

LAWYERS JOURNAL



Volume 15, Number 10 • June 2008

www.MassBar.org

Logical Next Step: Drug Policy Reforms

Our work this year on sentencing reform and Criminal Offender Record Information legislation has pointed us to some broader issues, those which lie at the root of so many of our social problems: It is undeniable that drugs and alcohol are invariably strongly related to crime, domestic violence, child abuse and divorce. It is time for the bar to ask how we can break the vicious cycles that perpetuate these problems.



President's View

by David W. White Jr.

Unfortunately, the response to substance abuse problems that we have at the present time is largely punitive, with incarceration and with the removal of children from families, with placement in foster care. Families break up, parents lose visitation with their children, and all family members suffer.

On top of that, the monetary costs are enormous. Focusing only on incarceration in the state's jails and prisons, the cost projected for FY 2009 is \$1.4 billion. That leaves out the costs of prosecution, defense, DSS, probation, and, importantly, the costs to victims.

The cycle does not end; and people who leave jails and prisons have a high likelihood of re-offending, especially given the limited support they receive while incarcerated, and, so many times, when

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May HOD meeting highlights ceremonial passing of the gavel, creation of two new sections

by Tricia M. Oliver

Massachusetts Bar Association President David W. White Jr. swiftly led the MBA House of Delegates through a full agenda on May 14 at the Salem Waterfront Hotel. The meeting marked the fifth and final meeting of the House until the new association year begins in September. Sprinkled throughout the business of the meeting were various accolades about White's many initiatives since he assumed his presidency last September.

Following reports from the officers, MBA Executive Director Marilyn J. Wellington and General Counsel Martin W. Healy, the delegates unanimously approved the creation of the Juvenile and Child Welfare Section, as well as the Immigration Law Section. Prior to Wednesday's vote, the Juvenile Practice Group existed under the Criminal Justice Section and the Immigration Law Committee was not incorporated into any of the

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Photo by Bill McCormack

MBA President David W. White Jr. (left) passes the ceremonial gavel to President-elect Edward W. McIntyre, whose term begins in September.

Four Eco-Challenge participants honored for their strides in greening their practices

by Kate O'Toole and Tricia M. Oliver

The work of the Massachusetts Bar Association Energy and Environment Task Force in developing the Green Guidelines and launching the Lawyers Eco-Challenge has been well received by the Massachusetts legal community, with nearly 60 firms and solo practitioners pledging to incorporate more earth-friendly practices into their offices.

On May 14, the Massachusetts Bar Association and its Lawyers Eco-Challenge partner, the Conservation Law Foundation, honored four of those law firms for exemplary leadership in greening the practice of law. The honors took place at the closing reception following the House of Delegates meeting at the Salem Waterfront Hotel.

"Now, more than ever, it is necessary for lawyers to become sustainability leaders. We hope the efforts of our Eco-Challenge pledge partners continue to inspire changes throughout the legal

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Photo by Bill McCormack

Representatives from four honored firms — **Modern Times Legal**; McRoberts, Roberts & Rainer LLP; Milton, Laurence & Dixon; and Borchers, Ware & Guglielmo PC — were on hand at the May 14 reception.



White assembles MBA Drug Policy Task Force. See page 23.



MBA delegation takes part in ABA Day in D.C. See page 4.

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Four Eco-Challenge participants honored for their strides in greening their practices

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community and the business world at large,” said MBA President David W. White Jr. as he welcomed the guests of honor at the reception.

CLF President Philip Warburg offered words of thanks to the honorees and all the Eco-Challenge pledge partners. “Whether they have worked to reduce energy use, put an end to the massive amount of paper we use, or encouraged employee participation by encouraging public transit and commuting choices, the firms being recognized today — and all the other participating firms — are setting a true example for the rest of the business and legal community in Massachusetts,” said Warburg, who was joined at the event by CLF Staff Attorney Susan Reid, who co-chairs the MBA Energy and Environment Task Force.

Partners from McRoberts, Roberts & Rainer LLP in Boston; Milton, Laurence & Dixon in Worcester; **Modern Times Legal** in Cambridge; and Borchers, Ware & Guglielmo PC in Medway were on hand to accept the awards for their firms’ extraordinary efforts in minimizing their offices’ impact on the environment.

