Res Ipsa Loquitur

Newsletter of the Wicomico County Bar Association
Vol. I, Issue 4 - August 2011

President's Message
by Heather Konyar

It's August and the changes keep rolling in … congratulations to Karen Dean, Wicomico County's newest Master of Domestic and Juvenile Relations. For those who want to know more about Master Dean, be sure to check out the article on page 6.

Inside, you'll also see pictures of our recent "service day" coordinated in conjunction with Legal Aid and Habitat for Humanity. Although we were in the dog days of July, a small group of us braved the heat and spent the better part of the day renovating a home right here in Salisbury. Whether painting or woodworking, we enjoyed the opportunity to improve our own community, and look forward to hosting another day for this worthy cause.

Looking forward to this fall, expect to see frequent events and bar get-togethers. Once the frenzy of summer is past, we hope to bring everyone back together for a number of interesting events, including a memorial session, an organized Bar picture on courthouse steps, a wine or beer tasting, and more. As always, we hope to see you out and about.

Join us as we work toward making the Wicomico County Bar a socially committed, active (and lively) organization. See you soon!

WCBA Calendar

- **August 12, 2011: Brown Bag Lunch @ Noon; Location: Salisbury Chamber Building; Topic: Arch McFadden on "Subsequent Offender Penalties." Cost: $5 members; $7 non–members**
- **October 7, 2011: Marital Property Workshop; The Cambridge Hyatt**
- **November 4, 2011: Wine or Beer Tasting @ 4:30 pm; Location: TBA**
- **December 10, 2011: Holiday Party! Details Coming Soon.**

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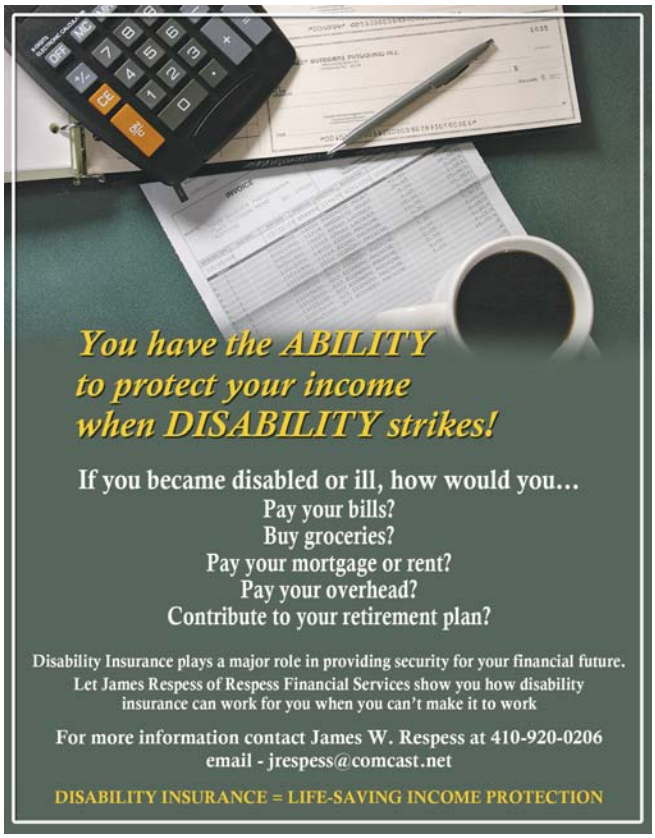

Karen Dean Sworn in as Family Division Master

The Wicomico County Bar Associaiton offers special congratulations to the Honorable Karen Dean for her appointment as Domestic and Juvenile Master for the Circuit Court for Wicomico County and the First Circuit. Learn more about Master Dean in the article on page 6.

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Res Ipsa Loquitur is published bimonthly and contains substantive legal articles, announcements and Association News. Advertisements are subject to approval by the Res Ipsa Loquitur staff and the Executive Board of the Wicomico County Bar Association. Advertisements can be accepted in PDF, Word, or WordPerfect format.

