties, we are open to entry level attorneys, recent graduates, or 3rd Year law students. We have full-time and part-time positions depending on license status in Maryland. Strong writing skills are a MUST. Looking for team players who are driven and want to make a difference in their communities. Position will provide a substantial amount of hands-on litigation experience. Please submit cover letter, resume and writing sample to: Human Resources, 481 N. Frederick Avenue, Suite 300, Gaithersburg, MD 20877 or email recruiting@bsglaw.com. EOE

Family Law Attorney Wanted

Paré & Associates, LLC is currently seeking an **Associate Attorney – Family Law**. The ideal candidate will have a **minimum of 7 years of family law experience** – including divorce, child custody, alimony, and protective orders. Main office located in Germantown. Hybrid remote work available. Pay commensurate with experience plus bonus and full benefits. Email resumes and cover letter to frontdesk@alicelaw.com. No phone calls please.

Attorney Wanted

BGS Law, LLC is looking for an attorney to handle family law and special education cases in Frederick and Montgomery County. If you are interested in joining our team, please send your resume, cover letter, and a writing sample to bethany@bgsllaw.com. All responses will be held in strict confidence.

INFORMATION OF INTEREST

Volunteer Opportunity

The Literacy Council of Frederick County is holding training sessions for volunteer tutors. Tutors work with adults one on one or in small groups. A student will be either an English language learner or a native English speaker. No previous experience is needed for tutors. For more information please visit their [website](#).

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.



The poster features a blue and yellow sunburst background. At the top right is the logo for the Maryland Pro Bono Resource Center. The main title reads "Maryland Pro Bono Service Awards". Below the title, there are two circular photographs: the top one shows a man in a suit holding an award, and the bottom one shows a group of three people, with one holding an award. To the right of the photos, the text says "Nominate an exceptional advocate or program for one of the eleven award categories by March 10, 2023." At the bottom right, a yellow box contains the website address "www.tinyurl.com/probonomdaward".

