

SHOWCASE CLE PROGRAMS
2017 ANNUAL MEETING - VIRGINIA STATE BAR
FRIDAY, JUNE 16, 2017

(Updated 5/10/17)

MORNING PROGRAMS

8:30 – 10:00 AM

ACCESS TO JUSTICE: BONDS & BAIL ISSUES

Hilton Oceanfront, Ballroom B&C

(1.5 Hours; --- Ethics)

Sponsors: VSB Criminal Law and Family Law Sections

The program will focus on bond determinations and the impact of onerous financial obligations on indigent defendants.

EXPERT WITNESSES: WHO ARE THEY AND WHAT CAN THEY SAY ?

Sheraton Oceanfront, Hatteras Ballroom

(1.5 Hours; --- Ethics)

Sponsors: VSB Litigation and Construction Law Sections; Joint ADR Committee

A panel will explore the issues associated with retaining and using expert witnesses in state and federal courts.

REDSKINS, SLANTS, AND OTHER DISPARAGING TRADEMARKS: THE SUPREME COURT DECISION ON THE INTERSECTION OF TRADEMARK AND THE FIRST AMENDMENT

Sheraton Oceanfront, Henry Ballroom

(1.5 Hours; --- Ethics)

Sponsor: VSB Intellectual Property Section

A panel will discuss the ongoing litigation related to the alleged disparaging nature of the Washington Redskins trademark, and the issues surrounding the trademark application of the Asian-American rock band, The Slants.

10:10 – 11:40 AM

GRACE AND JUSTICE ON DEATH ROW

Hilton Oceanfront Hotel, Ballroom B&C

(1.5 Hours; 1.5 Ethics)

Sponsors: VSB Access to Legal Services Committee, Diversity Conference, Conference of Local Bar Associations; MDI Inc.

The program will feature remarks from Virginia attorney, Brian Stolarz, about his *pro bono* capital case involving the high-profile murder of a police officer in Houston, Texas. The story is about a 25 year old, soft-spoken, gentle giant with an IQ of sixty-nine. It is also about prosecutorial misconduct, racism, corrupt police, inadequate defense counsel, and a broken criminal justice system, as well as the death penalty, decency, forgiveness, faith and perseverance, *pro bono* service, access to justice, and the emotional impact on a dedicated lawyer.

A panel will analyze how this case would have been handled in Virginia, including the differences between the criminal justice systems in the two states, how prosecutors and defense counsel operate in the Virginia courts, what other professional regulations may be coming, and how *pro bono* support can significantly improve access to justice in Virginia.

OMG LOL . - HELPFUL TIPS AND CAUTIONARY TALES FOR ATTORNEYS COMMUNICATING IN THE MODERN AGE

Sheraton Oceanfront, Henry Ballroom

(1.5 Hour; 5 Ethics)

Sponsors: VSB Section on the Education of Lawyers & General Practice Section

There is no question that to effectively represent and satisfy a client, communication is the key. But *how* you communicate with your client, counsel, and the court is just as important. With e-mails, texts, social media, and everything in between, attorneys need to understand effective use of modern communication tools while avoiding the pitfalls.

PROFFERS, VA CODE §15.2-2303.4, AND RESIDENTIAL REZONINGS: A WHOLE NEW BALLGAME

Sheraton Oceanfront, Hatteras Ballroom

(1.5 Hours; --- Ethics)

Sponsors: VSB Real Property and Local Government Law Sections

This program will focus on the sweeping proffer reform legislation adopted by the General Assembly in 2016. The panelists will briefly discuss the history of conditional zoning and its constitutional and statutory framework before examining the specific provisions of the new proffer statute and how the statute has altered longstanding zoning law and the presumption that historically favored localities. The discussion will focus on how some localities have altered their application processes and the way they analyze the impacts of residential rezoning applications, as well as the possible need to amend the statute in light of how it impacts the way landowners and applicants attempt to obtain approval for residential rezonings and how localities now consider those requests.

AFTERNOON PROGRAMS

1:30 – 3:00 P.M.

HOW ATTORNEYS CAN PROMOTE AND ADVANCE ACCESS TO JUSTICE

Sheraton Oceanfront, Hatteras Ballroom

(1.5 Hours; 1.0 Ethics)

Sponsors: Supreme Court of Virginia’s Access to Justice Commission, VSB’s Access to Legal Services Committee, Conference of Local Bar Associations, Diversity Conference, Senior Lawyers Conference, and Young Lawyers Conference; Legal Information Network for Cancer (LINC); ODBA; and Greater Richmond Bar Foundation.

The program will address the work of the Access to Justice Commission over the past three years and its work to address Virginia’s unique Access to Justice challenges, including information about the justice gap in Virginia, what the ethical rules have to say about pro bono, why pro bono makes good sense professionally, and where to find pro bono opportunities throughout Virginia.

AUTISM AND THE PRACTICE OF LAW: AN INTERDISCIPLINARY APPROACH

Sheraton Oceanfront, Henry Ballroom

(1.5 Hours; .5 Ethics, pending)

Sponsors: Virginia CLE; VSB Trusts & Estates Section & Diversity Conference

The program will include discussions regarding Virginia law, medical research, and the particular practice issues facing both counsel and an autistic person. The program will focus on how a greater understanding of the root causes of this developmental condition, along with the behaviors of those on the Autistic Spectrum, be they clients, witnesses, colleagues or judges, will enhance an attorney’s ability to deliver the most effective legal services possible under the given circumstances.

POST-ELECTION LEGAL FIRESTORMS: GERRYMANDERING, OBSTACLES TO VOTING, THE ELECTORAL COLLEGE, JUDICIAL REVIEW, AND OTHER HOT TOPICS

Hilton Oceanfront, Ballroom B&C

(1.5 Hours; --- Ethics)

Sponsor: VSB Corporate Counsel & Administrative Law Sections; MDI Inc.

A panel of experts with years of experience tackling election controversies will offer their perspectives, debate the issues, and field your questions. This is one panel you don’t want to miss!

3:15 – 4:45 PM

THE FUTURE OF LAW PRACTICE: IT’S COMING AT WARP SPEED

Sheraton Oceanfront, Hatteras Ballroom

(1.5 Hours; .5 Ethics)

Sponsors: VSB Future of Law Practice Committee; Joint ADR Committee

Lawyers everywhere are worried about the future. What are they worried about? It’s a long list, which includes legal work being lost to artificial intelligence advances and to alternative legal providers, such as

LegalZoom and AVVO. Alternative business structures, now steaming along in the U.K. and Australia, are a concern. The difficulty in applying the ethical rules in the new era of digital marketing is frustrating. Access to justice issues remain as much a problem as ever. Using the 2016 Report of the VSB's Study Committee on the Future of Law Practice as a springboard, a panel will address all of these issues – and offer practical guidance to lawyers for meeting the challenges of practicing law as our profession evolves.

AGENT 99: DON'T LET FINANCES BANKRUPT YOUR SECURITY CLEARANCE

Sheraton Oceanfront, Henry Ballroom

(1.5 Hours; --- Ethics)

Sponsors: VSB Military Law and Bankruptcy Sections

The program will involve an overview of the procedural and substantive considerations involved in Federal government background investigations, suitability determinations, trustworthiness determinations, and security clearance/access to classified information adjudications. Speakers will also address the implications that bankruptcy filings, foreclosure, short-sales, and the negotiation of debt have on the security clearance process.

TOTAL AVAILABLE MCLE CREDIT: 6.0 Hours, including 3.0 Ethics

5/10/17