Rates (Full color or black/white). Limited advertising space is available in the next four issues at these rates: 1/2 page $75.00 each; 1/4 page $40.00 each; 1/8 page $20.00 each.

Deadlines: October-*September* 23; *December*-November 23; *February*-January 23

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To contact Res Ipsa Loquitur, please e-mail the Editor or Co-Editor. Res Ipsa Loquitur is a bi-monthly publication of the Wicomico County Bar Association informing its members about current events related to law and the community. Articles do not necessarily reflect the official position of the Association, and publication does not demonstrate an endorsement of views expressed herein.

The contents of advertisements and articles are the responsibility of the advertisers and writers, and do not represent any recommendation or endorsement by Res Ipsa Loquitur or the Wicomico County Bar Association.

Member News

Our condolences to member Kenneth Gaudreau, on the loss of his father, David Gaudreau.

Do you have news you would like to share with your colleagues? Personal or professional, let Res Ipsa Loquitur spread the word. Send news and announcements to sjland@akmanpc.com.

Wicomico County Bar Association Committee Lists

Are you on a committee? Would you like to be included? Join your fellow members on these committees:

Library Committee: John C. Seipp, Kennetth Gaudreau, Melvin J. Caldwell, Jr.

Newsletter Committee: The Honorable Leah Seaton(Co-Chair), Susan J. Land (Co-Chair), Barbara R. Trader, James W. Respess, Mark Tyler, Melissa Kilmer, Patricia Harvey

Social Committee: Laura Borowsky (Chair), Amy Sevigny, Ashley Bosche, Kimberly C. Dumpson, Michael Crowson, Robert Lee Marvel

Memorial Committee: Sharon Donahue, Amy Sevigny, The Honorable David B. Mitchell, Elizabeth Ireland

Call for Articles

Come one, come all! Submit your articles, or ideas for articles, for inclusion in future newsletters. If you would like to do a regular column or be a regular contributor, we welcome you! Articles should be relevant to law or our community. We are also looking for information regarding our members, such as moves, new hires, new jobs, etc. This newsletter will be only as great as the contributions you make to it.

Committee Notes

Library Committee

We have hired a new librarian, Gregory Pickett. Greg is currently working on the inventory of the Library, and once that is complete, we will be in touch with members to determine what can be kept and what can be disposed of.

Pro Bono / Scholarship Committee

Thank you to all members who have contributed their time and effort to providing pro bono assistance to the community.

Memorial Committee

We are moving forward and planning the memorial service for the fall.

Social Committee

The holiday party will be December 10th, 2011 from 6-10pm in the Bistro Room at Salisbury University. Stay tuned for more events and details.

Newsletter Committee

The Newsletter Committee is pleased to present our 4th issue. We are always looking for contributers and advertisers. Please contact any of our members to contribute.

We have also begun work on an exciting, brand new project, one that will bring the WCBA into the modern age: a website! While still a work in progress, we hope to have the site up and running within 30–60 days.

Not a member?

Not a member of the Wicomico County Bar Association? Dues slipped your mind? Contact Nicole at attygrl@aol.com for information.

Spotlight on Member Benefits

Each issue of Res Ipsa Loquitur will spotlight one of the many benefits offered to members of the Wicomico County Bar Association.

Did you know that your Wicomico County Bar Association dues entitle you to Lexis-Nexis access? The process to obtain your Lexis password is really quite simple. First, you must make sure that you are current on your Bar Association dues. If you are not sure whether your dues are current, please check with the Bar Association Treasurer, Nicole Green. Your current dues must be paid before going any further.

Then, assuming your dues are current, you should contact Terry Eskridge in the Judges' Office at the Wicomico County Circuit Court. Terry can be reached at 410-548-4822. She will provide you with a Lexis contract to sign and then provide you with your password. Please keep in mind however, that if you become delinquent on future dues, that your Lexis account will be cancelled.

