



# **Circuit Representatives Handbook**

**2015-2016**

**HANDBOOK FOR CIRCUIT REPRESENTATIVES  
2015-2016**

**YOUNG LAWYERS CONFERENCE  
VIRGINIA STATE BAR**

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## **WHAT IS A CIRCUIT REPRESENTATIVE?**

Of the approximately 33,000 lawyers in the Virginia State Bar, the Young Lawyers Conference represents over 9,000 lawyers who are under the age of 36 or who have been practicing law for fewer than three years. The Conference is very active and oversees numerous programs designed to benefit young lawyers, to improve access to legal services, and to educate the public about the legal profession and the judicial system. The Conference is governed by a 19-member Board of Governors and operates through a variety of committees and a state-wide network of young lawyers representing each of the Commonwealth's thirty-one Judicial Districts. These "Circuit Representatives" are appointed annually by the Board of Governors. The Circuit Representatives act as liaisons between the practicing young lawyers on the local level and the Board, they promote participation in the programs and activities of the Conference, and they sponsor programs and initiatives on the local level consistent with the goals and mission of the Conference. As such, the continuing vitality and success of the Conference depends in large part on the energy and commitment of the Circuit Representatives.

In past years, Circuit Representatives have sponsored a broad array of programs and activities on the local level. By way of example, Circuit Representatives have created and sponsored continuing legal education programs on professionalism, promoted access to legal services through public seminars and distribution of handbooks and outlines, educated the public through mock trials and student day in-court programs, and created child witness waiting rooms in local courthouses.

Every year, the Board of Governors has ongoing initiatives in addition to the numerous outstanding individual programs provided by Circuit Representatives across the state. One such initiative may be the distribution of copies of a flyer on Voter Rights. Assisting with the distribution plan of this flyer would be an excellent first program for each Circuit Representative to coordinate. Also, the Board of Governors have concentrated on establishing state-wide local Emergency Legal Services liaisons. Circuit Representatives may have the opportunity to serve in this position or designate a young lawyer to serve in what is part of a nation-wide effort to have a system in place to respond to natural disasters. In this capacity, the Circuit Representatives may assist in implementing emergency legal services training sessions for lawyers in their Circuits and will help implement the Conference's Emergency Legal Services Response Plan in the event of a natural disaster or other declared emergency in the Commonwealth.

The strength of the Conference is directly related to the strength of the corps of Circuit Representatives who implement the Conference's programs throughout the Commonwealth. By serving as Circuit Representatives, young lawyers become involved with Virginia State Bar and Young Lawyers Conference activities at a grass-roots level and enjoy the many opportunities for service, fellowship, and networking offered by the organized Bar. Circuit Representatives are current and future leaders in the Bar and in their communities who can take great pride and satisfaction in their accomplishments.

## **SUGGESTED SCHEDULE FOR PLANNING A PROJECT**

### **3 months out**

- ◆ Select program and set goals
- ◆ Establish a budget
- ◆ If a CLE program, establish an agenda and materials
- ◆ Select speakers and invite
- ◆ Apply for CLE credit
- ◆ Negotiate with hotel (if a local hotel is the best place to have your program. Other locations could be libraries, law firms, law schools, etc.)
- ◆ Order mailing list from state bar or other source

### **2 months**

- ◆ Establish registration procedures (where to send registrations)
- ◆ Once CLE credit established, create and distribute flyer/announcement/advertisement
- ◆ Determine printing needs for meeting materials
- ◆ Place notices in bar newsletters, Docket Call etc.

### **4 weeks**

- ◆ Contact photographer
- ◆ Final arrangements with hotel or meeting facility

### **2 weeks**

- ◆ Assemble materials from speakers and print materials
- ◆ Reconfirm with speakers (ask about AV requirements)
- ◆ Name tags for attendees

### **2 days**

- ◆ Review program with hotel staff
- ◆ Check name tags

### **2 hours**

- ◆ Check room set-up, mics, AV, etc.

### **1 hour**

- ◆ set up registration desk
- ◆ welcome guests and speaker
- ◆

### **Follow up**

- ◆ Collect and tally critiques
- ◆ Report to the YLC on a successful program!

## Developing an Effective CLE

1. Find a location. Preferably free or low-cost. Check with law firms, local colleges and law schools.
2. Develop an agenda and select speakers. Review the MCLE rules to make sure your topics will qualify for CLE credit. <http://www.vsb.org/site/members/mcle-courses>
3. Determine the cost for the CLE. Are you providing refreshments or printed materials? Does the venue cost money? Is there money in the YLC budget? Most YLC CLEs try to break even.
4. Prepare a registration form. If charging a registration fee, indicate that the VSB can only take checks (no credit cards) and determine who will receive the forms, send confirmations and prepare the registration list.
5. Send the registration form, agenda and any program description to Maureen Stengel or Catherine Huband ([Stengel@vsb.org](mailto:Stengel@vsb.org) or [huband@vsb.org](mailto:huband@vsb.org)) at the VSB for the YLC website.
6. Develop a marketing plan. Contact local bars and local firms. Have Maureen or Catherine send emails to the YLC or a section membership. Be sure to indicate:
  - a. Who you want the email sent to (list specific sections and/or judicial circuits)
  - b. The exact body of the email.
  - c. When you want it sent. Give the VSB at least one week's notice.
7. At least one month prior to the program, send Maureen or Catherine the materials for MCLE approval. Be sure to include:
  - a. A detailed agenda listing times, topic time, and speakers.
  - b. Indicate on the agenda which, if any topics, contain ethics material and how much time is devoted to ethics.
  - c. A copy of the speaker's materials. Be sure the materials are titled the same as the agenda topic. If only a portion of the speaker's time is devoted to ethics, show which materials contain the ethics.
8. Maureen or Catherine will return the CLE form (attending and teaching) to you once the course is approved.
9. Determine if your speakers plan to use power point or any AV. Make sure you or the venue have the appropriate laptop, projector and screen.
10. Send confirmation emails to your attendees. If using electronic materials, send the attendees the materials by pdf or link prior to the program.
11. At the program, hand out CLE forms and critiques (if using). Have a few printed copies of the materials on hand in case anyone needs them or is a walk-in registrant.
12. After the program, send any completed CLE forms, the registration list and checks to Maureen or Catherine.

