

4 named to Supreme Bench seats

Governor appoints District Judge Bell, 3 other lawyers

By THEODORE W. HENDRICKS

Governor Hughes appointed four men yesterday to judgeships on the city Supreme Bench—including one newly created slot that has been sought by the bar as a way to resolve the court's overcrowded docket.

In addition, the governor promoted Judge J Harold Grady to chief judge of the 23-member bench, replacing the retiring Anselm Sodaro.

Despite the new appointments, the Supreme Bench will operate on an emergency schedule through most of January because the judges will not be sworn in immediately. Under the plan, criminal courts will be fully staffed, but three retired judges will be pressed into service in civil courts.

Named to the city's jury trial courts were:

- Robert M. Bell, 36, a judge on the city's District Court. His five-year service on the District Court has been marked by a series of controversial decisions, including a recent ruling upholding public-housing rent strikes that was sent back for rehearing. He is the only black to be appointed.

- M. Albert Figinski, 41, a Baltimore lawyer who assisted Arnold M. Weiner, his law partner, in defending former Governor Mandel on political corruption charges. Most recently, Mr. Figinski acted as a lawyer for opponents to the city's rent-control measure, which was declared unconstitutional by a city judge.

- Joseph I. Pines, 57, a trial lawyer for 30 years in the Baltimore area, a former president of the Maryland Trial Lawyers Association and an active member of the Maryland Bar Association. Mr. Pines has been recommended frequently for a judgeship.

- Peter D. Ward, 42, an assistant public defender in the federal court who has served 6 years as a city prosecutor and as an assistant attorney general.

All of the new judges must run for election to 15-year terms. Three of them must run this fall because they were appointed to seats that became vacant a year before the 1980 election. Mr. Ward will not have to run until 1982 because he was appointed to a seat that became open Tuesday, when Judge Sodaro retired.

The only surprise in the selections was expressed by those who expected Mr. Hughes to name a woman judge to replace Judge Shirley B. Jones, who resigned last year to take a position on the federal bench.

Judge Grady, the senior judge, assumes the leadership post that has traditionally gone to the most experienced judge.

Saying he was "very happy" to be named chief judge, Judge Grady pledged yesterday that he would maintain the routine of the bench established by Judge Sodaro.

Leaders of the bar associations praised Governor Hughes's apparent care in making his choice. Mr. Hughes interviewed each nominee on the list of nine candidates provided by the judicial nominating committee.

"The appointments are good ones," M. Peter Moser, the president of the Maryland Bar Association, said. "I am de-

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Governor appoints 4 men to fill vacant seats on city Supreme Bench

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lighted the positions were finally made because it has been difficult for other judges to keep up."

According to James H. Langrall, the president of the Baltimore Bar Association, the governor's insistence on interviewing candidates and the lack of recommendations until November caused some delay.

"I think Governor Hughes made excellent choices," Mr. Langrall said. "On the whole, he probably acted as fast as he could do so."

The only woman on the list submitted by the nominating commission was District Judge Blanche Wahl.

Judge Wahl said yesterday, "Of course I am disappointed." She added, however, that she was most pleased that Governor

Hughes reviewed the qualifications of the candidates and took an "independent position."

Commenting on the fact that the governor had been urged to pick a woman judge to fill Judge Jones's slot, Judge Wahl said, "I am against such an arithmetical, one-to-one approach to judicial appointments."

A similar statement was made by

Joanne L. Suder, the president of the Woman's Bar Association. Ms. Suder said that she felt "happy with the choices," especially that of Judge Bell.

Ms. Suder said that Judge Wahl would be urged to apply at a later time, noting that she had been in the District Court for only two years, a relatively short time to gain experience.

Judge Bell, Mr. Figinski and Mr. Pines

fill vacancies on the Supreme Bench that were opened a year before the balloting this fall. Last spring, a new judgeship was created, and the resignations of Judge Jones and Judge Joseph C. Howard, who also went to the federal bench, made two more vacancies.

Appointed judges must stand for election in the first balloting held after the position they fill has been available for at

least a year. As legal experts point out, the controlling factor is the date the judicial position became open.

Mr. Ward will avoid this year's election but will be required to run in 1982.

Judge Grady, whose 15-year term ended in November and who is holding an interim appointment, will run for another 15-year term this fall.

