



LOCAL BAR Connection

Summer 2001

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Award-winning Project Assists Women Returning to the Work Force

The Virginia Association of Black Women Attorneys (VABWA), founded to meet the needs of a minority segment of the legal profession and to promote positive images of the legal profession to poor and underprivileged persons, received an Award of Merit for its Law Suits Day project, which took place on Wednesday, May 2, 2001.

When the organization was formed in 1982, only 90 African-American women had been admitted to the Virginia State Bar. The number of female African-American attorneys has increased to more than 200 women, but there is still a need to address the particular issues that face minority lawyers and the clients they are most likely to represent.

The primary objective of Law Suits Day is to provide a visible and tangible means of support to women who have limited access to the workforce. To meet this objective, VABWA partnered with The Greater Richmond Employment Assistance Team (GREAT), a welfare-to-work initiative that provides job readiness and job placement assistance to women who are re-entering the workforce. The first impression a job candidate makes with a prospective employer is related to her appearance. Through its Law Suits Day, VABWA invited all professional women in the Richmond metropolitan area to donate professional clothing and accessories to GREAT to assist its clientele in making a positive and lasting impression upon potential employers.


VABWA's involvement in Law Suits Day has resulted in hundreds of pieces of professional clothing being donated to GREAT. The clothing collected at this year's Law Suits Day was delivered the same day to students enrolled in one of GREAT's training classes, resulting in a project that immediately served the needs of an under-served population.

Participation in Law Suits Day is open to all members of VABWA, as a donor and/or as a volunteer to assist in coordinating the



Members of the Virginia Association of Black Women Attorneys accepted the association's Award of Merit at the Local Bar Breakfast at the VSB annual meeting in June for its Law Suits Day project. Pictured here are Joe Cochran, then CLBA chair; Karen Turner McWilliams; Janet Palmer, VABWA president; Kelley Curtis Clark; and Joe Condo, then VSB president.

event. As volunteer participation increases, VABWA hopes to expand the event by increasing the number of collection sites and to coordinate the event twice a year. The project has been limited to the Richmond area since its inception; however, it is easily adaptable to other localities. It is hoped that in the future VABWA members in other parts of the Commonwealth will coordinate their own versions of Law Suits Day.

The effort to return women to the workforce after having received public assistance is not unique to the Richmond area. Many women throughout the Commonwealth could benefit from such a project. Organizations such as GREAT and those with similar goals are always in need of assistance and support from the community at large. 

LETTER from the Chair

Another summer has passed, hopefully providing us all with some needed recreation and, perhaps, some warm memories of good times with friends and family. The autumn of the year, with its cooler weather and resplendent beauty, can also be an invigorating time, spurring us on to attempt new challenges and complete those chores that may have been left undone since the making of January's resolutions.

Autumn is also a good time for bar leaders to assess their annual programs and projects to see if they are on schedule and headed toward their goals. Many local and specialty bars use this time of year to conduct significant committee work to assess and make further plans for their groups.

In the book, *Far Appalachia*, Noah Adams (of National Public Radio) refers to what the whiskey makers of Scotland, and then Appalachia, called the tiny amount of the essence that escapes from the still as vapor into the mountain air. This was referred to as the "angel's share" and describes the best part of the product, which is unintentionally lost, but to good effect.

Is your bar involved in any activity where the "angel's share" is being spread among those in the community? Are there positive unintended consequences of the things that you do, or in the positions that you espouse?

Many in our profession fail to see the good that we often can accomplish in the crucible of legal representation. I have discovered in my twenty-two years of general practice that attorneys can play a large role in the healing of relationships (whether they are marital or contractual), in the spreading of a "civil" legal atmosphere, and in maintaining a positive attitude towards our legal system. I cannot help but think that perhaps some essence from the heart escapes us when we aspire to conduct ourselves in this manner.

A challenge to us all, as we assess and plan, would be to especially promote those activities and programs where there is a higher probability that the public would see us as truly intending to improve our community and profession. Experienced bar leaders have realized that efforts expended in this direction have been the most rewarding, not only to the community, but also to their organizations. The rewards to the community are in the projects themselves. The rewards to us are in the satisfaction they bring.

As we prepare for our respective organizations this fall, it is my hope that each of us realizes not only the success of our various programs and projects, but that we might also find those small, rewarding instances where the "angel's share" has been experienced. 🌸



Aubrey J. Rosser, Jr.

Conference of Local Bar Associations Executive Committee

2001–2002

Chair

Aubrey J. Rosser, Jr., Altavisa

Chair-Elect

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Joseph M. Cochran, Charlottesville

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Roy M. Jessee, Gate City

M. Janet Palmer, Richmond

John Y. Richardson, Jr., Norfolk

George W. Shanks, Luray

William T. Wilson, Covington



Among the members of the CLBA executive committee are Manny Capsalis, of Arlington, treasurer; Bulter Barrett, of Emporia; Joe Cochran, of Charlottesville, immediate past-chair; Janet Palmer, of Richmond; George Shanks, of Luray; and Aubrey Rosser, of Altavista, new chair.

2002 Bar Leaders Institutes

Mark Your Calendars!

Richmond: March 4, 2002

T.C. Williams School of Law,
University of Richmond

Abingdon: March 15, 2002

Southwest Virginia Higher
Education Center

The Honorable Roger L. Gregory of the 4th Circuit Court of Appeals will be the featured speaker at both locations.