## Project Planning Worksheet

YLC Committee/Circuit: \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

Project Description: \_\_\_\_\_

Goals: \_\_\_\_\_

Start Date/ End Date: \_\_\_\_\_

Target Audience: \_\_\_\_\_

Funding: YLC Budget: \_\_\_\_\_

Other Sources: \_\_\_\_\_

Total Cost: \_\_\_\_\_

Project Income: \_\_\_\_\_ (if any)

Has a similar project been undertaken in past by the YLC? Yes No

If yes, please provide the project's title, date, and location (if known):

Does any other VSB committee or section or another group in Virginia have, or plan to have, a similar program? Yes No

If yes, please provide the names of the committee or section and the program:

If a committee program, have you considered ways to involve Circuit Representatives? Y/N

Please describe potential Circuit Rep involvement and the Circuits at issue:

This form should be completed and approved by the Board of Governors before any new project is undertaken. You should provide this form to your Board Liaison by October 30, 2015. Your Board Liaisons can then report to the Board and request its endorsement.

If you have any questions regarding this form or other procedures, please contact your Board Liaisons. Other contacts you need may be found at [www.vayounglawyers.com](http://www.vayounglawyers.com)

## **Project Planning Worksheet, Cont.**

**I. Timeline for Planning and Implementing Project:**

**II. Budget Details (include sources of income and expected expenditures)**



## **Project Ideas**

**Bully Proof/ Cyber-bullying Presentations**

**Domestic Violence Safety Project**

**Disaster / Emergency Legal Services Training**

**Community Law Week Projects**

**Immigrant Outreach Projects**

**No Bills Night**

**Legal Handbook for Cancer Survivors**

**Wills for Heroes**

**Law Day Video Contest**

- <http://www.abanet.org/yld/lawday/>

**Choose Law**

- <http://www.abanet.org/yld/chooselaw/>

**They Had a Dream Too**

- <http://www.abanet.org/yld/thadt/>

**Serving Our Seniors**

- <http://www.abanet.org/yld/sos/>

**Other Ideas**

- <http://www.abanet.org/yld/publicservice/archive.pdf>

**These projects are some of the keynote programs of the Young Lawyers Conference but are by no means an exhaustive list of potential projects. Feel free to be creative in developing proposed programs and projects.**

## Advertising Your Program

Please fill out the below information for the program that you want to advertise. This information will be posted on the YLC Website, emailed to the YLC Listserv and members of the YLC section. This form should be emailed to Catherine Huband ([huband@vsb.org](mailto:huband@vsb.org)) or Maureen Stengel ([Stengel@vsb.org](mailto:Stengel@vsb.org)).

Program Name:

Sponsored by the Virginia State Bar Young Lawyers Conference

Other Sponsors:

Date:

Time:

Location:

Program Description:

CLE Credit:

Registration Link:

For more information contact:

Unless otherwise noted, the program description will be used to add the program to the “Recent News” section of the YLC Website. If you would like something different please insert below:

# Docket Call

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## Writer's Guidelines

### What type of article should I write?

The *Docket Call* covers an array of topics including activities of the Young Lawyers Conference of the Virginia State Bar, activities and achievements of Conference members, and information that will assist new and young lawyers in the practice of law. Article topics include features on an interesting area of law practice, professional profiles of outstanding young lawyers, judges, or other active young attorneys in Virginia's legal community. You are more than welcome to suggest a topic to the Editor-in-Chief. Columns are also available to authors interested in a particular area of law and who can commit to contributing to each quarterly issue.

### How should I write my article?

Write in an informal, journalistic style. Avoid the style of law reviews, academic journals and legal briefs. Short quotations and specific examples will improve an article. Open your article with a catchy, attention-getting lead, followed by a thesis paragraph that concisely states the gist of the article. Follow this with the facts and details of the topic, then conclude with a summary. Use gender-neutral language whenever possible, in accordance with Virginia State Bar policy. (Use "chair" instead of "chairman," "worker's compensation" instead of "workman's compensation," etc.)

### How long should my article be?

*Docket Call* articles should be between 500 to 1,250 words (use your word processing software's word count function). Please use endnotes instead of footnotes, and keep them to a minimum. Articles should be submitted by e-mail, in Microsoft Word.

