



2004

University of Baltimore Law Forum Volume 34 Number 2 (Spring 2004) Front Matter

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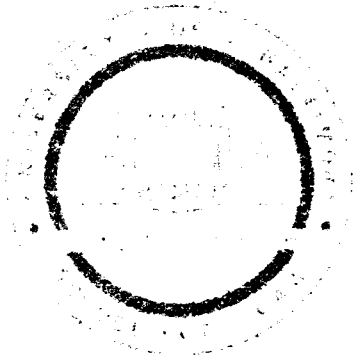
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THE LAW FORUM

UNIVERSITY OF BALTIMORE SCHOOL OF LAW

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We are coming to the close of a very exciting year at the School of Law. In my short three years as Dean, we have seen significant progress and some daunting challenges. Everything we have accomplished has been the result of the joint efforts of faculty, students, staff, alumni, and the administration. We survived a significant reduction in state assistance in fiscal year 2003 and a correspondingly significant increase in tuition for the current academic year. In the meantime, the health of the School of Law keeps getting better and better. Applications to and enrollment in the School of Law is up and increasing and the School of Law is enjoying more attention, more accolades, and a better reputation than ever before.

This year has been particularly gratifying as we strived for programmatic excellence and professional development within our community. We continued the lecture series, *Journey to Justice*, commemorating the 50th Anniversary of the historic Supreme Court decision in *Brown v. Board of Education*. We had the honor of featuring a talk by Charles Hamilton Houston, Jr., the son of Charles Hamilton Houston, architect of the legal strategy that led to the *Brown* decision. On the same evening, we recognized the contributions of William Murphy, Jr., Esq. to the field of litigation, with the inaugural Charles Hamilton Houston Award for Litigation Excellence. The *Journey to Justice* series also included talks by Chief Judge Robert M. Bell of the Court of Appeals of Maryland and Theodore Shaw, Esq., Associate General Counsel of the NAACP Legal Defense Fund, as well as panel discussions and brown bag lunches led by faculty and administrators of the School of Law. Judge Bell also received the Robert M. Bell Award for Leadership in Public Service at the annual auction sponsored by the University of Baltimore Students for Public Interest. Students organize and conduct the auction and raised more than \$16,000 to support student summer internships in public interest organizations. Additionally, students raised more than \$1,100 for charity at this year's Barrister's Ball.

Our students have excelled in other arenas. The National Civil Rights Moot Court Team produced the "Best Brief" and advanced to the quarter final round in the national competition. The Intellectual Property Law Society held its 5th Annual Symposium, and recognized a local company, *180s*, for its efforts in advancing intellectual property law, with the Outstanding Maryland Company Award. Third-year student Mishonda Baldwin completed her second term as the National Chair of the National Black Law Students Association (NBLSA) at the 36th Annual Meeting in Boston. During her tenure, participation in the annual meeting tripled in attendance as more than 400 BLSA chapter members from around the country gathered for education and edification.

Not to be outdone by our students, the faculty of the School of Law continued to provide local, regional and national leadership in the classroom, in scholarly pursuits, and service. At the January 2004 Annual Meeting of the Association of American Law Schools, Professor Barbara White was elected chair of the Antitrust & Economic Regulation Section; Professor Tim Sellers was elected chair of the International Law Section; Dean Gilbert Holmes was elected as a member of the Executive Committee of the Part-time Divisions Programs Section; and Professors Jose Anderson, Barbara Babb, and Jonathan Lipson were elected as members of the Executive Committees of, respectively, the Defamation & Privacy Section, the Family & Juvenile Law Section, and the Commercial & Related Consumer Law Section. Moreover, Professor Jane Murphy currently serves as the co-chair of the ABA Committee on Clinical and Skills Education and Professor Robert Rubinson recently completed his tenure as the Reporter for Ethics 2000, a task force established by Judge Bell. Since July 1, 2003, twenty-four faculty members have published fifteen law review articles, six books and more than seventeen newspaper columns and commentaries. This level of scholarly production rivals any school in this region and most schools nationwide. In March, at the beginning of the national debate on same-sex marriages, fifteen School of Law faculty members conducted a media workshop to inform members of the local media and our community on the implications, ramifications, and complications of same-sex marriages. The workshop included family law experts,

Letter from the Dean

property, tax and estate planning experts, and civil litigation, conflicts of law and constitutional law experts, and clearly demonstrated the breadth and depth of our faculty's expertise as well as the complexity of this very controversial area. Finally, faculty members continue to receive recognition for their excellence in teaching, mentoring and public service. Professor Tim Sellers became a University System of Maryland Regent's Professor in the fall, and Professor Jane Murphy received the Board of Regents Faculty Award for Excellence in the spring.

