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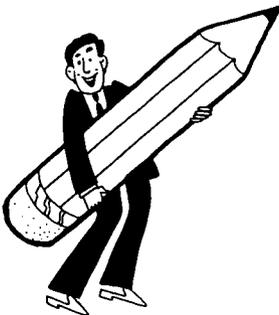
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**credits**

The *Law Forum* would like to express our sincere gratitude and appreciation for the creative talents and generous donations of Michael D. Mallinoff, a third-year student at the University of Baltimore School of Law, for his photographic efforts on the front cover and pages 2, 4, and 19; and Michael H. Burgoyne, a recent graduate of the University of Baltimore School of Law and former Recent Developments Editor of the *Law Forum* for his photographic effort on the back cover.



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## GRADUATE TAX PROGRAM

In January the University of Baltimore will embark on a new and challenging program designed to serve the needs of the Maryland legal, accounting and business communities. At that time the School of Law and Robert G. Merrick School of Business will jointly offer a Graduate Tax Program leading to the degrees of Master of Laws in Taxation for lawyers and Master of Science in Taxation for accountants. The program will be the first and only one of its kind in the State of Maryland. It is also the first graduate program above the J.D. level offered by the School of Law. This graduate tax program has been approved by the American Bar Association and graduate accreditation is being currently sought by the School of Business. It has the strong and enthusiastic support of President H. Mebane Turner, Dean Laurence M. Katz of the School of Law and Dean Sydney V. Stern of the School of Business.



The program will be interdisciplinary—similar to successful graduate tax programs in operation at Villanova University and the University of Denver. Certainly the primary objective of the program will be to train technically competent tax specialists in the legal and accounting professions. It will be directed toward practicing attorneys and accountants as well as recent graduates in both professions. Those attending the program will take many of the same courses together and, because attorneys and accountants often handle different aspects of the same problems and transactions, we think this will give them an opportunity to better understand the needs and skills of the other profession. It is likewise expected that the interaction of attorneys and accountants will provide a richer and broader experience for both groups and sharpen their tax skills. We believe the program will provide a vital response to understanding complexity in the field of taxation and its critical impact on the legal and accounting professions and on the effective management of business, financial and government organizations.

Admission for Master of Laws in Taxation (LL.M.) applicants will require a J.D. degree or its equivalent from a law school approved by the American Bar Association. Master of Science in Taxation (M.S.) applicants will be selected on the basis of a baccalaureate degree of a COPA recognized university and a satisfactory test score on the Graduate Management Admission Test (GMAT). About 60 applicants (30 attorneys and 30 accountants) will be admitted to the program in January 1987. Attorney applicants will be selected for admission by the School of Law and accountants will be selected for admission by the School of Business.

To accommodate the busy work schedules of professionals attending the program, classes will be conducted only in the evening (Monday through Thursday). Course requirements can be completed on a part-time basis in two to three academic years with students taking about six credit hours each semester. Degree candidates will be required to successfully complete 30 credits in 11 to 13 tax courses with a cumulative average of 3.0.

The curriculum will be rigorous. The six *required* courses will be Tax Research and Writing; Taxation of the Individual; Corporate Taxation I; Taxation of Partnerships; Tax Practice and Procedure; and Tax Policy. Seventeen *elective* courses will be offered at various times as the program progresses. They will range from Estate and Gift Taxation and Estate Planning to Corporate Reorganizations, Qualified Pension and Profit Sharing Plans, Real Estate Taxation, Business Planning and Professional Responsibility. All graduate tax courses will be structured so that the students can develop broad technical competence in the substantive and procedural provisions of the current tax law. This is particularly important in view of the substantial changes which will be brought about by the Tax Reform Act of 1986. Students will engage in supervised research and writing in various aspects of taxation. In many courses there will be frequent use of the problem method of instruction interlaced with lectures and explanations. The development of communication skills will be emphasized.

The Graduate Tax Program will be administered and supervised by a Tax Governing Committee composed of Dean Katz and Dean Stern, myself, Professors John A. Lynch, Jr. and Walter D. Schwidetzky of the Law School and Professors A. Finley Schuldenfrei and Lawrence Witner of the Business School. The program will also have an Advisory Committee consisting of prominent attorneys and certified public accountants from Baltimore and nearby areas who hold eminent positions in the practicing professions, business, government and academia.

The graduate tax faculty will consist of six full-time faculty members from the School of Law and the School of Business. In addition to the five professors on the Tax Governing Committee, law professor Wendy G. Shaller will be available to teach in the program. The regular faculty will be assisted and supported by an adjunct faculty of outstanding tax practitioners who will teach courses in their specialized subjects.

A bulletin describing the program and an application for admission form will be ready sometime in October. Admission applications can then be submitted to the Graduate Tax Program, Room 107, Law Center, University of Baltimore School of Law, 1420 North Charles Street, Baltimore, Maryland 21201.