### What about photographs?

Photographs submitted for use in *Docket Call* should be clear, high resolution digital images 300 dpi or higher at the size they will be printed. The best photos are taken within six feet of their subject, in natural light or with a flash. All attempts to identify everyone in the photograph should be made when it is taken.

### Will my article be edited?

All articles will be edited to conform to the *Docket Call* style. When you submit an article, you should review it carefully to ensure that it is correct and that all necessary material has been included.

### May I proofread my article before it goes to press?

Editorial review by authors is a privilege, not an automatic right. If an author wishes and the schedule permits, the staff will allow one proofreading of the article at the page proof stage. The article must be returned on time or it will be run without the author's notes or corrections.

Contact the current editor at the following address:

Patrick Austin  
DocketCall@gmail.com  
(757) 460-7776

### Docket Call Deadlines for 2015–2016

Fall 2015 issue ..... Oct. 1  
(Special Membership Issue)  
Winter 2016 issue ..... Jan. 6  
Spring 2016 issue: ..... April 1  
Summer 2016 issue: ..... July 1

## **CAPTURING AND RETAINING VOLUNTEERS**

The strength of the YLC is directly related to the dedication and involvement of its young lawyers who commit their time and energy toward participating in and implementing YLC activities. The goals of the YLC's Membership Involvement Committee include designing and developing programs to facilitate recruiting young lawyers to become active in the many projects of the YLC.

The Membership Involvement Committee recognizes the efforts made by Circuit Representatives and Committee Chairs toward recruiting young lawyers to serve as volunteers in the many YLC activities.

In order to assist Circuit Representatives and Committee Chairs in finding interested volunteers, the Membership Involvement Committee forwards the names and addresses of volunteers who express interest in a particular committee or activity to the appropriate Circuit Representative and/or Committee Chair.

In order to capture interested volunteers shortly after they have expressed interest in YLC activities, Circuit Representatives and Committee Chairs may find it helpful to send a letter to the interested volunteer which briefly describes the particular committee or activity. Please refer to the attached sample Interested Volunteer Letter for details. These letters should go out to the interested volunteer on Virginia State Bar letterhead.

Upon the completion of a project or activity, Circuit Representatives and Committee Chairs may also want to send thank you letters to their volunteers to communicate the YLC's appreciation for their involvement. The thank you letters should also go out on Virginia State Bar letterhead. Please refer to the attached sample Thank You Letter for details. These letters should also go out on Virginia State Bar letterhead.

Circuit Representatives and Committee Chairs should feel free to contact the Membership Involvement Committee Chair directly if they need assistance in finding additional volunteers.

**Young Lawyers Conference**

**2015-2016**

**BUDGET      Income      July      Year to Date**

**PROGRAMS & PROJECT**

A & O Ceremony				
Fall	16,000.00			0.00
Spring	8,000.00			0.00
Annual Meeting	9,000.00			0.00
Board Match	500.00			0.00
Celebration Bench-Bar Dinner	7,000.00			0.00
Circuit Reps Programs	600.00			0.00
Commissions				
Children & the Law	750.00			0.00
Pro Bono	200.00			0.00
Women & Minorities	200.00			0.00
Health & the Law	400.00			0.00
Community Law Week	350.00			0.00
Domestic Violence Safety Project	300.00			0.00
Emergency Legal Services	450.00			0.00
Grants & Awards	750.00			0.00
Immigrant Outreach	850.00			0.00
Membership Involvement	0.00			0.00
No Bills Night	300.00			0.00
OHLI	450.00			0.00
Professional Development Conf.	3,800.00			0.00
Pre Law Conference				0.00
NoVA	4,000.00			0.00
Tidewater	2,500.00			0.00
Rule of Law Day at the Capitol	400.00			0.00
Softball Tournament Tidewater	300.00			0.00
Wills for Heroes	1,200.00			0.00
YLC Fellow Program	0.00			0.00
<b>PROGRAMS SUBTOTAL</b>	<b>58,300.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**PUBLICATIONS& PRINTING**

Docket Call				
Printing	1,700.00			0.00
Postage	2,000.00			0.00
Mailing	100.00			0.00
Health Law Handbook	0.00			0.00
Website	2,600.00			0.00
Cir Rep Handouts	0.00			0.00
<b>PUBLICATIONS SUBTOTAL</b>	<b>6,400.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**MEETING & TRAVEL**

ABA/YLD Travel	3,200.00			0.00
Annual Meeting	3,000.00			0.00

	<b>BUDGET</b>	<b>Income</b>	<b>July</b>	<b>Year to Date</b>
<b>PROGRAMS &amp; PROJECT</b>				
Board of Governors	15,000.00			0.00
Circuit Reps	2,000.00			0.00
Committees Chairs	1,450.00			0.00
Conference Calls	150.00			0.00
Leaders Conference	3,000.00			0.00
<b>SUBTOTAL</b>	<b>27,800.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>MISCELLANEOUS</b>				
Supplies	200.00			0.00
Postage	200.00		0.00	0.00
<b>SUBTOTAL</b>	<b>400.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL YLC</b>	<b>92,900.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Virginia State Bar  
Young Lawyers Conference  
Board of Governors  
2015-2016**