Meet Your New Executive Committee Members

Roy M. Jessee

Gate City



An attorney since 1991, Roy M. Jessee, of Gate City, has been highly active in his community, both as a citizen and as a professional. Jessee, who practices as a principal partner with Mullins, Harris & Jessee in the areas of general civil defense litigation, insurance defense, personal injury, products liability and corporate and commercial litigation, has been active in the VSB Bar Leaders Institute. He served as a panelist in Abingdon in 2000 and in Roanoke

this past March. President of the Wise County and City of Norton Bar Association in 1999, Jessee is a member of the Wise and Scott County Chambers of Commerce. He served as chairman of the Scott County Democratic Committee from 1994 to 1998.

"The CLBA serves a vital function to local bar associations throughout the state by providing resources and information. From the topics of improving organizational efficiency, to working with local bars on projects designed to benefit their respective communities, the CLBA provides invaluable guidance and assistance to local bar associations and their leaders. I am honored to be a member of the CLBA Executive Committee and look forward to working with the other committee members and CLBA staff to support and strengthen our local bar associations."

John Y. Richardson, Jr.

Norfolk



John Y. Richardson, Jr., deputy city attorney in Norfolk, is a native of Dinwiddie, Virginia. After his clerkship for Justice Albert S. Harrison of the Virginia Supreme Court from 1979 to 1980, he was employed by the law firm of Williams, Worrell, Kelly and Greer, in Norfolk, where he became a partner in 1984.

Richardson practiced with that firm for 18 years, primarily litigating for railroads, utilities, insurance companies and municipalities in state

and federal courts. He is immediate past president of the Norfolk & Portsmouth Bar Association and served during the association's centennial anniversary. Prior to his election to that position, he served on the executive committee for six years in a number of offices.

"I have had the privilege of being President of our local bar association in its Centennial Year. In doing so, I have seen some of the best efforts the local bar can muster as well as some of the weaker efforts. I am convinced there is a vacuum of leadership from the local bars in dealing with some of the major legal issues of the day. There is a real need for the local bar associations to take on these and other long term issues. The CLBA will continue to be a valuable source of guidance and support for the local bars as it has been in the past. I look forward to working with the Conference and finding solutions to some of the thornier issues we confront."

Harrisonburg Attorney Named Bar Leader of the Year



The Conference of Local Bar Associations presented the Bar Leader of the Year Award to **Gregory T. St. Ours**, of Harrisonburg.

The award recognizes leaders in their local bar associations who have made significant contributions to their profession and their community.

The CLBA encourages cooperation among Virginia's 115 local and specialty bar associations. It acts as a clearinghouse for local bar leaders to share resources, programming ideas and information. It aims to promote the improvement of the practice of law and enhance the public understanding of the law and the legal profession.

The award was presented at the Bar Leaders breakfast on Friday, June 15 at the Virginia State Bar annual meeting in Virginia Beach.

During St. Ours' tenure as president of the Harrisonburg-Rockingham Bar Association (1995 to 1996), the bar received national recognition for its pro bono activities by being chosen as the recipient of the ABA's prestigious Harrison Tweed Award.

St. Ours was appointed to The Virginia Bar Association's Pro Bono Committee in 1989 and touted the work of the HRBA as an example to the rest of the Commonwealth. He was appointed to the Virginia State Bar's Access to Legal Services Committee in 1992. When that term was up in 1995, St. Ours agreed to serve as one of the HRBA's representatives on the board of directors of Blue Ridge Legal Services until 2000. He also served as the HRBA representative to the VSB Conference of Local Bars from 1998 to 2000, on its executive committee.

Additionally, under St. Ours' leadership, a Young Lawyers Section and social committee were organized within the HRBA, and existing committees were re-energized and began undertaking new projects. 🌸

WHAT EVERY LAWYER NEEDS TO KNOW ABOUT THE JUDICIAL INQUIRY AND REVIEW COMMISSION

What is the Commission

The Judicial Inquiry and Review Commission is a constitutional body vested with the power and duty to investigate charges arising out of the judge's present or prior term which would be the basis for the judge's retirement, censure or removal. Such charges include having a disability which is or is likely to be permanent and which seriously interferes with the performance of the judge's duties, engaging in misconduct while in office, persistently failing to perform the duties of office, or engaging in conduct prejudicial to the administration of justice. Although not explicitly stated in the Constitution or Code of Virginia, the charges within the Commission's jurisdiction would be for violations of the Canons of Judicial Conduct for the Commonwealth of Virginia.

The term "judge" encompasses a justice of the Supreme Court, judge of the Court of Appeals, judge of a circuit or district court, member of the State Corporation Commission, or member of the Worker's Compensation Commission of Virginia. The General Assembly has constitutional authority to extend the jurisdiction of the Commission to include "judges of any court not of record, or other personnel exercising judicial functions" and exercised that power by adding district court judges and members of the Worker's Compensation Commission. A judge of a district court includes a judge of a general district court, a judge of a juvenile and domestic relations district court, and a substitute judge. It also includes a special justice who has the same authority in mental commitment cases as a district court judge. Deputy Commissioners of both the Corporation Commission and the Worker's Compensation Commission are not included because they are not classified as "members" of their respective commissions.

The Commission has seven members, all elected by the General Assembly for a four-year term. They may succeed themselves once. The types of members are:

- one active circuit court judge
- one active general district court judge
- one active juvenile and domestic relations district court judge
- two lawyers who are active members of the Virginia State Bar, who are not judges and who have practiced law in this Commonwealth for 15 or more years immediately preceding their appointment
- two public members who are not active or retired judges and who never have been licensed lawyers.

The Commission currently employs a staff of three—Counsel, Assistant Counsel and an Administrative Assistant.

How the Commission Functions

The Commission staff receives numerous allegations each day by mail and telephone, alleging that a judge is engaged in misconduct or, more rarely, has a serious physical or mental disability that interferes with performing judicial duties.