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Estate Planning After Divorce

by James W. Respess, Esquire

The emotional turmoil of divorce can be overwhelming or liberating, depending on the client's perspective. But in addition to the divorce itself, there are other things that need to be cared for now that the union of two people has ended. Attorneys who practice domestic law should consider advising clients to review their Estate Plan, as part of the divorce process.

In most cases, the husband and wife seeking to dissolve their marriage are no longer interested in their ex-spouse being the beneficiary of their estate, and want to protect their children in the event that either parent remarries following divorce. If the original plan was to leave everything to their spouse and then to their children, their spouse may still get everything if the estate plan is not modified following divorce.

When preparing a Separation and Property Settlement Agreement, counsel and clients may want to consult with an Estate Planner to insure that proper decisions are made.

Beneficiary designations for the following financial instruments must be reviewed, drafted and corrected as needed:

1. Employee Retirement Plans
2. Individual Retirement Accounts (IRA)
3. Life Insurance
4. Annuities
5. Health Savings Accounts
6. Investment Accounts
7. Bank Accounts
8. Last Will and Testament
9. Health Power of Attorney
10. Trust
11. Durable Power of Attorney

In a perfect world, if something happens to one parent, the other parent would assume custody or guardianship of minor children. However, that may not be feasible or desirable after a divorce. In that case other arrangements may be necessary and should be incorporated into the Estate Planning process. For example, there may be concerns that money provided for the child or children may not be spent for the intended purpose. The parent can prepare a Revocable Living Trust with directions to the Trustee to be paid directly for the benefit of the children and to carry out the grantor's wishes. This would prevent the monies getting into the hands of the ex-spouse's new spouse should he or she remarry. A properly worded Testamentary Trust may also resolve this concern, as part of a Last Will and Testament.

In many cases, the family law attorney is not well versed in estate planning issues. His or her focus is to help the client dissolve the marriage and make decisions regarding asset distribution, custody, child-support and other issues. Estate planning attorneys can work closely with family law attorneys to conclude the final step of the dissolution.

Dean Sworn in as Domestic and Juvenile Master

by The Honorable Leah Seaton

On July 15, 2011, the three judges of the Circuit Court for Wicomico County convened in special session for the appointment of Karen M. Dean, Esquire, as Master of Domestic Relations and Juvenile Causes. Members of the bar, courthouse staff and special guests of Master Dean were in attendance. Master Dean was selected by a committee headed by the Honorable W. Newton Jackson, Jr., from a large pool of well-qualified applicants. Master Dean received her undergraduate degree from the University of Delaware in 1996 and her law degree from the Vermont Law School in 1999. She began her legal career as a law clerk with a Judge of the Superior Court in Pennsylvania.

Upon completion of her clerkship, Master Dean accepted a position as a staff attorney with the Salisbury office of the Legal Aid Bureau, Inc. In her four years as a Legal Aid staff attorney, Master Dean handled a variety of civil matters, including family law cases. In 2005, Master Dean accepted a position as an Assistant State's Attorney in Somerset County. In 2007, she was appointed to serve as Deputy State's Attorney for Somerset County, a position she held until January 2011, when she became a felony prosecutor in the Wicomico County State's Attorney's office.

In selecting Master Dean for the appointment, the selection committee recognized her strong litigation skills and experience handling both family law and juvenile law cases. Master Dean will be presiding over juvenile court and family law cases and will be responsible, with the Administrative Judge, for implementation of the Family Law case management plan.

In addition, she will be working with the Administrative Judge to oversee the Family Services Office, which is housed within the Master's Office. As Master, she will also be primarily responsible for presiding over meetings of the

Juvenile Coordinating Council, where members of Executive Branch child-serving agencies meet with the Court regarding juvenile court matters. Master Dean will also be presiding over the Truancy Reduction Pilot Program in the First Judicial Circuit.