**Nathan J. Olson**

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Term ends: 6/30/2016



**VIRGINIA STATE BAR  
YOUNG LAWYERS CONFERENCE  
Circuit Representatives  
2015-2016**

(Updated 9/1/15)

<b>FIRST CIRCUIT</b> City: Chesapeake	<b>[VACANT]</b>
<b>SECOND CIRCUIT</b> City: Virginia Beach Counties: Accomack & Northampton	<b>Jamie Allgood</b> Shupert Law 1333 Laskin Road Virginia Beach, VA 23451 (757) 390-3331 <a href="mailto:jla@shupertlaw.com">jla@shupertlaw.com</a>
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<b>FIFTH CIRCUIT</b> Cities: Franklin & Suffolk Counties: Isle of Wight & Southampton	<b>[VACANT]</b>
<b>SIXTH CIRCUIT</b> Cities: Emporia & Hopewell Counties: Prince George, Surry, Sussex, Greensville, & Brunswick	<b>Kevin B. O'Donnell</b> 110 N 2nd Ave Hopewell, VA 23860 804-347-8499 <a href="mailto:kevin.odonnell@richmond.edu">kevin.odonnell@richmond.edu</a>
<b>SEVENTH CIRCUIT</b> City: Newport News	<b>J. Anderson "Andy" Mullins</b> D. Wayne Moore Attorney at Law Suite 3 606A Thimble Shoals Blvd Newport News, VA 23606 757-873-7700 <a href="mailto:amullins@waynemoorelaw.com">amullins@waynemoorelaw.com</a>
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<b>NINTH CIRCUIT</b> City: Williamsburg Counties: York, James City, Charles City, New Kent, Gloucester, Matthews, Middlesex, King William, King & Queen	<b>Naomh M. Hudson</b> LeClairRyan 5425 Discovery Park Blvd., Suite 200 Williamsburg, VA 23188 (804) 783-7539 <a href="mailto:naomh.hudson@leclairryan.com">naomh.hudson@leclairryan.com</a>

<p><b>TENTH CIRCUIT</b>  Counties: Appomattox, Buckingham, Charlotte,  Cumberland, Halifax, Lunenburg, Mecklenburg,  &amp; Prince Edward</p>	<p><b>Emily J. Lenschow</b>  989 Cartersville Road  Cartersville, VA 23027  804-506-4015  <a href="mailto:lenschowlaw@gmail.com">lenschowlaw@gmail.com</a></p>
<p><b>ELEVENTH CIRCUIT</b>  City: Petersburg  Counties: Amelia, Dinwiddie, Nottoway,  Powhatan</p>	<p><b>[VACANT]</b></p>
<p><b>TWELFTH CIRCUIT</b>  City: Colonial Heights  County: Chesterfield</p>	<p><b>Andrew S. Chen</b>  CounselorChen, P.C.  113 Granite Spring Rd.  Richmond, VA 23225  804-277-9381  <a href="mailto:achen@counselorchen.com">achen@counselorchen.com</a></p>
<p><b>THIRTEENTH CIRCUIT</b>  City: Richmond</p>	<p><b>Stacy E. Lee</b>  Associate Attorney  Harrell &amp; Chambliss LLP  707 East Main Street, Suite 1000  Richmond, VA 23219  Direct Dial: (804) 915-3233  Direct Fax: (804) 915-3253  Office Phone: (804) 643-8401  Office Fax: (804) 648-2707  <a href="mailto:slee@hclawfirm.com">slee@hclawfirm.com</a></p>
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# YOUNG LAWYERS CONFERENCE OF THE VIRGINIA STATE BAR 2015-2016 PROGRAM DESCRIPTIONS

## SERVICE TO THE BAR

### Admission and Orientation Ceremony

This committee is responsible for organizing and staging a special ceremony sponsored twice a year by the Conference at which time all newly licensed attorneys are given the opportunity to appear before the Supreme Court of Virginia to be admitted to practice in the courts of Virginia. Because the Court sits in Richmond, this committee typically is comprised principally of young lawyers practicing in the metropolitan Richmond area.

### Annual Meeting/Programs

This committee plans the special interest program that takes place during the Bar's Annual Meeting held in Virginia Beach each June. The program typically is on Friday afternoon and is a CLE program of particular interest to young lawyers. During gubernatorial election years, this committee typically schedules a debate.

### Annual Meeting/Athletics

This committee is responsible for organizing the "Run in the Sun" 5 kilometer foot race and the "Beach Volley Follies" volleyball tournament, all sponsored by the Conference during the Bar's Annual Meeting in June.

### Bench-Bar Celebration Dinner Committee

Each year the YLC, through this committee, hosts a dinner to honor newly elevated women and minority judges from across the state. The dinner provides an opportunity for young lawyers to interact with judges in a casual, relaxed atmosphere.

### Board Match

Board Match programs provide an opportunity for local non-profit organizations to solicit new board members and board participation from area lawyers.

### Docket Call/Newsletter

The editor and editorial board of the Docket Call are responsible for publishing four issues of the Conference's newsletter each year. The award-winning newsletter, which contains information about the Conference's activities and other information of particular interest to young lawyers, is circulated to every member of the Conference. The Docket Call editor serves as co-chair of the Publications Committee.

### First Day in Practice Seminar

In conjunction with the General Practice Section, this committee plans and implements the First Day in Practice Seminar for new lawyers traditionally held the day after the Fall Admission and Orientation Ceremony.

