

MILITARY LAW SECTION

Alfred F. Arquilla, Chair

The Military Law Section continued to implement Virginia Code §54.1-3900, with a proposed Supreme Court rule to authorize military legal assistance attorneys, who are licensed to practice law in jurisdictions other than Virginia, to represent low-income military clients in Virginia courts. This project began on October 6, 2000, when our board of governors met with the chiefs of legal assistance for the Army, Navy, Marine Corps, Air Force and Coast Guard at the Quantico Marine Corps Base. On January 19, 2001, our section formally adopted a proposed rule for consideration by the Virginia State Bar. Our proposal received strong endorsements from the judge advocate generals and chief legal officers of all five military services. Members of our section formally presented our proposed rule during meetings of the VSB Standing Committee on Unauthorized Practice of Law (UPL) on May 18, 2001, the VSB Executive Committee on February 22, 2002, and the VSB Council on June 13, 2002—all approved the proposed rule. During July 2002, the president of the VSB forwarded our section's proposed rule to the Chief Justice of the Supreme Court of Virginia for the Court's consideration and action. If approved, it will become part of the Court's rules relating to admission.

Our section also provided advice and assistance to the Standing Committee on Legal Assistance for Military Personnel of the American Bar Association, which will be submitting a model rule similar to our section's proposed rule on military legal assistance attorneys for consideration by the ABA House of Delegates at its February 2003 midyear meeting.

Members of our section and other authors wrote articles for the December 2001 issue of the *Virginia Lawyer*. It showcased our section, and military law in general, with subjects ranging from taxation of military pensions and the Military Tort Claims Act, to the ongoing mandatory anthrax vaccination and immunization program within the military. Colonel Rick Rosen, the commandant of the Judge Advocate General's School in Charlottesville, also contributed an article on the 50-year proud history of this important American Bar Association accredited law school.

Our section also published two newsletters containing articles on assassination as a strategy of war, the effect of military relocation on child custody, adoption by military families and submarine collisions.

As part of its effort to maintain a close relationship with military lawyers and to stay abreast of current military issues, our section continued its tradition of holding its quarterly meetings, whenever possible, on military installations. On September 10, 2000, the Judge Advocate General's School in Charlottesville hosted our meeting, and on April 15, 2002, the judges of the U.S. Court of Appeals for the Armed Forces in Washington, D.C., hosted our section's meeting. At the JAG school, the school commandant briefed our section on the important work of the school in providing continuing legal education to military and other government lawyers. At the military highest court, our section was honored to participate in a round-table discussion with three of the court's five civilian judges, who are all presidential appointees, on the important work of the court.

At the annual meeting in June 2002, I was elected to a second one-year term as chair of the section; David Buzard was elected vice chair; John Lynch was elected as secretary; and Diana Branscome was elected as the newsletter editor. Lou Michels, who recently relocated to Illinois, resigned from our board of governors. Greg McCormack was elected to fill his position on the board. Greg Bowman, Mark Newcomb and Alice Twilford were re-elected to the board. We also bid farewell to Robert Thomas, who served with distinction as a former member of the board and served this past year in an *ex-officio* capacity as the immediate-past chair of the section.

We enter the coming year with a strong appreciation of the bravery and sacrifice of the men and women of our armed forces in the ongoing war against terrorism—a war that started last September with terrorist attacks on the World Trade Center in New York and on the Pentagon in Virginia. As lawyers in and out of the military confront the unique legal issues and challenges of this new type of insidious warfare being waged by our nation's enemies, our section will continue to fulfill its mission, established in its bylaws, “to promote public understanding of the field of military law.”