News from the District Court

Due to transfers and promotions, District Court has several new faces and position changes. Cassandra Lawson joined our Courtroom Clerk team as a Lead Courtroom Clerk on June 1, 2011. Cassandra was most recently a Courtroom clerk in Ocean City District Court. Kandise Saykalay joined our staff on June 29, 2011 as our cashier. Kaley McCune was promoted to the Courtroom Clerk team on June 15, 2011, and Brenda Becker transferred from the Civil Department to the Criminal Traffic Department. We are still working on filling another civil clerk position as well as a Drug Court Case Manager.

We began our "summer schedule" on July 1, 2011. This means Courtroom 3 will only have a Wednesday docket scheduled until January 1, 2012, when we will reopen Courtroom 3 four days a week.

Spotlight on Member This Month

Amy Taylor Sevigny

1. Employment:

Wyndham Hotels and Hyatt Hotels in Az., Co., Ca., D.C.: 1995–2003

Law Offices of William Alden McDaniel, Jr. in Baltimore: 2003–2005

Law Clerk to Judge Daniel M. Long in Somerset County: 2008–2009

Otway, Russo & Rommel, P.C. in Salisbury, Md.: 2009–present

2. Practice Areas: Civil Litigation; Medical Malpractice – Plaintiff; Personal Injury – Plaintiff

3. Educational Background: Cornell Univ. B.S. 1995; Univ. of Baltimore J.D. 2008

4. Family: Husband, Marc Sevigny; Son, Turner – 5; Daughter, Louisa – 2 1/2

5. Hobbies & Interests: Coaching t-ball; the Beach!

6. Favorite book(s): Pre-kids: *The Entailed Hat* by George Alfred Townsend

Post-kids: *Goldilocks and the Three Bears*

7. Favorite song(s): Pre-kids: Anything by Alison Krauss

8. Favorite place to eat out: The Palette, Snow Hill, Md.

9. Favorite place to spend leisure time: Bethany Beach, De.

10. Favorite travel destination: Umbria, Italy

11. Favorite food(s): Eastern Shore tomatoes with mozzarella and basil from the garden

12. Favorite sport(s)/team(s): To play – softball. To watch – NFL football.

13. If I wasn't practicing law, I would be: Enjoying time with my family at the beach.

14. If I could travel anywhere in the world, I would go to: Umbria, Italy

15. Favorite memory or experience from your practice of law: Helping my client win a favorable jury verdict in a county where we were told by the settlement attorney and others that a jury in that county wouldn't award my client a dime.

16. What do you like most about practicing/living in Wicomico County: Friendly, generous, "what you see is what you get," small town people. Being close to the beach.

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Pictures From Habitat For Humanity

July 9, 2011

On July 9, 2011 the Wicomico County Bar Association joined with the Lower Eastern Shore Legal Aid Bureau to volunteer at a local Habitat for Humanity Project. Heather Konyar, Melissa Kilmer, Susan Land, Wanda Deal Fields, Gwen Fields, Bob McCaig and Nancy McCaig spent the morning painting the almost finished house, while David Martz and his son worked on the fence outside. For the afternoon shift, volunteers included Nohora Rivero, her husband, Ejigou Demissie and Wanda's brother Aaron Deal.

Bob, Wanda and Gwen working in the upstairs bedroom.

Melissa, Wanda and Gwen finishing up the kitchen.

The morning crew with the future homeowner!

Teamwork makes the job go faster for Gwen and Heather.

Pictures From Habitat For Humanity

July 9, 2011

David and his son using power tools to build the fence.

Heather and Gwen with our painting teacher and the homeowner.

Wanda Deal Fields and Gwen Fields taking a break.

Melissa didn't even get any paint in her hair!