### Professional Development Conference

This committee implements a one day CLE program addresses practice tips and professionalism issues specific to young lawyers.

## **SERVICE TO THE PUBLIC**

### **Community Law Week**

This committee helps promote the ABA's nationally recognized theme for Law Day each year by developing programs and sponsoring activities during the first week in May devoted to enhancing the public's awareness and appreciation of the role of law in American life. The focus of the committee is to encourage participation in Community Law Week on a statewide basis through local bar associations. Included among the activities are presentations in the media, programs in the public schools and public forums.

### **Domestic Violence Safety Project**

The committee is responsible for establishing and furthering the Domestic Violence Safety Project (DVSP). The DVSP distributes a Safety Brochure and a Legal Pamphlet to domestic violence victims statewide and trains attorneys to provide *pro bono* representation to domestic violence victims.

### **Emergency Legal Services**

This committee, in conjunction with VBA-YLD, has developed and implemented a statewide Emergency Legal Services Response Plan, which includes training volunteers and working with other bar organizations to establish communication plans in the event of natural disasters and other declared emergencies.

### **Immigrant Outreach**

This committee designs projects, including the Immigrant Outreach-Education Regarding Deportation Ramifications of Criminal Convictions program to (1) educate members of the bar regarding deportation ramifications of criminal convictions on immigrants and (2) reach out to Northern Virginia's immigrant population.

### **Mental Health Law Committee**

This committee develops programs to provide access to legal services to citizens with mental health disabilities. The committee currently sponsors projects in the Northern Virginia and Albemarle areas that provide free legal counsel on a limited range of issues to institutionalized persons and outpatients.

### **Minority Pre-law Conference**

This committee plans a seminar that strives to expose college students, especially minority students, to many aspects of a legal career. From LSAT prep courses, mock law school classes, and a mock trial to panel discussions with the bench, bar, and law students, this course provides valuable information to Virginia students considering a career in the law. The event is held in Fairfax, Lexington and now, for the first year, in Williamsburg.

### **No Bills Night**

The Conference, through this committee, conducts two annual No Bills Nights to provide a forum for the public throughout Virginia to raise legal issues and to seek information regarding their legal rights, without cost. The programs began in Richmond in 1984 and have grown every year since. This year the Conference hopes to put on programs in Abingdon, Charlottesville, Danville/Martinsville, Lynchburg, Fredericksburg, Northern Virginia, Staunton/Lexington, Richmond, Roanoke, Tidewater and Winchester/Harrisonburg. The programs are sponsored twice yearly in the spring and fall. Several programs are broadcast on local television stations.

### **Oliver Hill/Samuel Tucker Pre-Law Institute**

The Virginia State Bar Young Lawyers Conference in conjunction with the Millennium Diversity Initiative and the University of Richmond T.C. Williams School of Law has designed a program, the Oliver Hill/Samuel Tucker Law Institute, to facilitate diversity in the legal profession. The program, which was implemented for the first time in July 2001, enables at-risk, minority students to attend a week long comprehensive seminar that exposes and encourages them to become members of the legal profession.

### **Rule of Law Day at the Capitol**

The purpose of this program is to educate 400 at-risk middle school and high school students about rule of law principles and the operations of their state government. Students take a field trip to the Virginia Capitol where they learn about the legislative, executive and judicial branches from various government officials in these branches. Prior speakers at this program include the Governor of Virginia, the Virginia Attorney General, Justices of the Supreme Court of Virginia, and Senators as well as Delegates from the General Assembly of Virginia. After students listen to these speakers at the General Assembly Building and the Supreme Court of Virginia, students are divided into groups to discuss different factual scenarios with attorneys, judges, and law enforcement officers assigned to their specific group.

### **Wills For Heroes**

In response to the events of September 11, 2001, the Young Lawyers Division of the South Carolina Bar Association created a program called Wills for Heroes to allow the legal community to show its appreciation for the efforts and sacrifices made by firefighters, police, sheriffs and emergency medical technicians ("First Responders"). This committee, in conjunction with VBA-YLD, has developed and implemented a program to provide Simple Wills, Advanced Medical Directives, and Powers of Attorneys to First Responders on a *pro bono* basis.

## **COMMISSIONS**

### **Children and the Law**

This commission was formed to assess current programs designed to meet the legal needs of children. It is also charged with developing new projects to address the unmet legal needs of children.

### **Pro Bono**

This commission was formed to assess current *pro bono* programs and to develop programs designed to improve the quantity and quality of *pro bono* activities of young lawyers.

### **Women & Minorities in the Profession**

This commission was formed to assess current programs and to develop new programs to address the particular issues facing women and minority young lawyers. The Commission is currently working to distribute the Legal Handbook for Cancer Survivors.



## **INTERNAL OPERATING COMMITTEES**

### **Budget and Finance**

This committee is designed to enhance the Conference's current budgeting process. During this year it has developed written guidelines that establish a budget planning process for the Board of Governors.

### **Circuit Representatives**

In 1983, the Conference established a statewide network of circuit representatives chosen from each of the state's judicial circuits. The network is designed to provide a liaison between practicing young lawyers on the local level and the Conference's Board of Governors, to promote statewide communication and participation among young lawyers in the projects and activities of the Conference and to increase the quantity and quality of public service and bar service legal programs throughout the state.