Reusable mugs, public transit and double-sided printouts reduce Boston firm’s carbon footprint

McRoberts, Roberts & Rainer LLP, Boston



McRoberts, Roberts & Rainer LLP

For McRoberts, Roberts & Rainer LLP, which focuses its practice on environmental law and land use, joining the Eco-Challenge and becoming a greener office has enhanced the firm on several fronts. As an expert in the environmental field, the firm felt an obligation to examine its practices and lead by example.

“We spend the majority of our days examining and addressing the impacts to

the environment from the acts and omissions of others,” explained firm associate Jennifer Bernazani-Ludlum. “It is our objective to demonstrate practical strategies to minimize our consumption of energy while at the same time providing our clients with quality environmental and land-use representation.”

The firm signed up for the challenge the same day it was launched in January. Since then, the staff has altered some of its office behaviors to save energy. For example, they switch off lights, computer monitors and speakers at night, and try to keep non-essential lights turned off during the day.

The firm also distributed an electronic newsletter to its clients and colleagues, which featured the MBA’s Green Guidelines, and highlighted the steps the firm has taken to reduce its energy use. The newsletter has been met with positive feedback, with firm members receiving thank you notes from clients for the “very helpful guidance.”

Before the challenge even began, McRoberts, Roberts used printers that scan and produce double-sided sheets, utilized reusable mugs and containers and recycled cans and bottles. Each staff member also takes advantage of public transportation to commute to the downtown Boston office.

“Our participation has heightened our awareness of the resources that we consume on a daily basis and has spurred us to take active steps to reduce that consumption. The Eco-Challenge was an opportunity for us to reflect on how the operation of our own practice affects the environment,” Bernazani-Ludlum concluded.

Small firm invests in volume scanner to cut down on paper, postage and wasted space

Milton, Laurence & Dixon, Worcester

policies,” noted partner Jennifer DeFronzo. “But the Eco-Challenge gave us the impetus to evaluate what we were already doing and look at other ways to create a positive impact.”

Milton, Laurence & Dixon in Worcester is a five-attorney firm of defense trial lawyers that represents clients before the state and federal courts, and in professional board hearings, mediations and binding arbitrations.

After joining the Eco-Challenge in February, Milton, Laurence & Dixon began making small changes to become more eco-friendly. For example, the staff successfully



Photos by Jeff Thiebauth

Milton, Laurence & Dixon

urged their landlord to install motion-activated soap dispensers, and are working on putting in motion-activated faucets, as well. The firm also initiated a bimonthly electronic newsletter to staff with tips on how to save energy.

According to DeFronzo, “Encouraging simple acts like turning off the lights, making double-sided photocopies when appropriate and writing the bimonthly Eco News have, almost overnight, created a firm-wide culture promoting awareness of the environment.”

Another major step for Milton, Laurence was the purchase of a volume scanner, which has helped the staff to reduce its paper volume by e-mailing documents or burning CDs. DeFronzo noted that the scanner has already dramatically improved the operation of the office. “We have not only reduced the amount of paper we use, but reduced the amount of space required for file storage and postage costs,” she said.

The firm continues to strive toward more economic and environmental efficiency. “Our next focus will be in evaluating our purchasing decisions and encouraging the use of materials manufactured from recycled materials,” DeFronzo said. “As a small firm, we’ve found that even small changes and a minimal time commitment can generate full-sized results.”

Solo practitioner in Cambridge embraces sustainable practices to streamline business, strengthen client relationships

Modern Times Legal, Cambridge



Modern Times Legal

Patent attorney **Robert J. Sayre**’s commitment to progressive business practices is reflected in his firm’s unique name: Modern Times Legal.

“My clients understand that concerns regarding the environment are real,” Sayre pointed out. His clients include top universities and companies in a range of fields, including chemistry, electronics, alternative energy and mechanical

engineering. “It is now more readily apparent to them that I share their values and commitments.”

Sayre has pursued a sustainable business model. Before the Eco-Challenge began, he ran a substantially paper-free practice and eliminated his car, instead electing to ride his

“Members of our firm have been interested in promoting environmentally-friendly

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Applauding our pledge signers

All of the firms and solo practitioners who signed the Lawyers Environmental Pledge as part of the Massachusetts Bar Association Eco-Challenge were recognized at the May 14 reception following the House of Delegates meeting at the Salem Waterfront Hotel.