Photo Credits: *Nancy McCaig, Wanda Fields, and Susan Land*

(*Continued on pg. 10*)

Habitat For Humanity
(continued from pg. 9)

Aaron Deal, Nohora Rivero and Ejigou Demissie represented Legal Aid on Saturday afternoon.

Working on the fence, Aaron and Ejigou work with other volunteers.

Teamwork, volunteers and power tools.

News From the Circuit Court

Rhea Gunn has joined the staff of the Master's Office as the Master's Office Associate. She joins us after serving for two years as an intern with the Drug Treatment Court Program. She earned a degree in Criminal Justice from the University of Maryland Eastern Shore. Rhea is a fantastic addition to the Master's Office and Family Service team. Please welcome her.

Gregory C. Pickett has been selected to serve as the new Bar Librarian. He will be responsible for maintaining the Bar Library and assisting the Library Committee in completing a library inventory and updating the Library. Gregory has his JD/MBA from the University of Baltimore. He previously served in the IT department for Wicomico County and is a welcome addition to our Circuit Court. Please take time to introduce yourself and to welcome Gregory as our new Bar Librarian.

On July 15, 2011, Karen M. Dean, Esquire, was sworn in as the Master for Domestic Relations and Juvenile Causes. Master Dean is a graduate of the University of Vermont School of Law. Her experience is profiled in depth in an article in this issue. Master Dean joins Masters Kent, Laird and Ketterman as one of four First Circuit Masters, and will be responsible for juvenile and domestic dockets. Please welcome Master Dean, as she assumes her new duties.

Minutes in a Minute

On August 12, 2011 our fourth membership meeting was held before the Brown Bag Lunch, with speaker Arch McFadden. Nicole Green, our treasurer, reported that at this time all members have paid their dues, and our account has a balance of $7711. Secretary Susan Land reported that the board has approved a plan for an association website, which we hope to have online within two (20 months. Vice-president Angie Dipietro thanked all members for providing pro bono assistance to the community. After Committee Reports, new business included the admission of FIVE new members! Congratulations to Michael Sullivan, Roscoe Leslie, Ethan Freyman, Joel Todd, and Pam Correa.

Judge Beckstead introduced her new law clerk, Ian Hitchcock to the Association. If you happen to be in the Courthouse, please say hello. Former clerk Kristen Smith is now working at Otway Russo.

The Board is proud to report that we had twenty-six (26) colleagues in attendance at this informative and fun meeting. We look forward to presenting more educational and informative programs for our members.

Speakers Bureau

To celebrate the 100th Anniversary of the Legal Aid Bureau, Inc., the Wicomico County Bar Association is joining with the Bureau to create a Speakers Bureau for the Lower Eastern Shore**.** If you are interested in joining the Speakers Bureau, please send your name, contact information and areas of law that you are qualified to speak on to Susan Land at sjland@akmanpc.com. This is a wonderful opportunity for members of the Association to help the community and get in those Pro Bono hours as well.

Notice of the Appointment of a Part-Time Magistrate Judge in the United States District Court, District of Maryland

The United States District Court for the District of Maryland is now accepting applications for a part-time United States Magistrate Judge position in Salisbury.

The basic jurisdiction of the United States Magistrate Judge is specified in 28 U.S.C. § 636 et seq. This position is designated as Salisbury and has primary responsibility for Somerset, Wicomico and Worcester Counties, Assateague Island National Seashore and Chincoteague National Wildlife Refuge. This includes the portions thereof situated in the Eastern District of Virginia, Wallops Island National Wildlife Refuge and Watts Island National Refuge which lie in the Eastern District of Virginia, and those areas under the operational control of the Commander, U.S. Coast Guard Group Eastern Shore including those areas situated in the Eastern District of Virginia, with travel to other locations within the state of Maryland as required.

For qualifications and application instructions, look on-line by accessing the “Magistrate Judge Announcement” icon on the Court’s home page at www.mdd.uscourts.gov. DEADLINE for applications is September 15, 2011.

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