### **Grants and Awards of Achievement**

The Young Lawyers Division of the American Bar Association sponsors a nationwide Award of Achievement competition among bar groups during the American Bar Association's Annual Meeting. Young lawyers bar groups from all states are invited to enter this competition by submitting either an application for a particular project or a comprehensive outline of all their projects for the year. This committee will compile the application, which is due in June. This committee will also explore grant and other funding opportunities for the Conference during the year and will work with the Bar to publicize the many achievements and activities of the Conference.

### **Membership Involvement**

The purpose of this committee is to increase participation around the state in the Conference's programs and activities. This committee helps with the involvement of both newly licensed attorneys and those attorneys that are already established in practice in such Conference activities. In particular, the Conference desires increased participation from interested attorneys in governmental and corporate environments. This Committee has designed a membership brochure designed to inform and educate young lawyers about the many opportunities offered by the Conference.

### **Communication/Webpage**

This committee is designed to help develop and maintain the Web page for the Conference as well as develop a list serve or email conduit of information for members of the Conference. It is also responsible for facilitating communication between the YLC Board and Conference members.

### **New Programs Review**

In 2003, the Conference established this committee to assess and review new program ideas for the YLC and to identify for the Board recommended programs that should be undertaken.

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# I. VSB Operation and Strategic Plan

## A. Creation of Virginia State Bar

The Virginia State Bar (VSB) was created in 1938 by the General Assembly as a unified bar and an administrative agency of the Supreme Court of Virginia.<sup>1</sup> The Bar Act of 1938 invested the Supreme Court of Appeals (now the Supreme Court of Virginia) with legislative authority to promulgate rules and regulations “organizing and governing the Virginia State Bar.” In October 1938, the Court adopted the Rules for the Integration of the Virginia State Bar, which today are in Part 6 of the Rules of Court. Part 6, Section IV, Organization and Government gives Council general administrative authority for the VSB and the power to adopt bylaws.

- *Code of Virginia* §§ 54.1-3909-54.1-3918
- *Rules of the Supreme Court of Virginia* Part 6, § IV Organization and Government
- *Bylaws of Virginia State Bar and Council*

<sup>1</sup>Chapter 410 of the 1938 Acts of Assembly, now § 54.1-3909 *et seq.* of the *Code of Virginia*.

## B. Mission Statement

The mission of the Virginia State Bar, as an administrative agency of the Supreme Court of Virginia, is (1) to regulate the legal profession of Virginia; (2) to advance the availability and quality of legal services provided to the people of Virginia; and (3) to assist in improving the legal profession and the judicial system.

### Commentary

The Mission Statement contains the three basic elements which are found in most of the sources relating to the existence, power, and authority of the Virginia State Bar. They are (1) professional regulation; (2) public access to legal services; and (3) improving the system. The authority for the Mission Statement is found in, e.g., *Va. Code* Section 54.1-3909 (the Supreme Court’s authority to promulgate rules and regulations regarding the practice of law), *Va. Code* Section 54.1-3910 (establishing VSB as an administrative agency of the Court for professional regulation). Rules of Court Part 6, Section IV, paragraph 9(j)(the “necessary powers”).

Everything the VSB does should and can be related to one of these three areas. In the list which follows, each of the State Bar’s present functions has been placed in one or more of these categories.

### I. Regulating the Legal Profession

- Office of Bar Counsel/Professional Regulation Department/Clerk of the Disciplinary System
- Disciplinary Board
- District Disciplinary Committees
- Standing Committee on Lawyer Discipline
- Standing Committee on Legal Ethics
- Standing Committee on Unauthorized Practice of Law
- Mandatory Continuing Legal Education Board/Staff
- Publications/Public Information Department and Communications Committee
- Membership Department
- Administrative Support

### II. Improving Legal Services to Public

- Lawyer Regulation (see I. above)
- Standing Committee on Professionalism/Professionalism Course
- Committee on Access to Legal Services
- Alternative Dispute Resolution Joint Committee
- Lawyer Referral
- Publications/Public Information Department
- Clients’ Protection Fund
- Access to Justice Director

- 
- I. Membership Department
  - J. Administrative Support

### III. Improving Legal Profession and Judicial System

- A. Lawyer Regulation (see I. above)
- B. Professionalism (see II. above)
- C. Judicial Nominations Committee
- D. Sections and Conferences
- E. MCLE (see I. above)
- F. Lawyer Assistance Program
- G. Local and Specialty Bar Relations Coordinator
- H. Bench Bar Relations Committee
- I. Administrative Support

Approved by VSB Council  
February 28, 1998

## C. Governance

### Council

The rules provide that the powers of the Virginia State Bar shall be exercised by a Council elected pursuant to the Rules. Each of the 31 judicial circuits is entitled to elect one or more Council members. The election is by vote of active VSB members licensed to practice in the circuit wherein an election is held. The term of the Council member is three years with a provision that a Council member may be elected for one additional three-year term. Council elections are held in April.

In addition to the elected Council members, the Supreme Court of Virginia appoints nine at-large members. The chair of the Conference of Local Bar Associations, the president of the Young Lawyers Conference, the chair of the Senior Lawyers Conference, and the chair of the Diversity Conference serve as *ex-officio* members of Council.

