

REPORTS OF THE SECTIONS

MILITARY LAW SECTION

Alfred F. Arquilla, Chair

As I conclude my second year as chair of our section, I wish to thank our officers, the board of governors and the lawyers serving within our nation's armed forces who have supported our section's efforts. Many provided their valuable time and skills to make our section's goals a reality.

Our newsletter continues to provide articles of current interest to members of our section. As many of us involved in the day-to-day practice of law know, finding the time to write articles is very difficult, and I thank those who put forth the extra effort to share their knowledge and experience with our readership. The present newsletter editor, Diana Branscome, deserves a special note of appreciation for gathering articles of interest and making sure that our writers meet our publishing deadlines. To help her in finding other writers who can contribute articles to our newsletter, I recently asked Colonel Rick Rosen, the Commandant of the Army Judge Advocate General's School in Charlottesville, if we could solicit law articles and notes from his faculty and the school's alumni, and he graciously agreed that we could do so. Through the efforts of our newsletter editor, we have begun to include articles from the Army JAG School. We hope that this will mark the beginning of a closer relationship with this prestigious ABA-accredited law school.

Among our major accomplishments this year were the endorsement by the Virginia State Bar of our section's proposed Supreme Court rule and, on January 14, its approval by the Court. This rule, which is reprinted in our newsletter, authorizes military legal assistance attorneys, who are licensed to practice law in states other than Virginia, to represent "low-income legal assistance clients for whom hiring a lawyer in private practice would entail a substantial financial hardship to themselves or their families." This rule implements § 54.1-3900, *Code of Virginia*, 1950, as amended, which, after defining the authorized practice of law, provides in part as follows:

Nothing herein shall prohibit the limited practice of law by military legal assistance attorneys who are employed by a military program providing legal services to low-income military clients and their dependents pursuant to rules promulgated by the Supreme Court of Virginia.

Our section appreciates the enthusiastic support it received for our proposed rule from the judge advocate generals for the Army, Navy and Air Force, the staff judge advocate for the Marine Corps, the chief counsel for the Coast Guard and the chiefs of each of their legal assistance offices. Our board of governors adopted the proposed rule on January 19, 2001, during its meeting at the Marine Corps Base at Quantico. Our effort took a full two years to achieve success. It came after many meetings with—and briefings to—bar association leaders and committees.

Future newsletters will provide information on applying for a military legal assistance certificate and some suggestions for those planning to practice with a military legal assistance certificate. Our section will work with the Virginia Board of Bar Examiners, the chiefs of legal assistance in the military services and military legal assistance attorneys in other states that have similar rules to develop application forms and guidelines. We will also work with the Virginia State Bar Special Committee on Access to Legal Services to develop and distribute Virginia CLE materials on handling the legal needs of low-income military service members and their families.

Our section has made great progress over the past two years to benefit the members of our section and Virginia military service members and their families. We provided greater visibility to our section within the legal community—in Virginia and beyond—as a result of the approval of Supreme Court Rule 1A:6. Our section received recognition through our newsletter, through the articles our members contribute to the *Virginia Lawyer* (including the December 2001 issue that featured the Military Law Section) and through our CLE programs. Current events suggest that our military services will continue to play a large role for the indefinite future in maintaining world peace and protecting our homeland, and that there will be many opportunities to promote initiatives and sponsor educational and other programs that will benefit our bar and the large military communities in Virginia.

