



## University of Baltimore Law Forum

Volume 19  
Number 3 *Spring, 1989*

Article 1

1989

# University of Baltimore Law Forum Volume 19 Number 3 (Spring 1989) Front Matter

Follow this and additional works at: <http://scholarworks.law.ubalt.edu/lf>



Part of the [Law Commons](#)

### Recommended Citation

(1989) "University of Baltimore Law Forum Volume 19 Number 3 (Spring 1989) Front Matter," *University of Baltimore Law Forum*: Vol. 19: No. 3, Article 1.

Available at: <http://scholarworks.law.ubalt.edu/lf/vol19/iss3/1>

This Article is brought to you for free and open access by ScholarWorks@University of Baltimore School of Law. It has been accepted for inclusion in University of Baltimore Law Forum by an authorized administrator of ScholarWorks@University of Baltimore School of Law. For more information, please contact [snolan@ubalt.edu](mailto:snolan@ubalt.edu).




---

**features**

**A Comment on the 1989 Maryland General Assembly's Legislative Session**

by *Delegate Robert L. Ehrlich, Jr.* 7

**Rights of the Homeless**

by *Stephen H. Fallowfield* 10

**Revitalizing the Maryland Wage Compensation Law**

by *Gerard M. Waites* 18

**Salinger v. Random House, Inc.: Whose Letters Are They, Anyway?**

by *Jeffrey E. Risberg* 25

**Aerial Surveillance by Helicopter**

by *Paul J. Marino, Esq.*  
*Ellen M. Condon, Esq.* 28

**Comment: Lawyer Television Advertising — What's the Big Deal?**

by *Stephen L. Miles, Esq.* 31

**In Memoriam — The Honorable Solomon Liss**

39

---

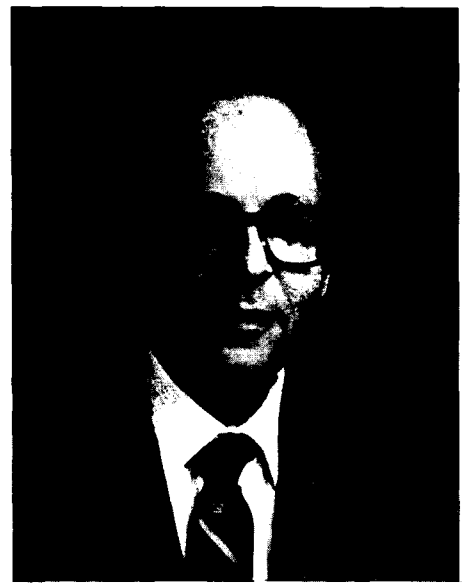
**departments**

From the Editor-In-Chief .....	2
Dean's Forum .....	4
Recent Developments .....	33

---

# DEAN'S FORUM

Laurence M. Katz, *Dean*  
*University of Baltimore*  
*School of Law*



The University of Baltimore achieved a milestone this spring, awarding the first degrees in the joint LL.M./M.S. in Taxation Program. We're pleased to announce that twelve attorneys received the LL.M. and two accountants received the M.S. at graduation ceremonies in May. Since its inception two and one-half years ago, the graduate tax program has been directed by Howard A. Dawson, Jr., retired chief judge of the U.S. tax court.

We began the program in 1986 because we ascertained that changes brought about by the Tax Reform Act of 1986, combined with the complexity of existing laws, made further education in the area a necessity for attorneys practicing today. Currently, enrollment in the program stands at 150, with the student body almost equally divided between lawyers and CPAs. According to Judge Dawson, students in the program come from a wide variety of backgrounds and generally have several years of experience as practitioners.

We're very proud of our first class of tax specialists and would like to share with you information about some of them and how they feel about the program. New LL.M. Cynthia Shreaves is a 1984 University of Baltimore law school graduate who is employed as a trust officer at Farmers' National Bank. As a trust officer, Ms. Shreaves is responsible for filing federal and state tax returns for the bank, as well as estate planning, probate work, and investments for her clients. She says that the program has given her a great deal of confidence in her abilities, enabling her to acquire her current job with Farmers', establish her own tax consulting business and invest in real estate.

Another satisfied graduate is John Goette, who received a J.D. from the University of Baltimore School of Law in 1959 and began work on his LL.M. in the fall of 1987 at age 78. Mr. Goette is also a CPA who practices law and accounting in the Annapolis area. He says the program "is very helpful. It offers a broad perspective."

Two private practitioners who are enthusiastic about the program are Eugene Smallwood and John Greiber. A Montgomery County resident, Mr. Smallwood's practice includes probate work, estate planning and domestic relations. It's impossible to practice law today without a tax background, Mr. Smallwood believes, because everything an attorney does has tax ramifications. "The graduate tax program was excellent. Judge Dawson did a terrific job in putting together a good team."

John Greiber practices business-related law out of the Annapolis area. The University of Baltimore (J.D. 1970) was well aware of the importance of tax considerations in business; he had always farmed out work in this area in the past. The announcement of the new LL.M. in Tax program at the university coincided with his decision to learn more about it himself.