The president, president-elect, and immediate past president of the bar serve as *ex-officio* members of the Council, with the president serving as presiding officer. The executive director/chief operating officer serves as secretary and treasurer of the VSB.

The Council typically meets three times a year: in October, in late February or early March, and in June prior to the Annual Meeting.

### Executive Committee

Between meetings of the Council, its duties and functions may be performed by the Executive Committee of thirteen members, six of whom are elected annually by and from the Council, with the president, president-elect, immediate past president, chair of the Conference of Local Bar Associations, president of the Young Lawyers Conference, chair of the Senior Lawyers Conference, and chair of the Diversity Conference serving as *ex-officio* members.

### Powers of Council

#### Part 6, Section IV, Paragraph 9(j)

#### Rules for Organization and Government, Virginia State Bar

POWERS OF THE COUNCIL. — The Council shall have general charge of the administration of the affairs of the Virginia State Bar, and shall have the power:

- (a) To adopt Bylaws for the Council and the Virginia State Bar not in conflict with these rules.
- (b) To elect the officers provided for by these rules.
- (c) To fill vacancies in the Council for unexpired terms if there should be a failure for sixty days to elect as provided in Section (6) and to fill vacancies in any office for unexpired terms.
- (d) To appoint committees and prescribe their duties.

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**Richmond, Virginia 23219-0026**  
**(804) 775-0500 • TDD (804) 775-0502 • FAX (804) 775-0501**  
**website: <http://www.vsb.org>**  
**Office Hours: 8:15 a.m. to 4:45 p.m.**

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		<b>Phone</b>	<b>E-mail</b>
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James C. Bodie (Jim)	Intake Counsel	775-0596	<a href="mailto:bodie@vsb.org">bodie@vsb.org</a>
Complaint Line		775-0570	

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# YLC Reimbursement Request

To be used to reimburse an individual or business for expenses related to YLC events. If payment can be made by credit card, do **not** use this form and contact Catherine Huband directly at (804) 775-0514 or [huband@vsb.org](mailto:huband@vsb.org). Travel expenses (overnight rooms, meals and mileage) should be submitted on a Travel Reimbursement form).

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

SSN or Tax ID #: \_\_\_\_\_

## Expenses:

YLC Event Name: \_\_\_\_\_

Amount	Purpose
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____

**\$ \_\_\_\_\_ Total to be reimbursed**

**Please attached original receipts (no photocopies)**

\_\_\_\_\_  
Signature

# Reimbursement Policies

## Travel vs. Purchase

### Purchases

If you are incurring costs associated with a YLC program or project, you **must** make sure your Board Liaison is aware of the expenditures and that the expenditures fall within the approved budget for your program.

If you are requesting reimbursement for expenses in conjunction with a YLC Program, you will need to submit the following information in writing:

- What program or project you participated in
- List of expenditure and total amount to be reimbursed
- Who should be reimbursed (firm or individual)
- If it is a firm, include the Federal Tax ID number
- If it is an individual, include the person's Social Security Number
- You must attach the original receipts

The completed information should be mailed to:

Maureen Stengel, YLC Liaison  
Virginia State Bar  
1111 E. Main Street, Suite 700  
Richmond, VA 23219-3565

### Travel

For any travel related expenses (i.e. hotel and mileage), complete a VSB travel voucher. A set of instructions and a sample are attached. Mail the completed travel voucher (with original receipts) to:

**Nathan J. Olson, Esq**  
Cooper Ginsberg Gray, PLLC  
10201 Fairfax Boulevard, Suite 520  
Fairfax, VA 22030

If you have any questions, you may call the YLC Liaison Maureen Stengel at 804-775-0517 or [stengel@vsb.org](mailto:stengel@vsb.org) or the Fiscal Assistant Jean Oakley at 804.775-0526 or [Oakley@vsb.org](mailto:Oakley@vsb.org).

## **VIRGINIA STATE BAR VOLUNTEER TRAVEL EXPENSE REIMBURSEMENT GUIDELINES**

The Virginia State Bar (VSB) follows the Commonwealth of Virginia Travel Regulations with certain exceptions. Reasonable and necessary travel expenses incurred by committee members attending committee meetings are reimbursable by the Virginia State Bar. This includes mileage or fares, lodging and certain meal expenses; however, alcoholic beverages and spousal expenses are NOT reimbursable. Committee members are encouraged to minimize travel expenses by reducing overnight stays in connection with committee business. To this end, committee chairs are requested to call meetings at such times and in such places that costs of travel by committee members will be held to a minimum.

Travel reimbursement requests should be filed IMMEDIATELY after a meeting. All vouchers received more than 30 days after the completion of the trip must be approved by the Executive Director. Reimbursement requests received more than thirty days after completion of travel may not be honored.

With reasonable notice, arrangements can be made for a committee to use a VSB meeting room. Meetings at “resort” hotels are usually not allowed and must be cleared in advance by the Executive Committee.

Members attending the VSB Annual Meeting held in June at Virginia Beach are expected to pay their own expenses as a part of their professional responsibility. Hence, expenses of members attending committee meetings scheduled immediately before, after or during the Annual Meeting are NOT REIMBURSABLE. This also applies to committee meetings scheduled immediately before, after or during regular meetings of various voluntary state associations (i.e., VBA, VTLA and VADA) and are considered to be held for the convenience of lawyers attending those association meetings. This policy is in accord with that of the American Bar Association and other state bar associations.