All of us at the University of Baltimore look forward to making the Graduate Tax Program educational, vibrant and successful. We face the challenge with confidence and optimism.

Howard A. Dawson, Jr.  
Professor of Law and  
Director, Graduate Tax  
Program

## FROM THE BOARD

In recent years the *Law Forum* has steadily advanced in both its quality and appeal within the legal community. At present the *Law Forum* is distributed to over eight thousand attorneys, judges, legislative representatives throughout Maryland, and to law schools and libraries throughout the United States. Our increased popularity has further led to an increase in the number and quality of articles submitted by the professional community.

The *Law Forum* would like to express its gratitude to the legal community for the support we are receiving. A special thanks goes to William R. Levasseur, alumnus and friend, for his contributions to the production of this issue.

In the first article in this issue, "Exclusive Remedy Under Workers' Compensation: An Update on Exceptions to the General Rule," Stephen A. Markey, III, brings to date the modern theories used to avoid the general exclusivity of remedy rule in Workers' Compensation.

In "Maryland's Workers' Compensation System—Out of Control," the Honorable Martha S. Klima points out a number of the problems presently plaguing Maryland's workers' compensation system and suggests ways to solve some of those problems.

Donald T. Decarlo, Esquire, in his article "American Workers' Compensation—After the Crossroads," examines the various phases of evolution through which the American workers' compensation system has travelled and gives his insight on where the system will go in the future.

In 1985 the Court of Appeals of Maryland examined the effect of § 58 of the Maryland Workers' Compensation Act on the tolling of limitations in third-party suits. Matthew I. Lynn addresses this decision in "Limitations on Workers Bringing Third Party Actions Under Section 58 of the Workers' Compensation Act."

Daniel J. Freedenburg, M.D., discusses the recent trends in the area of work related health problems in "Stress in the Work Place."

In 1986 the Task Force on Injured Workers' Rehabilitation distributed a questionnaire to help assess the attitudes of various professionals regarding vocational rehabilitation under Maryland's Workers' Compensation Act. The results of that questionnaire are contained in this issue.

In this issue there is also a Recent Developments section containing concise articles on recent decisions relating to workers' compensation.

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## LETTER TO THE EDITOR

In the spring 1986 issue of *The Law Forum*, Patricia A. Cleaveland, J.D., reviewed the recently enacted § 9-102 of the Courts & Judicial Proceeding Article. The purpose of this statute is to reduce the trauma to a child sexual abuse victim when testifying in court and to avoid "in person" confrontations with the alleged defendant. It has been suggested that such an experience is in itself so traumatic as to constitute a "second victimization" of the child. What Ms. Cleaveland failed to point out was the victimization of the occasionally wrongly accused defendant.

Our contemporary courts have been lax in their sensitive responses to the ever increasing incidents of child abuse and child sexual abuse. The community cries out for "immediate justice" to this repugnant form of deviant behavior. The alleged perpetrator in Maryland is tried in criminal court with a possible maximum prison sentence of fifteen years.

No matter how repugnant the behavior, defendants are still innocent until proven guilty. One must be especially careful in "pointing the accusing finger" since defendants state once indicted they feel completely devoid of basic rights and dignity. Guilty or innocent the stage is set for a witch hunt. Shame, humiliation, family and career turmoil often develop following such accusations.

Due to its recent enactment, § 9-102 has not yet been constitutionally tested in Maryland; however, the following are some of the criticisms by attorneys involved in trials where § 9-102 has been used:

1. *Prejudice* may be charged by the defendant in that the placement of the alleged child victim in a special out-of-court room may convey to the jury the implication that the child must have suffered prior trauma in order to have developed such intense fear of the court room and the alleged defendant. Conversely, due to a child's maturity and self-control, does the rejection of the need for a special room indicate to the jury that the child may have had less trauma?

2. Attorneys in the special out-of-court room lose the benefit of observing judge and jury behavior and attitude to help guide them in their style of questioning.

3. The technical transmission of T.V. requires bright lights, expensive sensitive cameras manned by high tech personnel. The skill of the camera man may heighten or diminish transmission of the behavior or voice of the child witness. Such behavioral variations, as blushing, perspiration, tics, posturing, etc. may contribute to the court's evaluation of witness credibility. This may be missed or lost in T.V. transmission.

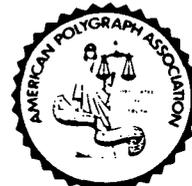
4. By placing the child in the special out-of-court room with its T.V. equipment and personnel, are we significantly diminishing further traumatization of the child? Who has made such an evaluation and what are the criteria of judgment? Would *all* child sexual abuse victims be automatically assigned to such rooms?

With these criticisms in mind I question the constitutionality of § 9-102. Even assuming the constitutionality of the statute, have we significantly diminished traumatization of the child or have we simply substituted one frightening situation for another?

**Robert S. Coplan, M.D.**



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