

**REPORT OF THE EXECUTIVE DIRECTOR/
CHIEF OPERATING OFFICER**

The membership of the Virginia State Bar continued its steady growth in the fiscal year that ended June 30, 2003. Total "in good standing" membership was 35,673—an increase of 911 members, or 2.62% over the previous year.

	2002–2003	2001–2002
Active	24,197	23,746
Associate	9,255	8,858
Judicial	965	944
Retired	<u>1,256</u>	<u>1,214</u>
	35,673	34,762

Officers, Bar Activities During 2002–2003 and New Executive Committee and Council Members

Jean P. Dahnk of Fredericksburg became president of the Virginia State Bar at its annual meeting on June 20, 2003. She was sworn in by Chief Justice Leroy R. Hassell, Sr., of the Supreme Court of Virginia. David P. Bobzien, president-elect, was unopposed in the 2003 election for that office to serve during 2003–2004.

Bernard J. DiMuro of Alexandria completed his year as president. Emphasis was placed throughout the year on further refining and streamlining the disciplinary process in order to be certain the bar is maximizing the use of its resources and resolving complaints as expeditiously as possible. New resources were placed in the bar's budget for two additional assistant bar counsel positions, thus enhancing the bar's capacity to deal with the increasing number of complaints received each year. A special task force was created during the year to work on adding a mediation component to the bar's present program for arbitration of fee disputes. The report of the American Bar Association Commission on Multi-Jurisdictional Practice was received and referred to various committees of the bar for study and development of recommendations. The Standing Committee on Unauthorized Practice of Law is evaluating those parts of the report addressing the circumstances and extent to which foreign lawyers should be permitted to represent clients in another jurisdiction, and a special task force is considering possible changes in the Virginia *Pro Hac Vice* rule.

Extensive revisions in the *Virginia Rules of Professional Conduct* were proposed by the Standing Committee on Legal Ethics and approved by council at its fall meeting. The revisions were based in part on the report of the ABA's Ethics 2000 Committee, which had reviewed the *Model Rules of Professional Conduct* and made a number of recommendations, and in part on the Legal Ethics Committee's own review of the Virginia rules during the two years since they were adopted. The recommended revisions in the Rules of Conduct are pending with the Supreme Court of Virginia.

Work was completed during the year on a limited admission rule for in-house corporate counsel working in Virginia, and the rule was adopted by the Supreme Court of Virginia, effective September 1, 2003. Under the rule, all in-house corporate counsel working in Virginia will be required either to be regular, active members of the Virginia State Bar; obtain a corporate counsel certificate on the basis of their admission in another United States jurisdiction, which would entitle them to represent only their corporate employer in Virginia; or register with the bar as an in-house corporate counsel on the basis of their admission in another United States jurisdiction, with the ability to represent only their corporate employer in a more limited fashion.

The bar also sought during the year to educate its members about the importance of succession planning in order to assure that the interests of clients are protected in the event of the lawyer's death or disability. The newly created Senior Lawyers Conference has been instrumental in assisting in this effort, which, it is hoped, will ultimately limit the need for the bar to have receivers appointed in situations such as these. Attention was also given to the ways in which the bar is of assistance to its members, such as the ethics telephone advice available from the bar staff and the services of the Lawyers Helping Lawyers program for lawyers who are experiencing substance abuse. The bar's financial support for the Lawyers Helping Lawyers program was significantly increased this year, and the bar now appoints several members to the board of directors of that program.

David P. Bobzien will serve *ex officio* on the executive committee next year as president-elect. Howard M. Martin, Jr., Stephen J. Telfeyan and Alda L. White were elected by the council as new members of the 2003–2004 executive committee. These newly-elected members replace Mr. Bobzien, Susan M. Pesner and Theophlise L. Twitty. Phillip V. Anderson, William E. Bradshaw and Karen A. Gould were re-elected to one-year terms.

The following new members were elected to the VSB Council to fill unexpired terms ending June 30, 2005:

J. William Watson, Jr.	10th Circuit
William L. Lewis	15th Circuit

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The following new members were elected to the VSB Council for three-year terms beginning July 1, 2003:

Irving M. Blank	13th Judicial Circuit
Daniel L. Rosenthal	14th Judicial Circuit
Rhysa G. South	14th Judicial Circuit
Raymond B. Benzinger	17th Judicial Circuit
Arthur E. Peabody	18th Judicial Circuit
John K. Zwerling	18th Judicial Circuit
Jan L. Brodie	19th Judicial Circuit
Joseph A. Condo	19th Judicial Circuit
Richard J. Colten	19th Judicial Circuit
Carol J. Schrier-Polak	19th Judicial Circuit
Richard C. Sullivan, Jr.	19th Judicial Circuit
Kurt J. Pomrenke	28th Judicial Circuit

The following incumbents were re-elected to the council for three-year terms beginning July 1, 2003:

Howard W. Martin, Jr.	4th Judicial Circuit
Sally J. Andrews	8th Judicial Circuit
Cary B. Bowen	12th Judicial Circuit
Stephen E. Baril	13th Judicial Circuit
Boyd F. Collier	13th Judicial Circuit
Karen A. Gould	13th Judicial Circuit
Bruce M. Marshall	13th Judicial Circuit
John G. Berry	16th Judicial Circuit
Mark D. Cummings	17th Judicial Circuit
Phillip V. Anderson	23rd Judicial Circuit
William E. Bradshaw	30th Judicial Circuit

Leisa A. Ciaffone of Roanoke was reappointed to a second three-year term as a council member-at-large. Gregory D. Edwards of Jonesville, Michael C. Guanzon of Danville and M. Janet Palmer of Richmond were appointed to three-year terms as council members-at-large. Judith A. Rosenblatt of Virginia Beach became president of the Conference of Local Bar Associations, Kathleen M. Uston of Alexandria became president of the Young Lawyers Conference and Patricia A. Barton became president of the Senior Lawyers Conference. They will all serve as *ex officio* members of the council during 2003–2004, and Ms. Uston and Ms. Barton will also serve as *ex officio* members of the 2003-2004 executive committee.

Bar Operations and Staff

There were no changes among the bar's senior staff or department heads during the year. This continuity enabled us to make significant progress in the processing of disciplinary complaints and the trials of an increased number of disciplinary matters before district committees, the disciplinary board, and three-judge courts.

Continued progress was also made during the bar year on the bar's long-term goal of rewriting and integrating all of the bar's computer software programs. The accounting and membership modules of the system were largely completed and placed in service during the year. Work is now in progress on the MCLE and professional regulation modules, with completion expected by the spring of 2004. It appears that the project will be completed both in an orderly fashion and within the amount of money allocated by the council for this project. The outcome should result in both an increase in the productivity and efficiency of our staff, as well as a greater capacity for interactivity between the bar on the one hand, and its members and the public on the other. Improvements in the bar's software systems, as well as upgraded hardware which has been acquired, should also make it much easier in the future to continue development of the bar's Web site.