Signature Signers

Conservation Law Foundation, Boston
 Breakstone, White & Gluck PC, Boston
 Brody, Haroon, Perkins & Kesten LLP,
 Boston
 Brown, Rudnick, Berlack, Israels LLP,
 Boston
 Burns & Levinson LLP, Boston
 Debra L. Smith, Attorney at Law,
 Watertown
 Foley Hoag LLP, Boston
 Greenberg Traurig LLP, Boston
 Holland & Knight LLP, Boston
 Law Office of David J. Dennis and
 Associates LLC, Fall River
 Law Office of Susan J. Crane, Sudbury
 Law Offices of Jeffrey S. Glassman LLC,
 Boston
 MCLE Inc., Boston
 Rich May, Boston
 Seyfarth Shaw LLP, Boston
 Shalhoub & Orlacchio PC, Boston
 WilmerHale, Boston

Pledge Partners

Bay State Legal Services LLC, Boston
 Michelle Bennett, Attorney at Law,
 Palmer
 Borchers Ware & Guglielmo PC, Medway
 Bromberg & Sunstein, Boston
 Dorothy Carlo, Attorney at Law, Holyoke
 Cetrulo & Capone, Boston
 Cohen & Sales, Cambridge
 Concannon Law Offices, Marshfield
 Curley Law Firm LLP, Wakefield
 Davids and Wollman, Swampscott
 Deily, Mooney & Glastetter LLP,
 Brookline
 Susan DeMaria, Esq., Florence

Denner Pellegrino LLP, Boston
 Robert A. Feuer, Attorney at Law,
 Stockbridge
 Anna T. Green, Attorney at Law, Beverly
 Klevan & Klevan LLP, Wellesley
 Lahive & Cockfield LLP, Boston
 Law Offices of Jagruti Acharya,
 Marlborough
 The Law Office of Holly D. Battige,
 Monson
 The Law Offices of Sean J. Cleary,
 Amherst
 Law Office of Elizabeth Clarke, South
 Deerfield
 Law Offices of Sherrill P. Cline PC,
 Marlborough
 Law Office of Susan B. Frankfort,
 Danvers
 Law Office of Dawn Harkness, Esq.,
 Framingham
 Law Office of Helen G. Litsas, Saugus
 Law Office of Erin McBee, North
 Andover
 Law Office of Glenn J. Murphy, Medway
 Law Offices of Leonard Y. Nason PC,
 Bedford
 Law Office of Kristin Palace, Topsfield
 Law Office of Craig Yankes, Burlington
 Stephen M. Linsky, Esq., Newton
 Mackie Shea O'Brien PC, Boston
 Allen J. Margulis PC, Needham
 McIntyre Law Offices, Clinton
 McRoberts, Roberts and Rainer LLP,
 Boston
 Milton, Laurence & Dixon, Worcester
Modern Times Legal, Cambridge
 Office of Roberta F. Sawyer, Duxbury
 Petrucelly, Nadler & Norris PC, Boston
 Rosenberg, Freedman & Goldstein,
 Newton
 Mary Ellen Shea, arbitrator, private
 practice, Amherst
 Denise Squillante PC, Fall River

MBA Lawyers Eco-Challenge Eco-Tips

Environmentally conscious purchases

Consider energy-efficient equipment when replacing appliances and computers in your office and home.

- Visit Energy Star at www.energystar.gov to find a wide array of energy-saving products, including printers, copies, refrigerators and computers.
- When replacing computers, consider those that are rated highly by the Electronic Product Environmental Assessment Tool (EPEAT) by visiting www.epeat.net. The Web site uses a set of criteria to help consumers compare the energy efficiency of various computers.

Recycling

Cut down on waste and disposables in your office and work toward recycling items you are no longer using:

- Arrange for your ink cartridge supplier to pick up used cartridges for reuse and/or purchase remanufactured cartridges, rather than new ones, for laser printers.
- Provide pitchers with filtered water, rather than bottled water, to employees and visitors.
- Donate old office equipment, computers and supplies.

Sustainable practices

Consider using paper products and printing companies that abide by sustainable practices. Among those to consider are:

- Purchase printed stationary from companies that use environmentally-sustainable inks;
- Use paper gleaned from sustainable forests; and
- Choose printing companies that rely on wind power and use soy-based inks.



White delivers Green Office Workshop keynote speech at UMass-Boston June 24

MBA President David W. White Jr. will serve as keynote speaker at the Green Office Workshop on Tuesday, June 24, at the UMass-Boston Campus & Conference Center. The workshop will run from 8 a.m. to 2:15 p.m.