Misconduct in violation of the Canons of Judicial Conduct includes:

- Failing to maintain order and decorum in the courtroom
- Failing to be patient, dignified and courteous or failing to require the same of others in the courtroom

- Failing to promptly dispose of the court's business
- Engaging in improper *ex parte* conversations which may influence judicial action
- Commenting publicly on a pending or impending matter in any court
- Failing to disqualify in a court proceeding in which impartiality reasonably may be questioned
- Personally soliciting funds for a charity
- Engaging in partisan political activity.

It does not include matters of judicial discretion, such as rulings and decisions of the judge on the merits of the case. It does include persistent failure to follow the law where there can be no dispute as to what the law requires.

Physical or mental disability may include alcohol or drug abuse, senility, or serious physical or mental illness.

Before the staff will take a complaint to the Commission, a complaint generally must be in writing, addressed to the Commission, stating an allegation within the Commission's jurisdiction, and signed by the writer. It also should contain a detailed description of the alleged misconduct or disability, the name of the judge, the names of any witnesses, and the writer's name and address. Counsel may elect to discuss the matter with a complainant. Because the complainant's concern often involves the judge's decision on the merits, Counsel often will inform the complainant that the Commission has no jurisdiction over such matters.

Each written complaint is acknowledged and reviewed, and the complainant is notified as to whether the complaint falls within the Commission's jurisdiction. If the complaint involves alleged conduct within its jurisdiction, an investigation will commence. Where the complaint involves a pending case, however, the Commission generally will take no action until the proceeding before the judge is completed. The most obvious exception to this general rule is where the complaint alleges undue delay. The Commission obviously does not have the authority to change a judge's decision—appeal, rehearing or other legal proceeding should be used to seek a change.

To carry out its mission, the Commission has the authority to:

- Make rules governing its investigations and hearings
- Hire staff (including counsel), experts and reporters
- Administer oaths, order the inspection of records, issue subpoenas and subpoenas duces tecum, order the deposition of any person and enforce the same through any court of record.

Records filed with, and proceedings before the Commission are confidential, except for disclosure specifically allowed by statute. One form of authorized disclosure is disclosure to the General Assembly in an annual statistical report and regarding evidence of misconduct by a sitting judge standing for re-election or election to a different judgeship.

Investigations are conducted on a confidential basis. The Commission does not disclose the name of the complainant to the judge without the complainant's consent.

The Commission then determines whether a violation of the Canons has occurred and, if so, what type of discipline—correction and/ or punishment—is appropriate. The sanction is tailored to both the circumstances of the violation and the judge’s own circumstances, including any prior matters before the Commission. In less serious complaints, the remedy may take the form of counseling with staff or with one or more Commission members. In more serious cases, the process may include either an informal or formal hearing before the Commission, with witnesses and a court reporter. If the complainant is required to testify, the complainant will be subpoenaed like all other witnesses and identified only as a witness, not as the complainant.


If the charge is not well founded, it will be dismissed. If the charge is well founded but not of sufficient gravity to constitute the basis for retirement, censure or removal, the judge may be given a private reprimand, which is reported to the General Assembly when the judge next stands for election. If the charge is well founded and of sufficient gravity to constitute the basis for retirement, censure or removal, the Commission may file a complaint in the Supreme Court of Virginia or, with the judge’s consent, place the judge under supervision under terms and conditions set by the Commission. When the Commission’s handling of the charge is completed, a member of the Commission staff will contact the complainant.

The Commission’s legal staff provides continuing ethics education for judges at statewide and regional meetings, and on an individual basis for judges with specific ethics concerns. There is a formal judicial ethics opinion process which is handled by the Judicial Ethics Advisory Committee, a separate committee created by the Supreme Court of Virginia.

How the Commission Impacts on Lawyers

Most Commission complaints involve actions by the judge in court. Most complainants are lay persons, some of whom were represented by counsel who referred them to the Commission. You may be contacted by the Commission Counsel about a complaint which involves (a) a case in which you were involved or (b) another case involving an incident that occurred while you were present. Commission Counsel is not seeking to “get” the judge or “protect” the judge, but only to find out what actually happened. Lawyers are in a unique position not only to describe objectively what occurred, but also to put the events in proper context.

Lawyers should alert Commission staff regarding specific problems that they have observed even if they do not wish to file a complaint. Lawyers also may refer others with complaints about judicial misconduct to the Commission. The Commission’s brochure, which explains the complaint process to the general public, is available in each court’s clerk’s office or from the Commission’s office.

The Commission’s goal is to protect the independence and integrity of the judiciary, not only by identifying and disciplining errant judges, but also by ensuring that the process is not misused against judges who are capably and diligently performing their difficult jobs. Lawyers historically have been at the forefront of protecting the judiciary from unwarranted attack and reforming the process when problems or weaknesses were discovered. Please continue this noble tradition by helping the Commission carry out its important duties. 

To contact the Commission, call (804) 786-6636 (secure voice mail for after-hours messages) or send mail to the Judicial Inquiry and Review Commission, P.O. Box 367, Richmond, Virginia 23218-0367.

The Judicial Inquiry and Review Commission needs your help in informing members of the Bar about the Commission’s function. Since its inception, the Commission has depended upon Virginia’s attorneys as dispassionate observers who can describe events objectively when there is an inquiry involving a judge. Yet, despite its 30-year history, there are many attorneys who do not know of the Commission’s existence, nor of its role in protecting and fostering the integrity of the judiciary.

In addition, an even larger percentage of attorneys is unaware of new ethical duties regarding reporting judicial misconduct (Va. Rules of Professional Conduct 8.3 (b)). Many lawyers simply are unaware that the Commission is an “appropriate authority” to which such violations may be reported, and is THE “appropriate authority” to which to report serious violations of the Canons of Judicial Conduct.

