



CITY BAR REPORT

News from the Bar Association of Baltimore City

Ethics Hotline Volunteer

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The Bar Association of Baltimore City Supports the Rule of Law.



The Hon. Teresa Epps Cummings, President of the Bar Association of Baltimore City

BY THE HONORABLE
TERESA EPPS CUMMINGS

Silence is not always golden and while this statement may have been delayed, make no mistake that the Bar Association of Baltimore City (BABC) fully supports the rule of law and hereby adopts the American Bar Association's statement which was issued on March 26, 2025.

"The American democratic system is not always based upon simple majority rule. There are certain principles that are so important to the nation that the majority has agreed not to interfere in these areas. For instance, the Bill of Rights was passed because concepts such as freedom of religion, speech, equal treatment, and due process of law were deemed so important that, barring a Constitutional Amendment,

not even a majority should be allowed to change them. Rule of law is a principle under which all persons, institutions, and entities are accountable to laws that are: Publicly promulgated; Equally enforced; Independently adjudicated; and consistent with international human rights principles." <https://www.uscourts.gov/educational-resources/educational-activities/overview-rule-law>

The BABC stands together with and in support of the American Bar Association to defend the rule of law and rejects efforts to undermine the courts and the legal profession.

In particular, as outlined by the ABA:

The BABC endorses the sentiments expressed by the chief justice of the U.S. Supreme Court in his 2024 Year End Report on the Federal Judiciary, "[w]ithin the past year we have also seen the need for state and federal bar associations to come to the defense of a federal district judge whose decisions in a high-profile case prompted an elected official to call for her impeachment. Attempts to

intimidate judges for their rulings in cases are inappropriate and should be vigorously opposed."

The BABC supports the right of people to advance their interests in courts of law when they have been wronged. We reject the notion that the U.S. government can punish lawyers and law firms who represent certain clients or punish judges who rule certain ways. We cannot accept government actions that seek to twist the scales of justice in this manner.

The BABC rejects efforts to undermine the courts and the profession. We will not stay silent in the face of efforts to remake the legal profession into something that rewards those who agree with the government and punishes those who do not. Words and actions matter. And the intimidating words and actions we have heard and seen must end. They are designed to cow our country's judges, our country's courts and our legal profession.

There are clear choices facing our profession. We can choose to remain

silent and allow these acts to continue or we can stand for the rule of law and the values we hold dear. We call upon the entire profession, including lawyers in private practice from Main Street to Wall Street, as well as those in corporations and who serve in elected positions, to speak out against intimidation.

If lawyers do not speak, who will speak for our judges? Who will protect our bedrock of justice? If we do not speak now, when will we speak? Now is the time. That is why we stand together with the ABA in support of the rule of law. And while you may not agree with the totality of the ABA's statement, as you start each day, remember the oath which you took before beginning to practice law. We all took an oath to demean ourselves fairly and honorably, bear true allegiance to Maryland and the United States, and to support their respective constitutions and laws. This oath ensures that Maryland attorneys are committed to upholding the legal system, inclusive of the rule of law, and that commitment needs to remain unwavering.

The Scoop on Ice Cream Laws



Rachel Samakow, Chair of the Young Lawyers' Division

In honor of the weather finally staying nice for more than a couple hours, and the YLD's final event of the bar year, our much-anticipated Ice Cream Social (coming your way in June!), here's

I'm sharing some interesting tidbits, or should we say knowledge sprinkles, on your favorite frozen treat!

So, what is ice cream, legally speaking? Not everything cold and creamy can legally be called "ice cream." In the U.S., the Food and Drug Administration (FDA) mandates that ice cream must contain at least 10% milkfat and 20% milk solids. It must also meet specific compositional requirements regarding sweeteners and stabilizers. And yes, the amount of air whipped into it (a.k.a.

overrun) is regulated too; ice cream must weigh 4.5 pounds per gallon. Anything less, and it may fall under a different label—like "frozen dairy dessert" or "ice milk." While consumers may not notice the difference, regulators and plaintiffs' attorneys certainly do. Ever notice how some ice cream containers seem to shrink while the price stays the same? While shrinkflation is not illegal, deceptive packaging can land a company in legal trouble. Several class-action suits have been filed over misleading container sizes and air content. More air equals fluffier ice cream—but too much and you may be legally eating "ice cream foam."

An extra little fun fact: "non-dairy ice cream" is a regulatory contradiction. Products made with almond milk, oat milk, or soy must use alternative terms like "frozen dessert" or face FDA warnings. In 2020, a wave of litigation focused on whether plant-based dairy alternatives could legally use traditional dairy terms — a 'chilling' battleground for

food labeling lawyers.

The labeling litigation doesn't stop there. Some might say vanilla is boring, but it's actually the most litigated ice cream flavor of them all. Plaintiffs have filed numerous class actions arguing that products labeled "vanilla" mislead consumers when they rely on artificial flavoring rather than vanilla bean extract. If a food's flavor comes from a natural source, like vanilla beans, it may be labeled as "vanilla." To be called "French vanilla," egg yolks must be included as part of the base. But if synthetic or artificial vanillin is used, the dessert must be described as "artificially flavored." Products that play fast and loose with this labeling may find themselves in legal hot fudge.

Prefer your ice cream scoop on a cone? There's plenty of cone-troversy there. Trademark battles over cones, both the physical product and the branding, have been 'waffling' around the courthouse since the early 1900s

when multiple inventors claimed to have created the first ice cream cone. In more modern times, litigation has extended to trademark protection, such as companies defending their unique cone shapes, packaging, or brand names. Disputes also occasionally arise in cases of product liability—when an allegedly defective cone leads to injury or harm, prompting lawsuits over food safety.