The new judges

Civil rights steered Bell's career

In 1960, Robert M. Bell, a 16-year-old Dunbar High School student, was arrested for participating in a civil-rights demonstration against a Baltimore restaurant that refused to serve blacks.

Convicted of trespassing, the young student and his lawyers appealed to the higher courts. The East Baltimore youth's conviction was overturned, and his interest in law, his eventual career, was born.

Yesterday, when Governor Hughes named Mr. Bell to the Supreme Bench, the five-year veteran of the District Court was on vacation—ironic for a man with a reputation as one of the hardest-working judges in the city.

A 36-year-old bachelor, the occasional wearer of a pendant over his judicial robes, Judge Bell is one of three blacks on that bench and is considered a distinctively liberal judge.

Born in Rocky Mount, N.C., Judge Bell grew up in East Baltimore, where he graduated at the top of his Dunbar class in 1961. At Morgan State College,

he was president of the student government and finished second in a class of 450.

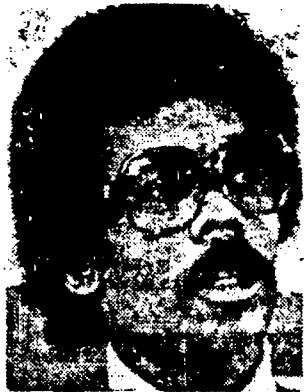
After finishing Harvard Law School in 1969, he joined the city law firm of Piper and Marbury.

On January 2, 1975—exactly five years before his appointment yesterday—he was named to the District Court.

As a District Court judge, he was criticized by some city officials for his handling of prostitution cases, which he said were being brought by police without sufficient evidence.

"From a legal point of view, he was correct," one of his colleagues on the bench noted yesterday.

Judge Bell also won both praise and criticism last year for his handling of a rent-strike case brought by public-housing tenants against the city. After making some firsthand inspections of the homes, he issued a ruling that was generally favorable to the tenants.



However, a Supreme Bench judge later ruled that Judge Bell had made errors in the case. The case was sent back to District Court, and Judge Bell scheduled a hearing for later this month. Typical of the hard-working judge, he set the case for a Saturday.

Figniski fulfills father's dream

"I yell a lot, and I've been known to be very candid," said M. Albert Figniski yesterday, when asked to describe his personality and courtroom style.

Yesterday's appointment of the 41-year-old East Baltimore native to the Supreme Bench was reason enough for Mr. Figniski's booming voice to echo through the law office of Melnicove, Kaufman and Weiner.

Mr. Figniski joked that now he was "going to have to learn something called judicial temperament."

For Mr. Figniski—a lawyer best known for his aid in the defense of former Governor Marvin Mandel and for his fight against rent control—the judgeship fulfilled a dream that his father, a lawyer himself, had for his son as the family grew up on Ellwood Avenue near Patterson Park.

"Albert was an outstanding baseball player," recalled Arnold M. Weiner, in whose firm Mr. Figniski is a partner.

"He was being scouted by the Phillies and was dying for a tryout. But one day his father took him through the neighborhoods, saying, 'Look, anyone can play ball; you've got a brain.'"

So, the son from the Eastern European neighborhood went to the Johns Hopkins University, where he was a Phi Beta Kappa graduate in 1959, and received a law degree from the University of Maryland in 1962.

In 1965, he went to work for former Senator Joseph Tydings (D, Md.). He threw himself into the Democratic politics of East Baltimore but lost his only personal race—for a delegate's slot to the party's 1972 national convention.

Since then, he has been close to many key city Democrats, once acting as campaign treasurer for Representative Barbara A. Mikulski (D, Md., 3d).

During Mr. Mandel's trials, Mr. Figniski was top assistant for Mr. Weiner, the former governor's defense attor-



ney. Last year, Mr. Figniski led a legal challenge to the rent-control proposal—first on behalf of a group of city landlords, then on his own initiative.

Pines brings experience to bench

Joseph I. Pines comes to the Supreme Bench after more than 30 years as a private lawyer spending virtually all of his time in civil law.

He is well respected as a trial lawyer who handles negligence cases and other general civil litigation. As a young lawyer he handled some criminal cases.

From now on, the 57-year-old Mr. Pines is expected to be hearing criminal cases, one of the main responsibilities of Supreme Bench judges, as well as civil matters.