The accompanying article comes from a brochure has been designed to address this lack of awareness. In a concise way, it explains what the Commission is, how it functions, and how it impacts on lawyers. Moreover, the brochure contains not only information on how to contact the Commission, but also a handy punch-out Rolodex card that you may retain for future reference.

As a bar leader, you can help put this brochure into the hands of your fellow lawyers and raise their level of awareness about these important matters. For example:

- In designing Bench-Bar, ethics or professionalism programs, include the brochure in the materials provided to the attendees.
- Provide for distribution at other functions, such as bar luncheons.
- Provide for distribution through local law libraries and local bar offices.
- Keep a small supply on hand to give to a fellow attorney who expresses a concern about a judge’s behavior.

The brochures are available without charge from either the Virginia State Bar’s publication department or directly from the Judicial Inquiry and Review Commission, P. O. Box 367, Richmond, Virginia 23218-0367, fax (804) 371-0650, voice (804) 786-6636. In addition, Commission Counsel is available to discuss concerns with all members of the Bar, as well as to handle formal complaints concerning a judge’s behavior. An informal call to discuss a matter with the Commission Counsel does not constitute the filing of a complaint.

JUDICIAL DISCIPLINE

Judicial Inquiry and Review Commission
P. O. Box 367
Richmond, Virginia 23218-0367
Telephone (804) 786-6636
Web site: <http://www.courts.state.va.us/jirc>
Counsel: Donald R. Curry

DON'T SUE YOUR CLIENTS

by Richard C. (Rip) Sullivan, Jr.

In this era of emphasis on pro bono work, all of us have made or heard that tongue-in-cheek comment: "I've got lots of clients who stiff me on my bill. Does that count as pro bono work?" Many of us know the frustration of doing good work for a client—sometimes even winning work—and then not getting paid. What many of us don't know, or perhaps have forgotten, is that there is a system in place for resolving fee disputes with clients without having to sue those clients: The Virginia State Bar Fee Dispute Resolution Program.

In the early 1990s, the Virginia State Bar studied the arbitration programs of several other states and ultimately, in 1994, approved the creation of a circuit-by-circuit voluntary fee dispute program. The bar's conclusion that the program would be beneficial was based on numerous factors, including some clear national statistics showing the regularity with which a lawyer's suit for fees is met with a malpractice counterclaim. Since 1994, twelve Circuit Committees for the Resolution of Fee Disputes (CCRFD) have been established throughout the Commonwealth. There are 15 lawyers on the local committee, representing a variety of different practice areas, and five lay members of the committee, who are local bankers and business people.

The State Bar Special Committee on the Resolution of Fee Disputes, which I chair, has promulgated uniform rules that govern this process throughout the Commonwealth. When a fee dispute develops, the local chair will first attempt to facilitate a resolution or explore with the parties the option of mediating their disagreement. If they want to arbitrate, the chair will appoint a panel of three arbitrators (for disputes involving less than \$1,500, a single arbitrator can be used), including at least one lay member. The only fee is a \$10 administrative fee, and a binding decision is issued within 10 days of the hearing.

The track record of the relatively new program is impressive. Around the Commonwealth, disputes—ranging from \$1,000 to over \$400,000—have been arbitrated. Unfortunately, we have not seen as much use of the system by lawyers as we would like. Most of our inquiries come from clients. Our committee believes that there are many more fee disputes that could benefit from this system. But lawyers are reflexively going to court. We are trying to change that.

Lawyers, of course, are most comfortable in court, but there is something just a bit unseemly about standing up in court in front of a packed room of potential clients, and announcing that you are suing your former client. If nothing else, in the face of our profession's ever-declining reputation, such lawsuits do little to enhance our public image.

Arbitration is fast, inexpensive, and private. The uniform rules, once both parties voluntarily agree to them, result in a binding resolution. And with the wide-ranging practices of our panel members, the local chair will be able to appoint panel members

with experience in the area involved in the dispute.

With your next fee dispute—and you *will* have a next fee dispute—consider the arbitration program. As I talk about the program with lawyers around the state, I get the impression that many either never knew of its existence, or feel as though it is somehow stacked in a client's favor. That is not our experience. If you are going to be right in court, you are going to be just as right before the arbitration panel. Moreover, you are much less likely to find yourself embroiled in a malpractice counterclaim. Give it a try.

For more information on the fee dispute program contact Barbara Allen at the VSB at (804) 775-0590, or see the Web site at www.vsb.org/feedisputes.html.



Richard C. Sullivan is a partner in the litigation section of Reed Smith Hazel & Thomas, LLP, and is the practice group leader for the firm's Virginia/Washington, D.C. trial group. He lives in McLean, Virginia, with his wife and four children.

Richard C. Sullivan, Jr. joined Hazel & Thomas, P.C. after graduation from law school, and became a part of the 1999 merger with Reed Smith Shaw & McClay LLP that formed Reed Smith Hazel & Thomas LLP. A partner who served as co-chairman of Hazel & Thomas' Litigation Section, Mr. Sullivan focuses his practice on commercial litigation in federal and state trial and appellate courts. He is the Practice Group Leader for the firm's Virginia/Washington, D.C. Trial Group. Significant areas of his practice include intellectual property, telecommunications, construction law, lender liability, general banking law, employment law, and business tort litigation. Mr. Sullivan also has a significant practice related to health care counseling and litigation, including medical malpractice defense. A *magna cum laude* graduate of Amherst College, Mr. Sullivan earned his J.D. from the University of Virginia. He is a member of the Virginia State Bar/Virginia Bar Association Joint Committee on Alternative Dispute Resolution, and Chairman of the Virginia State Bar Special Committee on the Resolution of Fee Disputes. He is President of Legal Services of Northern Virginia.