The final area of accomplishments I wish to highlight is our outreach to alumni. Over the past two years we have established and staffed the External and Alumni Relations (E&AR) office in the School of Law. Through E&AR, we have expanded the annual reunion honoring the members of four classes – 10th, 20th, 25th, and 50th reunion years – to create a Homecoming Weekend to which we invite all alumni, and highlight five classes – the 10th, 20th, 25th, 40th and 50th reunion years; we have converted the Alumni-Student Golf Outing to the Alumni Golf Tournament and tripled participation; and, we have conducted seven regional alumni receptions – two each in Howard, Prince George's, and Montgomery Counties, and one in Washington, D.C. We have also held alumni receptions and visits in New York, Chicago and Miami, and alumni dinners in San Antonio, Boston and Dallas. We have created a new and invigorating structure within the Law School Advisory Council and begun to establish relationships with the Governor's office in Annapolis and the Mayor's office in Baltimore City. As a result, while we still have much work to do in this area, private support of the School of Law has exceeded levels achieved in every year, except one, of the last ten.

Clearly, the University of Baltimore School of Law is on very solid ground and we are looking forward to greater success in becoming the top regional law school on the East Coast with a national reputation for many of our programs. We are engaged in a strategic planning process to hone in on areas of emphasis and strategic objectives for the next three years, and we invite you – our faculty, students, alumni, staff, administration and friends – to partner with us on this journey to excellence, satisfaction, and service that is the future of the University of Baltimore School of Law.

Gilbert A. Holmes
Dean and Professor of Law

With the publication of Volume 34.2, my tenure as the *Law Forum's* Editor in Chief comes to an end. The Editorial Board has accomplished much this year. I hope each Editorial Board member takes with them the sense of pride, achievement, and satisfaction that comes with meeting an extraordinary challenge head on – and conquering it. We leave the *Law Forum* in an excellent position for the upcoming school year and in very capable hands. I am confident that the new Editorial Board, under Bryan Hughes' leadership, will pick up the torch and continue to improve the *Law Forum's* reputation as a valuable educational and informational resource for busy Maryland practitioners.

This Volume contains case summaries across an array of topics, with which every lawyer who practices in Maryland should be familiar. Our article, Prosecuting Past Civil Rights Crimes in Maryland, written by University of Baltimore School of Law graduate John Maclean, discusses the evidential challenges to reopening unsolved civil rights cases. Finally, we have included summaries of legislation passed during the 2004 Maryland General Assembly Session. One new law of particular importance was introduced by Delegate Carmen Amedori – House Bill 1463 – which prohibits personal liability for personal injury to or death of any person who enters another person's dwelling or *place of business* with the intent to commit burglary or a crime of violence.

Many thanks from myself and the Editorial Board to our Associate Editors and Staff Editors for their trust in us to move the *Law Forum* forward. Their commitment to quality and dedication to our team effort allowed us to meet our very heady goals. My personal thanks to Allisan Pyer, RD Editor, for selecting and completing the final edit of our Recent Developments; to Jenny Piatetski, Assistant RD Editor, for selecting and compiling the General Assembly Updates; to John Borelli, Production Manager, for ensuring the Staff Editors met the deadlines; and to Megan Bramble, who worked closely with me on article edits. Thanks also to Dean Gilbert Holmes, Assistant Dean Stephen Wilson, and Karen Taylor for their assistance with the budgetary and administrative aspects of the *Law Forum*. And lastly, I thank my husband, Barry, for his unwavering support through my law school trials and tribulations.

This publication also marks the end of my law school days at the University of Baltimore School of Law. There are too many Professors and Administrative Staff to thank individually for their encouragement and support; however, please know that you made my law school experience a memorable and valuable one. Best wishes to you all!

Brenda N. Taylor
Editor in Chief