Mr. Pines has been nominated before for the Supreme Bench, most recently in 1976 for a seat that eventually went to Joseph H. Kaplan. He had also been recommended for the Court of Special Appeals, the state's second highest court.

He was born in New York but came to Baltimore with his family when he was 3 years old.

In 1942, Mr. Pines received his law degree from the University of Balti-

more. Four years ago, he received a liberal arts master's degree from the Johns Hopkins University—"just to round out my professional and cultural background," he said.

For many years, Mr. Pines has been active in local civic and professional organizations.

From 1953 to 1961, Mr. Pines was chairman of the State Appeals Board, which operated as a liquor licensing board in a number of counties.

He was president of the Urban League of Baltimore, vice president of the Baltimore Jewish Council, chairman of the Anti-Defamation League of Maryland and a board member of the Jewish Family and Children's Society.

Mr. Pines is a past president of the Maryland Trial Lawyers' Association and is chairman of the character committee for the state's Eighth Judicial Circuit. The committee reviews appli-



Sun photo—William Horz

cants to be lawyers in Baltimore to determine whether they are fit to practice in the area.

Mr. Pines is counsel to the law firm of Levin, Gann and Hankin.

Waiting is finally over for Ward

For Peter D. Ward, yesterday was the day he finally got the judgeship that had been denied him more than once before.

Three years ago, he was in line for a seat on the bench. But Francis B. Burch, then the state attorney general, told Governor Mandel that Mr. Ward was needed for the investigation into the fund-raising activities of the Pallottine Fathers.

Mr. Mandel bowed to Mr. Burch's request. But five weeks after he was named to head the Pallottine investigation, Mr. Ward resigned, saying that he lacked the kind of accounting and business training necessary for sifting through the intricate financial dealings of the Catholic order.

Mr. Ward also was nominated on other occasions.

The 42-year-old former Briton, whose voice still carries a crisp British accent, brings to the Supreme Bench years of

practice in criminal law and an understanding of how both sides feel. Mr. Ward has been a prosecutor and an assistant federal public defender, defending clients who cannot afford lawyers.

He moved to the United States as a teenager with his family and received his law degree in 1962 after attending the University of Baltimore Law School at night.

Mr. Ward was a private lawyer for a few years until becoming an assistant state's attorney in the city in 1967. He eventually became head of the trial division in the office and then directed the narcotics strike force.

From October, 1973, to May, 1974, Mr. Ward was an assistant state attorney general, conducting the successful prosecution of Samuel A. Green, the former Baltimore county state's attorney, on 16 counts relating to misconduct in



office.

Mr. Ward, the father of two girls, ages 10 and 13, has a reputation as an excellent lawyer. He has been an assistant federal public defender since 1974.

Grady's approach quiet but firm

Known for his quiet, unglamorous approach to legal debate, Judge J. Harold Grady, the newly appointed chief judge of the Supreme Bench, can be firm and decisive when a tough decision is finally placed before him.

Although he has been a member of the Supreme Bench since 1962, Judge Grady, who was mayor of Baltimore from 1959 to 1962 and is a former prosecutor, still carries with him the sense of openness and eager desire for friendship that is most often seen in political circles.

But this gregarious trait can be misleading in a judge, especially if it is used to scold only mildy a prosecutor who is clearly in error and should know better. Or, as often happens with Judge Grady, a legal fumble is turned aside with a good-humored phrase.

Several years ago, in a controversial case, Judge Grady granted a new trial to

Charles (Chicken Charlie) Battaglia, once convicted of murder, after flipping that two prosecution witnesses wanted to change their testimony.

Only recently, Judge Grady declared that a prosecutor illegally suppressed evidence, and as a result the court was required to overturn a jury conviction against James H. Watkins, a former police lieutenant colonel who was tried on corruption charges.

These were widely acknowledged to be unusual decisions because they upset jury trial verdicts. But Judge Grady made his decisions after hearing repeated legal arguments and closely questioning the lawyers involved.

"His sense of the law is derived from his days as an excellent, probing prosecutor when he sought facts, facts, facts," a friend said recently of Judge Grady. "No one can say his law lacks firm ground when he decides."



Sun photo—Walter M. McCarron

These profiles were written by J. S. Bainbridge, Jr., John Schidlovsky and Theodore W. Hendricks.