Virginia Lawyer Referral Service

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Richmond, Virginia 23219-2800
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County _____ Judicial Circuit _____

Name _____ Law Firm _____

Address _____ City _____ Zip _____

Phone # _____ Fax # _____ Metro # _____

Second office address _____ City _____ Zip _____

Phone # _____ Fax # _____ Metro # _____

Number of Attorneys ____ Courts Practiced: State Federal Bankruptcy Tax

Year Admitted to VA Bar _____ Law School Attended _____

Other States/Other Licenses/Degrees _____ Office Hours _____

Additional localities (counties, cities, towns) in which I will take referrals _____

Foreign Languages _____

The Supreme Court of Virginia has never established standards for attorney specialization. I understand that this application and statement does not authorize me to hold myself out as a specialist. I will abide by all rules and regulations of the Virginia Lawyer Referral Service.

STATEMENT FOR PANEL MEMBERS OF THE LAWYER REFERRAL SERVICE

I regularly practice in the areas indicated in this application and I feel that I am competent to handle most cases in those areas. By submitting this application, I hereby certify I will continue to maintain competence in the areas of law I have selected in this application.

OR FOR NEWLY ADMITTED ATTORNEYS

I plan to practice regularly in the areas indicated in this application and I will exercise all due diligence in making myself competent to handle most cases in those areas.

Malpractice Insurance Certificate: I want to become a member of the VLRS. I certify that I am licensed to practice in Virginia, that I am covered by an Errors and Omissions Insurance Policy with limits of not less than \$100,000/\$300,000 and that I will maintain this policy throughout the period of my participation on the VLRS panel.

Name of Carrier: _____ Policy No. _____ Exp. Date _____

Signature: **X** _____ Date _____

Please fill out info on reverse side.

VLRS RECOMMENDS YOUR SELECTIONS BE KEPT AT NO MORE THAN 35 CATEGORIES
MORE THAN 35 CATEGORIES, ADD \$10.00 EACH—TOTAL CATEGORIES ARE SUBJECT TO REVIEW

I. ADMIN/GOV.

- Municipal
- Church
- Education
- Transportation
- Communication
- State Worker Comp.
- Fed. Worker Comp.
- Veterans' Affairs
- Immigration
- Welfare
- Environmental
- Appeals

II. REAL ESTATE

- Settlement
- Contract Disputes
- Foreclosure
- Boundary Disputes
- Zoning/Condemnation
- Condo/Time Share
- Landlord
- Tenant
- Construction/Liens
- Homeowners Assoc.
- Appeals

III. CRIMINAL LAW

- Felony
- Misdemeanor
- Traffic
- DUI/DWI
- Civil Liberties
- Juvenile
- Parole Board/Inmates
- Police Brutality
- Habeas Corpus
- Habitual Offender
- False Arrest
- Child/Spouse Abuse
- Appeals

IV. MILITARY LAW

- Court Martial
- Benefit Disputes
- Discharge
- Military Divorce
- Appeals

V. ESTATES, WILLS, TRUSTS

- Estate Planning
- Wills
- Living Wills
- Probate
- Will Contest
- Trusts
- Appeals

VI. DISABILITY RIGHTS

- Education
- Housing
- Employment
- Access to Services
- SS Disability
- Appeals

VII. ELDER LAW

- Guardianship
- Power/Attorney
- Commitment
- Medicare
- Medicaid
- SS SSI
- Appeals

VIII. LABOR LAW

- Unemployment Comp.
- Discrimination
- Disputes
- Union Disputes
- Pension/Benefits
- St/Fed Grievances
- Asbestos
- Black Lung
- Unfair Firing
- Sexual Harassment
- Appeals

IX. TAXATION

- Corporate
- Individual
- Property
- Small Business
- Appeals

X. BUSINESS LAW

- Contracts
- Corporate
- Partnership
- Sole Proprietor
- Nonprofit
- Franchise
- Registered Agent
- Appeals

XI. FAMILY LAW

- Adoption
- Name Change
- Divorce
- No Fault
- Custody
- Paternity
- Support/Maintenance
- Visitation
- Prenuptial Agreements
- Appeals

XII. BANKRUPTCY LAW

- Chapter 7
- Chapter 11
- Chapter 12
- Chapter 13

XIII. LITIGATION

- Defamation
- Personal Injury
- Property Damage
- Products Liability
- Medical Malpractice
- Dental Malpractice
- Legal Malpractice
- Veterinary Malpractice
- Professional Malpractice
- Uniform Commercial Code
- Plaintiff
- Defendant
- Civil Rights
- Wrongful Death
- Slip and fall
- Appeals

XIV. INTELLECTUAL PROPERTY

- Patents
- Trademarks
- Copyrights
- Computer Law
- Entertainment Law
- Appeals

XV. CONSUMER LAW

- Contracts
- Credit
- Car Repair Disputes
- Lemon Law
- Discrimination
- Civil Rights/Sexual Harassment
- Privacy Act
- Appeals

XVI. INSURANCE

- Claims Dispute
- Appeals

XVII. COLLECTIONS

- Debtor
- Creditor
- Appeals

XVIII. OTHER

- _____
- _____
- _____
- _____
- _____

Local & Specialty Bar Associations Honored for Public Service Projects

The Conference of Local Bar Associations Awards of Merit Competition recognized outstanding public service projects conducted by local and specialty bars throughout the state. The competition is divided into two groups: an Award of Merit, which is the highest award given for a project; and a Certificate of Achievement, which recognizes other programs and projects of high distinction. Awards were presented at the Bar Leaders Breakfast on Friday, June 15, at the Virginia State Bar Annual Meeting in Virginia Beach.

