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Legal, political luminaries back Bereano; Character witnesses help protect lobbyist's imperiled law license

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U.S. Rep. Steny H. Hoyer, former Gov. Marvin Mandel and the chief judge of the Maryland District Court were among three dozen witnesses who came to Annapolis yesterday to praise the character of Bruce C. Bereano -- attorney, lobbyist and convicted felon. Battling to hang on to his law license despite a 1994 mail-fraud conviction, Bereano mounted an extraordinarily aggressive defense in Anne Arundel Circuit Court.

Over eight hours of testimony, his witnesses included four current or former judges, two former county executives, a prosecutor, several prominent lawyers and four of the lobbying clients he was convicted of defrauding.

To round out the picture, he also called his accountant, bookkeeper and several legal clients, including a former drug-addicted prostitute who said Bereano saved her life with his aggressive representation 20 years ago.

Their messages seldom varied: Bereano is an honest and zealous man whose crime in no way diminished their opinion of him.

"What Mr. Bereano did was clearly wrong," Hoyer said. "But it is my view that he is an honest and able lawyer."

After hearing more testimony and closing arguments today, Anne Arundel Circuit Court Judge Eugene M. Lerner will submit a memorandum that may include a recommendation for punishment to the Maryland Court of Appeals, which will have the final say.

The Court of Appeals, the state's highest court, could permanently bar Bereano from practicing in Maryland, suspend his license for a period or hand him a lesser reprimand.

The state Attorney Grievance Commission is pushing to disbar Bereano, based on his felony conviction and his disbarment last fall in the District of Columbia.

Kendall R. Calhoun, representing the commission, called no witnesses and introduced as her only evidence the record of Bereano's felony conviction in U.S. District Court in Baltimore.

"The conviction is conclusive proof" that Bereano violated the professional code of conduct, Calhoun said.

Bereano, demonstrating a strong grasp of issues, an exuberant personality and a certain amount of chutzpah, became the highest earning State House lobbyist in the 1980s. But his success brought scrutiny from federal authorities.

In late 1994, a federal jury convicted Bereano of seven counts of mail fraud, finding that he overbilled lobbying clients so that he could make campaign contributions.

The lobbyist had instructed family members and employees of his law firm to make the contributions, then passed the costs on to clients, prosecutors said.

After a lengthy appeal, he served five months in an East Baltimore halfway house and is now serving five months of home detention.

He is required to remain at home at night and on weekends and to wear an electronic monitoring device on his ankle.

Despite spending nights at the halfway house during much of this year's legislative session, Bereano continued to lobby on behalf of 35 clients and reported earnings of \$305,000 for the six-month period that ended in April.

Yesterday, Lerner's courtroom became the set of what amounted to a high-stakes episode of "This is Your Life, Bruce Bereano," with Bereano serving as host and even occasionally referring to himself in the third person.

Bereano said he was trying to present "the fullest possible record" for the Court of Appeals to consider.

"It helps to flesh out and show the other components of the kind of human being I've been," Bereano said.

There were testimonials to Bereano's work for the March of Dimes and other charities and of his devotion to his son. One witness recalled appreciatively how neatly Bereano maintained his legal files.

Offering some of the most compelling testimony was Judge Martha F. Rasin, chief judge of Maryland's District Court.

She worked for Bereano as a legal secretary, law clerk and associate before starting her Annapolis practice and eventually going on the bench.

Rasin -- who called Bereano "a mentor" -- praised his passion and described an appellate argument he made on behalf of an incarcerated client as one of the best she has ever heard.

And she made clear how devastating a disbarment would be to Bereano.

"I've heard him say many times that the most important thing in his life, aside from the people in his life, is his ability to practice law," Rasin said, a comment echoed several times during the day.

Among Bereano's witnesses was former Anne Arundel County Executive Joseph W. Alton Jr., who pleaded guilty to corruption charges and was sentenced to 18 months in federal prison.

Mandel praised Bereano's legal abilities and expressed skepticism about the seriousness of Bereano's crime.

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"As for the conviction, I know that it is not before us today, but I don't understand it," Mandel testified. "It was mail fraud, but nobody was defrauded."

Mandel was not asked about his own mail-fraud conviction in 1977, which drove him from the governor's office but was reversed on appeal.

One of the oddities of Bereano's case is that the lobbying clients he was convicted of defrauding have maintained they did not feel cheated. Representatives of four of those clients testified for Bereano yesterday.

"As an attorney, I have to accept the verdict of the jury," said Stephen P. Carney, general counsel for Medical Mutual Liability Insurance, one of the firms Bereano was convicted of defrauding. "I still personally do not believe that Medical Mutual was in any way defrauded."

The most emotional testimony came from Laura J. Bienen. The daughter of a former state delegate, Bienen described her experiences two decades ago with drug addiction, prostitution on The Block in Baltimore and her incarceration on three dozen burglary charges.

She said Bereano worked tirelessly on her behalf.

"Bruce was my friend, third parent and wonderful attorney," Bienen said. "If it wasn't for you, I'd be either in jail, or dead or dying of AIDS."

Graphics:

PHOTO(S)

LINDA COAN: SUN STAFF

Caption:

1. Lawyer: Bruce C. Bereano leaves the Circuit Court in Annapolis during the lunch break.
2. Former governor: Marvin Mandel testified in support of Bereano's effort to keep his license to practice law in Maryland.

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