After completing the thirty credits in tax courses required for the degree, Mr. Greiber has nothing but praise for the program, its director and faculty. "You couldn't ask for anything more," he states. The combined student body of attorneys and accountants enriched the academic experience, Mr. Greiber notes. "It was an asset to have students with two different perspectives. The accountants benefited from the legal reasoning of the attorneys,

and the attorneys relied on the CPAs' knowledge of the technical requirements involved in record keeping and filing returns."

In order to better serve the interests and goals of students in the program, a Graduate Tax Society was formed last fall. This group, of which Mr. Greiber is president, introduces new students to the graduate tax program and serves as a liaison with the director. Mr. Greiber represented the students at the law school's farewell reception for Judge Dawson in April.

We were most fortunate to have someone of Judge Dawson's experience, knowledge and character to guide the program during its early stages. His presence lent the program instant credibility, and his care and consideration have made the program grow. Now that Judge Dawson has gotten our program off to a good start, he has decided to retire and pursue an avocation he shares with his wife: travel.

The new director of the graduate tax program is Walter Schwidetsky, a member of the law faculty since 1985. Judge Dawson and Professor Schwidetsky have worked closely together over the past year, planning the further refinement and development of the graduate tax program. They have explored the idea of specializations within the curriculum and, this spring, have consulted with experts in the field of employee benefits to ascertain whether this area would benefit from the input of professionals with advanced knowledge of tax law.

We are confident that our first LL.M./M.S. in Tax graduates will contribute to their respective professions as qualified tax specialists. We believe that by

providing this program, the School of Law is continuing its commitment to serve the State of Maryland and its citizens.

### Faculty Recommends Plan for the 1990s

Over the past decade, the School of Law's plan of action was fairly straightforward: to enhance our academic program and facilities. Our purpose was to gain accreditation by the American Bar Association and membership in the American Association of Law Schools. Now that these goals have been achieved, where do we go from here?

A faculty strategic planning committee was formed last summer to determine our course for the 1990s. After extensive consultation with faculty, administrative colleagues, members of the School of Law Advisory Board and the Alumni Law Liaison Committee, the committee devised a list of goals and objectives which will guide the further progress and development of the School of Law. The plan has been adopted by the Faculty Council.

The strategic plan establishes four principal goals. First, we should capitalize on the progress we have made and further develop those resources which place us in the mainstream of American law schools. Second, we must strengthen and refine those characteristics of the University of Baltimore School of Law which are associated with our distinct mission: to serve the citizens and the State of Maryland. Third, we should ensure that we are acknowledged by the state and the University of Maryland System as the equal of the University of Maryland School of Law. Fourth, we should take greater advantage of our proximity to University of Baltimore School of Business and College of Liberal Arts, as well as other local institutions, to enhance our curriculum and help us provide a range of services to more varied constituencies.

The plan also suggests a number of strategies for achieving these goals. They include reviewing the curriculum to ensure that we have an appropriate balance between theoretical and practical courses; encouraging scholarly research through the development of a stimulating intellectual climate and increased recognition of faculty; further strengthening our library resources by analyzing its needs and providing adequate support; providing a forum for the discussion of issues in public policy and economic development; and continuing cooperative efforts with the University of Maryland School of Law.

I believe that the faculty has adopted appropriate and challenging goals for the School of Law. Its plan marks a clear path to follow in the decade ahead. We will

keep you informed of our success in meeting our goals in future issues of the *Law Forum*.

### New Clinical Programs Off to a Good Start

Our new law school clinics in family and housing law recently completed their first semester of operation. With the supervision of clinic directors Jane Murphy (family law) and Jane Schukoske (housing law), sixteen third-year students represented more than sixty low-income clients in a variety of legal matters. In addition to actual client representation, students attended weekly seminars which covered skills necessary for client representation as well as the ethical and policy issues involved in specific areas of law. These two new clinics are in addition to the General Civil Clinic, taught by Professor Anne Pecora, and the Criminal Practice Clinic.

In the clinical setting, students are able to develop legal skills with a broad application. "Of the eight students in the family law clinic, maybe three will specialize in family law," Murphy says, "but the experience is invaluable for all of them because the interviewing, counseling and litigation skills they develop here are transferable to any practice."

Client referrals have come from the House of Ruth Domestic Violence Legal Clinic, the Maryland Volunteer Lawyers Service, and district court officials. The response from the legal community and clients to representation by University of Baltimore students has been positive, say professors Murphy and Schukoske. "The judges have been responsive, the tenants grateful, and the students are enthusiastic and say they have learned a lot," Schukoske states. Based on several months of observing University of Baltimore student/lawyers at work in the courtroom, Murphy says with justifiable pride, "I feel that our students' level of practice is as high or higher than the other attorneys'."

This semester students were not graded for their clinical experience, but that policy has been revised effective fall 1989. Students will now earn a letter grade for their participation in the General Civil, Family Law and Housing Law clinics. In addition, the clinical practice skills course has been discontinued as a separate course, and that material will be included in each of the clinical programs. Consequently, students will now receive six credits for successful participation in a law clinic.