Awards of Merit

Arlington County Bar Association • Its video history of the association, which was produced in honor its 75th anniversary, was shown at a black-tie celebration in May.

Fairfax County Bar Association • Its “Give Me Wings and I Can Fly!” project equipped every residential pod at the Juvenile Detention Center in Fairfax County with a computer containing educational software for students trying to earn their GEDs or trying to keep up with school-work.

Henrico County Bar Association • Its Youth Education Program provided law-related education to students in Henrico County schools.

Loudoun County Bar Association • Its Leadership in the Law Summer Camp 2001. Now in its second year of operation, the camp provides an opportunity for rising high school seniors to learn first-hand about the legal system.

Metropolitan Richmond Women’s Bar Association • The development and implementation of its Web site has aided in the efficient delivery of information to members regarding MRWBA activities and legal topics of interest to members.

Virginia Association of Black Women Attorneys • Its “Law Suits Day” project provided professional clothing and accessories to The Greater Richmond Employment Assistance Team (GREAT) to assist women who are re-entering the workforce.

Virginia Beach Bar Association • Its Mentor Program is a volunteer program designed to pair the new practitioner with an experienced lawyer who can provide practical advice to the new lawyer. • Its Web site, launched in early 2000 is now fully functional, offering the Executive Board an effective means of communication with the members. The association’s bylaws, membership application, events calendar and newsletter are maintained on the Web site.

Certificates of Achievement

City of Richmond Bar Association • A 16-page promotional supplement, *The Changing Faces of the Richmond Bar Association*, was distributed by the *Richmond Times-Dispatch* each Sunday in response to public criticism of lawyers. • Its *Metro Pro Bono Advocate* is the result of the association’s newsletter committee responsible for soliciting and writing articles pertinent to the pro bono services and programs available in the Richmond area.

Norfolk & Portsmouth Bar Association • Its Legal Blood Drive exceeded its goal with more than 80 donors signing up for the drive. The drive also raised \$275 for the American Red Cross, Tidewater Chapter. The public relations committee of the association organized the drive in response to the emergency appeal for donations, issued earlier that summer.

Prince William County Bar Association • Its middle school essay contest heightened awareness of the CHARACTER COUNTS program. To enter the contest, middle schoolers were to write an essay, not exceeding 500 words, expressing their own thoughts about any one pillar of character. • Its first *pro bono* reception celebrated its commitment to providing free legal services to the residents of Prince William County and the cities of Manassas and Manassas Park.

Virginia Association of Black Women Attorneys • Its Ida Paey Project has recognized, recorded and applauded the historical involvement of African Americans in the judicial process in the Commonwealth of Virginia. Ida Paey was the first volunteer and probation officer of the Norfolk Juvenile & Domestic Relations District Court, working tirelessly with African-American children and families from 1914 until 1950.



Top: Loudoun County Bar Association: President Alex Levay accepts an Award of Merit on behalf of the association for its Leadership in the Law Summer Camp 2001.

Middle: Arlington County Bar Association: Manny Capsalis, member of the CLBA executive committee and past president of the Arlington County Bar Association, and Don Brittenham accept an Award of Merit on behalf of the association for its video on the history of the Arlington County Bar Association.

Bottom: Norfolk & Portsmouth Bar Association: Robert Macbeth, president, and Gay Pfister, executive director, accept a Certificate of Achievement on behalf of the association for its Legal Blood Drive.

All photos include Joe Cochran, immediate past chair of the CLBA, and Joe Condo, immediate past VSB president.

VSF Offers MDP CLEs to Local Bars

After more than a year of study, the Joint VBA/VSF Commission on Multi-Disciplinary Practice is preparing draft recommendations for consideration by the Executive Committee and the VSB Council. The Committee would like to offer to all local bar associations a program designed to present and discuss these recommendations and the impact these would have on the practice of law in Virginia. This program would entitle the participants to one hour of CLE ethics credit. If you are interested in having a Commission member present this program on Multi-Disciplinary Practice to your local bar association please contact Leslie Haley, State Bar Assistant Ethics Counsel at (804) 775-0549.

CLBA information now available on the Web

Although under construction, the Web site for the CLBA is now up and running. In addition to providing general information on the CLBA, the site contains information useful to both CLBA members and the general public. Such information includes:

- calendar of events
- listing of publication and library resources
- listing of CLEs
- information on Awards of Merit and the Bar Leader of the Year Award
- downloadable version of *Local Bar Connection* and *So You're 18*

www.vsb.org/clba

A **Senior Lawyers Conference** was established by the VSB at the State Bar Annual Meeting in June, 2001. All members of the bar who are age 55 and older and in good standing are automatically members, with no dues required.

For more information, contact Pat Sliger, VSB Senior Lawyer Conference liaison at (804) 775-0576 or e-mail sliger@vsb.org.

