

The Sun

**Revoking Bereano license opposed; Judge recommends court not disbar convicted lobbyist**

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An Anne Arundel County judge recommended yesterday that Bruce C. Bereano not be disbarred despite his felony mail fraud conviction, giving the State House lobbyist a bit of judicial support as he fights to save his law license.

In making his recommendation, Anne Arundel Circuit Judge Eugene M. Lerner noted the relatively "minor degree" of harm caused by Bereano's crimes and the wide array of witnesses who vouched for his character -- including a congressman, a former governor and four current or former judges.

"It is the recommendation of this Court that [Bereano] receive a sanction less than disbarment," Lerner wrote in his six-page report to the Court of Appeals.

While Lerner did not suggest what punishment he considered appropriate, the Court of Appeals can impose punishments less severe than disbarment, including suspension of a law license or a reprimand.

Bereano said he was "exceedingly grateful" for the judge's recommendation.

"I respectfully hope that it is given strong and serious consideration by the Court of Appeals in its determination of my fate," Bereano said.

Kendall R. Calhour, the lawyer who is handling Bereano's disciplinary case for the Attorney Grievance Commission, said she would not comment until she had read the judge's recommendation.

She said she would push for disbarment when the case is argued before the Court of Appeals.

Bereano was disbarred in the District of Columbia last fall, after losing the final appeal of his 1994 conviction.

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 to clients, prosecutors said.

Bereano served five months in an East Baltimore halfway house and is serving five months of home detention.

During a hearing Tuesday and Wednesday, Bereano told Lerner he expects the Court of Appeals to take his law license away -- but is fighting for a brief suspension.

Over the two days, Bereano called 39 witnesses -- an extraordinary number for such a proceeding -- including U.S. Rep. Steny H. Hoyer, Maryland District Court Chief Judge Martha F. Rasin and former Gov. Marvin Mandel.

Lerner appeared to be swayed by the effusive testimony on Bereano's behalf.

"Having considered all of the evidence, this Member of the Court believes that [Bereano] has performed many beneficial acts for the citizens of the community, which should be balanced against the violation of the Rules of Professional Conduct and the serious error in judgment," Lerner wrote. "It is your writer's belief that [Bereano] has suffered greatly and has learned much throughout this ordeal."

"It is not contemplated by this Court that [Bereano] will ever engage in this type of activity in the future," Lerner added.

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