MBA Law Practice Management Section Chair Alan J. Klevan, a pledge partner of the Lawyers Eco-Challenge, will also participate by leading a half-hour tutorial on creating a paperless office at 10:45 a.m. Klevan will be joined by Boston attorney Jeffrey S. Glassman, a member of the MBA's Energy and Environment Task Force.

Other sessions include Green Purchasing 101, Creating a Successful Recycling Program, Securing Funding for Green Initiatives and Engaging Co-Workers.

MBA members are eligible for a discounted rate of \$45. All attendees will receive a 60-page Green Office Manual and Green Office Start-Up Kit.

The workshop is sponsored by the Massachusetts Recycling Coalition, the Massachusetts Operational Services Division, UMass-Boston's Recycling and Sustainability Program and the MBA.

Visit www.massrecycle.org/greenoffice/ for more information or to sign up.

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Four Eco-Challenge participants honored for their strides in greening their practices

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bike, rent a Zipcar, or hop on the subway. When the MBA announced the Eco-Challenge, he was thrilled to be a part of it.

"I had not previously seen this commitment take root on a broad scale with a shared sense of purpose among attorneys," Sayre explained. "I found the program highly validating in terms of knowing that my own efforts were not in isolation."

Sayre urges other lawyers to be examples for their clients: "The collective client base of the firms that have pledged to the Eco-Challenge spans the regional economy. As these clients look to their lawyers as trusted advisors, these initiatives will spread further and the impact will be magnified."

Since the Eco-Challenge began, Sayre shifted to using recycled paper and printing double-sided paper, replaced his incandescent light bulbs with compact fluorescent bulbs, and began recycling his printer cartridges. His commitment to sustainability is now an important part of the identity and vision for Modern Times Legal, and he looks forward to continually implementing new ideas.

Sayre added that his awareness of environmental responsibility does not stop when he leaves the office at night, but persists in the aisles of the grocery store, and in his own home.

"It's contagious," he said, "Fortunately, my wife is fully on board and we enjoy working together in greening our home."

Estate-planning firm cuts down on paper and fuel; saves money and boosts morale

Borchers, Ware & Guglielmo PC, Medway



Photo by Jeff Thiebauth

"Our firm is still working on changing years of habits in printing of estate plans and in resistance to telecommuting," said Managing Partner Timothy B. Borchers. "We have bugs to work out." But Borchers, Ware & Guglielmo PC — a six-attorney Medway firm that specializes in estate planning — has taken several important steps to eliminate those bugs.

The firm signed up for the Eco-Challenge the day

Borchers, Ware & Guglielmo PC

after it launched in January. "The Eco-Challenge seemed a logical extension of our vision as a law firm in which we emphasize caring for people and their assets," explained Borchers.

Since then, they have formed a Green Up Committee to implement changes at the firm, which include switching to double-sided printing, installing additional programmable thermostats and implementing new recycling systems. The committee also developed standards for telecommuting effectively from home one day every three weeks.

"We decided to adopt an approach to most of our planning that was along the lines of 'better a little than nothing at all,'" Borchers noted. For example, while the firm is not yet prepared to make telecommuting the office norm, allowing each employee one day per month to telecommute adds up. Ten employees telecommuting once a month spares 120 commutes and several hundred miles per year.

Borchers described the small changes as "very gratifying," though he expects the changes to snowball. He predicts major changes to occur within about a year's time.

The firm has already challenged other businesses in its office building to reduce energy use. The staff has noticed a morale boost not only among themselves, but also among neighboring businesses.

Borchers urges other law firms to embrace the challenge. "Becoming more ecologically friendly boosts morale, image and savings all at once," he explained. "Rather than thinking of this as a burden, schedule times to think through the ideas. Adopt the simple ones first and expand over time."

For more information on the Lawyers Eco-Challenge, visit www.massbar.org/ecochallenge

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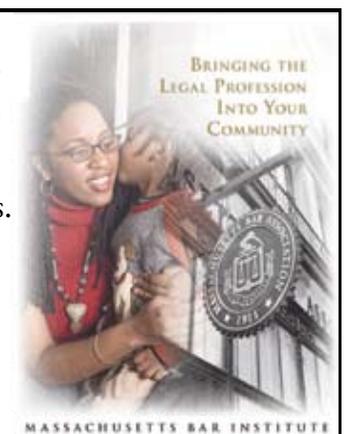
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