The Senior Lawyers Conference announces the following officers and directors for the Board of Governors for the 2001–2002:

Chair:	Frank O. Brown, Jr.	Richmond
Chair-elect:	William J. Kinnamon, Jr.	Fredericksburg
First Vice-chair:	Patricia Ann Barton	Springfield
Second Vice-chair:	Colin J.S. Thomas, Jr.	Staunton
Secretary:	Clarence Mosely Dunnville, Jr.	Richmond
Treasurer:	William Brice Smith	Virginia Beach
Newsletter editor:	Francis N. Crenshaw	Norfolk

The **Alexandria Bar Foundation** held the Annual Pro Bono Reception June 12 in the Alexandria Courthouse-Courtyard. The reception honored attorneys of the bar foundations of Alexandria, Arlington and Fairfax and the Legal Services of Northern Virginia who have provided pro bono services to members of their communities. A free ethics CLE was offered. Chief Justice Harry L. Carrico recognized Carolyn Grimes, Miriam Cutler and Robert Walker for their pro bono work in their respective communities. The **Alexandria Bar Association** also held a special CLE on “Ethics in the Information Age” June 12, a CLE on “Trying the DWI Case: New Developments” on June 13 and a CLE on “Litigation News: New Sources for Internet Research.”

At their May meeting, the **Bristol Bar Association** had a presentation given by several Bristol, Tennessee, high school students and their sponsor regarding the Teen Court program, which has been instituted in that city. The association learned that teenagers charged with offenses of lesser severity such as truancy, underage smoking and assaults arising out of fights at school where no injuries occur, etc., have the right to have their punishment determined by a jury of their teenage peers upon their pleas of guilty and also upon their agreement to have their peers determine their punishment. The teenagers told the association that as a general rule, the teen juries were imposing harsher penalties upon their peers than the juvenile court judges.

The **Charlottesville-Albemarle Bar Association** reports that it will be publish-

ing a new directory of members in September. They have engaged a consultant to build a Web site with hopes of having it up by the end of the year. A budget donating \$16,000 to the Charlottesville-Albemarle Legal Aid Society has been approved. The association will continue to provide 12 units of approved CLE.

The **Chesterfield-Colonial Heights Bar** held its annual summer social on July 11 at the Brandermill Inn. Incoming officers for the new bar year were installed.

The **Danville Bar Association** began the year with an oath of office ceremony for Joe Milam as their new circuit court judge. In March they hosted a retirement party for Milam’s predecessor, Judge Jim Ingram. After conducting another successful No Bills Night, the association assembled for its annual Law Day ceremony in Judge Milam’s courtroom.

Fairfax Bar members Sharon Nelson and John Simek were featured speakers at the March ABA Tech Show in Chicago. The show featured vendors and speakers from around the nation on topics of latest technological advances. Nelson and Simek were featured speakers at five presentations at the convention.

The **Fairfax Bar Association** will present its Jurisprudence Award to Senator Joseph V. Gartland, Jr., at a special award dinner on Sept. 11 in Falls Church. Gerald Baliles, former governor of Virginia, will be the special guest speaker. Additionally, the **Fairfax Bar Pro Bono Program** has launched its latest innovative effort: The Family Legal Assistance Project (FLAP) to address the unmet needs of volunteer legal services.

The **Floyd Bar Association** marked its third annual Law Day by participating in an all day program at Floyd County High School. Members spent time with senior government classes discussing the rights, duties and responsibilities of young adults.

The **Hampton Bar Association** is pleased to announce investiture ceremonies for the following judges: The Honorable Louis R. Lerner, Judge of the Circuit Court for the City of Hampton (April 20, 2001); and The Honorable Robert B. Wilson, V, Judge of the J & DR District

Court for the City of Hampton (June 1, 2001); The Honorable Jay Edward Dugger, Judge of the J & DR District Court. The HBA hosted a portrait hanging in honor of the retirement of The Honorable Walter J. Ford.

On May 11, 2001, the **Harrisonburg-Rockingham Bar Association** presented a portrait of the Honorable Porter R. Graves, Jr. to the Circuit Court of Rockingham County at a special session of the court held to honor Judge Graves, Circuit Court Judge for the twenty-sixth judicial circuit, who had recently passed away. The portrait will hang in the courtroom of the Rockingham County Circuit Court. Following the special session, the bar association hosted a reception on the courthouse lawn at which the courts and justice committee conducted a tree planting ceremony in Judge Graves' memory.

The **Old Dominion Bar Association, Richmond Chapter**, will hold its first annual Oliver Hill and Samuel Tucker Scholarship Dinner on September 8, 2001, at the Omni Hotel in downtown Richmond. In addition to giving the association an opportunity to celebrate its 60th anniversary, it will raise book scholarships for one first year student in all of the law schools in Virginia and the Washington, D.C., metropolitan area.

Volunteers from the **Prince William County Bar Association** have received training in how to effectively represent clients in Protective Order hearings in the Juvenile and Domestic Relations District Courts. Attorneys receive four MCLE credits in exchange for representing three clients of Legal Services of Northern Virginia over the course of a year.

The **Richmond Bar Association** held its annual dinner May 18 at the historic Jefferson Hotel. The featured highlights were: the presentation of the fifty-year awards to three of six recipients; the presentation of Jefferson Cups to retiring members of the Board of Directors and the administration of the oath of office by the Honorable Richard L. Williams to officers and members of the 2001–2002 Board of Directors. In commemoration of the 47th anniversary of the Supreme Court decision of *Brown v. The Board of Education*, the bar recognized Oliver W. Hill for his efforts as a young attorney

working on that case. The Honorable Alexander M. Sanders, president of the College of Charleston, was the featured speaker for the evening.

The **10th Annual Bench-Bar Conference**, will be sponsored by the Richmond Bar Association, in conjunction with the Henrico Bar Association, the Chesterfield-Colonial Heights Bar Association, the Old Dominion Bar Association, Richmond Chapter, the Metropolitan Richmond Women's Bar Association, the Richmond Criminal Bar and the Metro Richmond Family Law Bar. The day-long seminar will be held on Thursday, October 18, 2001 at the Omni Richmond Hotel. The Bench-Bar Conference traditionally encourages rapport between judges and attorneys through panel discussions with audience participation. A variety of breakout sessions have been designed to encompass different areas of law. Participants can make selections appropriate to their areas of practice, particularly state civil practice, J & DR practice and criminal practice. Contact the Richmond Bar for more information: (804)780-0700.