We will also expand the clinical programs staff next semester. Professor Donald Stone has been hired as director of clinical programs. As director, Professor

Stone will develop course materials for the seminars as well as attend to general administrative matters. He will also direct the Criminal Practice Clinic.

### Law School Applications Up

Applications to the University of Baltimore School of Law are up over thirty percent from last year, according to Beverly Falcon, Assistant Dean and Director of Admissions. This increase reflects a national trend and has admissions directors across the country searching for an explanation. Dean Falcon believes that one possible reason for the increase is the trend toward multiple application, especially among students at select colleges.

But the phenomenon of multiple applications does not explain the national increase in the number of applicants (14 percent) at a time when officials predicted a decline in applications. Dean Falcon offers some reasons for the increase in an article published in the winter issue of *The Barrister*, the magazine of the Baltimore City Bar Association.

In "La-La Law," Dean Falcon reviews reasons given by the media and by law school officials for the apparent growing popularity of a legal career. These include increasing respect for the legal profession, a decrease in popularity of medical careers, and the glamorization of the practice of law as depicted in the popular television program, "L.A. Law." Dean Falcon concludes that all of these reasons are possible explanations. However, because applicants have not been surveyed, they are only speculation.

### Law School Activities

This spring the School of Law hosted the 1989 National and International Client Counseling Competition. Participating in the national competition were twelve law schools from across the United States who were the winners in regional contests. Two teams from England and one from Canada participated in the international competition. The event was coordinated by Professor Arnold Rochvarg, who is the coach of University of Baltimore's client counseling team and an active member of the Competitions Committee of the Law Student Division of the American Bar Association.

This year's topic was products liability. University of Baltimore law students served as clients and our alumni as judges. All of our visitors seemed to enjoy the school and the city, as well as the excellent arrangements made by Professor Rochvarg.

Current issues in intellectual property protection were examined at a national

conference held at the School of Law in March. The Industrial Design Law and Practice Conference was coordinated by Professor William R. Fryer III, an expert in the field of intellectual property and anti-trust law. More than 130 persons attended the conference which presented seminars and panel discussions on design law issues featuring attorneys, designers, and academicians from this country and abroad. A special issue of the *Law Review* will feature papers presented at the conference. If you'd like to order a copy, contact Professor Fryer at (301) 625-3396.

Summer 1989 marked the third year of the School of Law's study abroad program. Twenty-seven students (and Professor Byron Warnken, who is coordinator of the program) traveled to Scotland in June to begin six weeks of study at the University of Aberdeen. The students will take six credits of comparative law courses: Comparative Criminal Justice, taught by Professor Warnken and two Aberdeen professors, and Comparative Legal Professions (Legal Responsibility), taught by Jessica Burns, an Aberdeen professor who was a visiting professor of law

at University of Baltimore last year, and Alan Hornstein, a University of Maryland law school professor who is coordinator of the program at his school. In addition to classroom instruction, there were field trips planned to courts and correctional institutions in Aberdeen, Glasgow and Edinburgh, and three-day weekends where the students explored the British Isles on their own. We are pleased to be able to offer this foreign study opportunity to University of Baltimore and University of Maryland law students.

Reflecting an increased awareness on the part of young people to the needs of the less fortunate among us, students here last fall formed SPI, Students for Public Interest. With funding from the School of Law, students attended the annual conference of the National Association of Public Interest Lawyers, an organization which works with placement offices to promote public service careers and helps student groups develop their own programs. Currently SPI is seeking support for its scholarship fund, which will provide grants enabling University of Baltimore law students to take summer jobs with public

interest organizations. Professor Charles Shafer is faculty advisor to SPI.

The Law School's Faculty Placement Committee and Placement Office co-sponsored the popular curriculum advisement program for first-year students in February and March. The program consists of a general information session offered in the afternoon and evening and weekly follow-up discussions in the Raven's Roost which focus on seven different practice areas. These presentations feature a faculty member and local attorneys who discuss the practical needs of those who practice in the specialized field and appropriate law school courses.

Placement Director Gena Glickman reports that the program has proven very popular with students, with at least twenty attending each session. Students like the opportunity to speak informally with law professors and practicing attorneys. The program is timed to end just prior to registration for the fall semester. Professor William Weston is chair of the Faculty Placement Committee.

## PLACEMENT SERVICE

IF YOU NEED

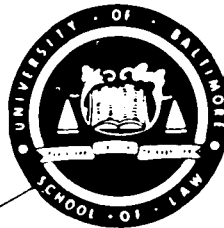
LAW CLERKS  
LEGAL RESEARCH ASSISTANTS  
ATTORNEYS

CALL:

GENA GLICKMAN  
DIRECTOR OF LAW PLACEMENT

LAW CENTER  
1420 N. CHARLES STREET  
BALTIMORE, MARYLAND 21201

625-3164



## THE LAW FORUM

IS NOW SEEKING PROFESSIONAL ARTICLES  
AND LEGAL ADVERTISEMENTS

FOR INFORMATION REGARDING  
SUBMISSION CONTACT

Law Forum  
Room 200  
Law Center  
1420 N. Charles Street  
Baltimore, Maryland 21201  
576-2303