Lawsuits and legal battles over this sweet treat go well beyond flavors and containers, from slip and falls over melted product, even to noise ordinances and zoning laws. Ice cream truck turf wars? You better believe it!

For most of us the biggest ice cream dispute comes down to this: what flavor are you going to get?

Feel free to try more than one with us in June at our Ice Cream Social! We'll see you there!

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The Bench Bar Conference is a one-day program that offers presentations by conference faculty, comprised of highly regarded members of the bench and bar.

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Speakers include: Hon. Audrey Carrion; Senator Dayla Attar, Maryland State Delegate, Elizabeth M. Embry, Tom DeGonia, Hon. Jonathan Biran; Hon. Douglas Nazarian; Hon. Myshala Middleton; Hon. Alan Lazerow; Hon. Nicole Barmore; Hon. Dana Middleton; Hon. Hope Tipton; Hon. Catherine Chen; Hon. Pamela White and many more.

May 30, 2025 8:00 am - 4:30 pm

Ruth's Chris Steak House

711 Eastern Avenue, Pier 5 Hotel

Registration Now Open

Member \$80, Non-member \$90
Onsite: Member \$90, Non-member \$100

Price Includes Breakfast, Lunch and Reception.

Register at www.baltimorebar.org/calendar

BABC BENCH BAR CONFERENCE EVENT SCHEDULE

"It's a Charm City"

WELCOME
BABC President, The Honorable Teresa Epps Cummings

OPENING SESSION: WHAT THE BENCH AND BAR NEED TO KNOW ABOUT AI
Gary Norman, Justice Jonathan Biran, Ariana Aboulafia, Maitreya Shah

DIVING INTO NEW MARYLAND RULES
10:00 - 10:50 AM
Ryan Dietrich, Judge Douglas Nazarian, Court of Special Appeals

HOT TOPICS IN FAMILY LAW
Alice Pinderhughes, Judge Myshala E. Middleton

VIEW FROM THE BENCH FOR LAWYERS NEWER TO THE COURTROOM
Glenn Gordon, Judge Alan Lazerow, Judge Nicole Barmore

A GLIMPSE INTO THE NEW VOIR DIRE
11:00 - 11:50 AM
Chief Judge Audrey Carrion, Michael Hudack

UNPACKING LEGISLATIVE SESSION 2025
Jacob Dorfman, Senator Dayla Attar, Elizabeth M. Embry, Maryland State Delegate

BEST PRACTICES FOR CLIENT SATISFACTION: MANAGING RISK FOR GRIEVANCES
Kiernan Waters, Al Frederick, Tom DeGonia

LUNCH AND LEARN: MDEC: SHARED LESSONS AND A LOOK TO THE FUTURE
Amy Petkovsek, Esq.

1:30 - 2:00 PM
Exhibitors Showcase

SUPPORTING OUR TEAMS: MENTAL HEALTH RESOURCES FOR BENCH, BAR AND STAFF
2:00 - 2:50 PM
TBD

HOT TOPICS IN WILLS, ESTATES AND TRUSTS
Evelyn Lombardo, Cusson, Richard Tabato, Shannon Hammond, Hon. Pamela White

PATHS TO THE BENCH
Kiernan Waters, Judge Dana Middleton, Judge Hope Tipton, Judge Catherine Chen

CLOSING REMARKS, SPONSOR DRAWINGS, RECEPTION
3:00 - 4:00 PM
BABC President-Elect, Evelyn Lombardo Cusson

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The generous support of Sustaining Members of the Bar Association of Baltimore City greatly assists this bar association in fulfilling its mission and achieving further growth and success. The unwavering dedication of these members ensures the BABC will continue its long and distinguished tradition of service to our legal community and the public. If you are interested in becoming a Sustaining Member, please contact Karen Fast at kfast@baltimorebar.org.



BALTIMORE BAR FOUNDATION SPRING GRANT CYCLE ACCEPTING APPLICATIONS NOW

DUE DATE: May 30, 2025

The Baltimore Bar Foundation is a charitable organization, incorporated in 1970 to foster and maintain the honor and integrity of the profession of the law; to improve and to facilitate the administration of justice, to enhance and improve the image of lawyers, and to promote the study of the law and research therein and the diffusion of knowledge thereof.

In furtherance of those objectives, the Foundation provides financial support for non-profit programs and organizations that have a significant relation to the Baltimore City community and that may be expected to contribute to:

- 1. the improvement of the administration of justice**
- 2. the provision of legal services through staff attorneys or unpaid volunteers to persons who find it difficult to obtain legal services through normal channels**
- 3. the education of the general public, including primary and secondary school students, regarding law and the legal system**
- 4. the improvement of the image of lawyers and of the legal profession through lawyer participation in community outreach programs and other good works**

Although on occasion the Foundation will provide all of the funding necessary for the accomplishment of a given objective, in most cases only a portion of the projected budget will be underwritten, usually on the express condition that the balance of the funds be raised from other sources. Grants of "seed money" in this manner for a law-related project often provide help and confidence for foundations that wish to offer gifts for such projects but lack expertise in the legal field to make a judgement as to whether the project is worthy of support. Thus, the Foundation can act as a catalyst in bringing support from other donors to projects that require more funds than the Foundation can offer.

**For applications go to the Baltimore Bar Foundation
at www.baltimorebar.org, or e-mail kfast@baltimorebar.org.**

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