The **Roanoke Bar Association** (RBA) will launch its Web site by late summer or early fall at www.Roanokebar.com. The Web site will provide a centralized and updated source of information for members and will replace the membership handbook, which becomes quickly outdated.

The **RBA** completed its second successful year of the Barrister Book Buddy program in association with Roanoke City Schools. Ninety-two RBA members and staff read to elementary students on a monthly basis.

The **Rockbridge/Buena Vista Bar Association** reports that Anita Filson became the first female full-time judge in the 25th judicial district. She assumed her judgeship on April 1 as judge of the Juvenile and Domestic Relations Court. Her investiture was held in March in the Rockbridge Circuit Court.

The **Virginia Women Attorneys Association** is pleased to announce another "You Be the Judge" seminar to be held Saturday, September 16, 2001 at the historic Jefferson Hotel, in downtown Richmond. The seminar is designed to

answer all your questions about becoming a judge in Virginia. With the historical agenda of encouraging more women and minorities to seek judgeships by making the process less mysterious and more attainable, the VWAA's program is open to both men and women, and encourages attendance from all bar associations. For more information, visit their Web site at www.vwaa.org.

The **Virginia Beach Bar Association** (VBBA) held its annual "Legislative Update" seminar on May 8 at the Sheraton Oceanfront Hotel. State Senator Ken Stolle, focusing on criminal matters, offered insights into the legislative process and important bills that the General Assembly passed into law this past session. The VBBA also held a reception for Virginia Supreme Court Justices on July 17, 2001 at the Contemporary Art Center of Virginia.

VBBA member Bobby W. Davis joined approximately 300 leaders of law organizations from across the country at a recent ABA Bar Leadership Institute. Along with ABA President Martha W. Barnett of Tallahassee, Florida, and ABA President-Elect Robert E. Hirson of Portland, Maine, Davis presented sessions on bar organization and management, communications techniques and planning for the year as president.

The **VBBA** and the **Norfolk/Portsmouth Bar Association** will present a Caribbean CLE Seminar 2001 in Aruba November 15–20.

Gubernatorial candidates Mark Earley and Mark Warner met in their first debate of the campaign on Saturday, July 14, during **The Virginia Bar Association's** (VBA) 111th Summer Meeting at The Greenbrier. An audience of more than 400 was present for the event. General sessions held during the VBA gathering dealt with such topics as land use and growth management in Virginia, professionalism and ethics, and the 2000 Florida voting controversy from the viewpoints of both the Gore and Bush campaigns. Life members of the VBA—those who have been VBA members for 40 consecutive years and reached age 70—were honored at the banquet on July 13, which featured Dr. Daniel Jordan, president of the Thomas Jefferson Foundation, as speaker.

Bench-Bar Committee Offers Assistance

by Renae Reed Patrick

The Virginia State Bar Special Committee on Bench-Bar Relations was established in the 1987-88 bar year to promote the exchange of views and information between the bench and the bar. Its official mission is to improve the administration of justice, to enhance service to the community, and to increase professionalism within the legal community by promoting the exchange of information and ideas between the judiciary and practicing attorneys of the Commonwealth.

The Committee currently includes a Virginia Supreme Court Judge, several Circuit Court Judges, a General District Court Judge, an Assistant Commonwealth Attorney, a Legal Aid Attorney, and private practitioners in large and small firms from a variety of locations throughout the state.

This Committee has been and remains very active. Members directly foster bench bar relations, provide resources to both the Bench and the Bar, and promote Bar Association efforts to establish and broaden communications between Judges and Bar members on a local and regional basis. Members offer, and are requested, to speak at Regional Judicial Conferences on programs or activities the committee members have initiated or in which members participated. Two of the more current topics have included Jury Reform and Sanctions.


The Committee monitors and fosters participation of members of the local Bar Associations who are selected by their local Chief Judge to attend the annual Judicial Conference for Virginia Supreme Court, Court of Appeals and Circuit Court Judges. The Committee also sends letters to the Judges to remind them that a local bar representative may be invited to this conference. Finally, the Committee does a survey of Bar representatives who have attended these conferences.

For a number of years the committee has offered a CLE at the Virginia State Bar Annual Meeting at Virginia Beach. The last two programs have been held in conjunction with the Litigation Section of the Virginia State Bar. This past June the program covered Sanctions. In June 2000, The Honorable Michael Dann, Judge of the Superior Court of Phoenix, Arizona, a national leader in jury reform, was guest speaker.

Committee members are currently designing and overseeing production of a new juror orientation video for distribution to and use by

Virginia Circuit Courts. This project is being financed by funds from the Virginia Supreme Court and the Virginia Law Foundation.

Possibly of more immediate interest to local and specialty bar leaders are two other services offered by the committee. The first is a collection of resource materials on presenting local bench-bar conferences, and, if required, members of the committee will advise or assist local bar leaders on hosting a bench-bar conference. The second is the offer of advice, materials and support in handling controversies involving unjust criticism of local judges. It specifically tells how to set up a standing committee for this purpose, and when and how to respond to unjust criticism of their judges.

Please contact the committee chair Arthur Moshos, (703) 352-5770, if the Committee may be of any help to you as a local or specialty bar leader. 

Ms. Patrick is a member of the VSB Committee on Bench-Bar Relations and Immediate Past President of the Virginia Women Attorneys Association.

Local Bar Connection

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The views expressed herein are not necessarily those of the Virginia State Bar.

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