Please refer to the attached sample Travel Expense Reimbursement Voucher for details. Travel Vouchers should be typed or handwritten legibly. Travel expense reimbursement vouchers are available from the bar office (Excel spreadsheet or PDF version via e-mail). Send your email request to: [oakley@vsb.org](mailto:oakley@vsb.org). **Each day's expenses must be itemized separately on the voucher. You must attach appropriate itemized receipts.** Travel reimbursements will not be made from credit card receipts or statements.

**VIRGINIA STATE BAR**  
**VOLUNTEER TRAVEL EXPENSE REIMBURSEMENT VOUCHER**  
Detailed Instructions

The Virginia State Bar (VSB) follows the Commonwealth of Virginia Travel Regulations with certain exceptions. Since the Virginia State Bar operates entirely on its own revenue, and is a non-Executive Branch agency, some flexibility is allowed in our internal guidelines.

The voucher must be presented for payment within thirty (30) days after completion of travel. All expenses must be reasonable and necessary and related to official VSB business.

The following expenses are reimbursable on the travel voucher:

- Mileage:** \$.575/mile for travel by personal automobile (eff. 1/1/2015)
- Transportation:** **ORIGINAL RECEIPTS REQUIRED, PHOTOCOPIES NOT ACCEPTED;** includes necessary train, cab, bus fares. For reimbursement of airline ticket charges, ticket stubs or a hardcopy of the confirmation from an Internet reservation site showing the total cost and confirmed services must be attached to the travel voucher. If you choose to fly to and from a meeting, you will be reimbursed for the most economical means of travel; airfare or mileage, meals, and lodging, whichever is less. Car rental is only allowed in rare cases; contact the VSB Fiscal Office for advance approval.
- Lodging:** **ORIGINAL RECEIPTS REQUIRED, PHOTOCOPIES NOT ACCEPTED.** State travel regulations set the standard lodging rate at \$89 within the state of Virginia. This standard rate may vary for different locations. **Effective 10/1/2015, the standard lodging rate for Richmond city limits is \$121.** State guidelines should be followed when possible; otherwise, reimbursement may be allowed for a higher amount, not to exceed 150% of the state approved rates. Please consult your liaison or the Virginia State Bar Fiscal Office for rates in specific locations. Please note that whenever a staff person has established a negotiated rate for a specific event, this rate overrides the standard rate for that area.
- Telephone:** Personal telephone calls are not a reimbursable expense.
- Parking/Tolls/Tips:** Must be claimed as "Other Expense"; if parking or toll charge exceeds \$20, an original receipt is required. Valet parking is reimbursable only when a special need justifies the expense.



Incidental tips for bellman, transportation, parking and other similar travel related services is limited to \$10 per day.

**Meals:** Necessary & reasonable; meal reimbursement is normally allowed only when overnight travel is involved. Reimbursement for meal gratuity is limited to 20% for exceptional service. In order to be reimbursed for meals, you must indicate the time of departure and arrival on your voucher. The following amounts are allowed for meal reimbursement, including taxes and gratuity:

Breakfast	\$15
Lunch	\$15
Dinner	\$35

Snacks are not a reimbursable expense.

If you claim reimbursement for another VSB volunteer in addition to yourself, you must list the names(s) of the individual(s) included.

The following information must be included on the travel voucher (refer to numbers on attached sample copy):

1. Agency – Virginia State Bar
2. Social Security #: – enter social security number of traveler – **required**
3. Name & address of traveler, LAST NAME FIRST
4. State employee? – mark the appropriate box
5. Signature of traveler – **required**
6. Date & explanation – refer to information printed on voucher for required information
7. Purpose of travel – in most cases, check “other” and indicate in the space provided which meeting you attended

**Note: On the departure or return day of an overnight trip, meal expenses incurred while traveler is en route may be reimbursed, depending on departure, arrival and travel time. Departure and arrival times must be noted in order to be reimbursed for meal expenses.**

All other items will be filled in by the Virginia State Bar Fiscal Office. **Mail the original form and original receipts to the State Bar office (1111 E. Main Street, Suite 700, Richmond, VA 23219-0026). FAXES AND EMAILS ARE NOT ACCEPTABLE.**

Please direct your questions to the State Bar Fiscal Office, (804) 775-0526.

# TRAVEL EXPENSE REIMBURSEMENT VOUCHER

PERSONAL VEHICLE USE STATEMENT - VOLUNTEER

DEPARTMENT, INSTITUTION, OR AGENCY  
**1** Virginia State Bar

PERSONAL VEHICLE - COST BENEFICIAL TO THE STATE - PERSONAL MILEAGE RATE  
 STATE VEHICLE - NOT AVAILABLE OR ACCESSIBLE - PERSONAL MILEAGE RATE  
 STATE VEHICLE - AVAILABLE OR NOT REQUESTED - FLEET RATE

PREPARE WITH INK OR TYPEWRITER. USE ADDITIONAL SHEETS WHEN NECESSARY

I HEREBY CERTIFY THAT EXPENSES LISTED BELOW WERE INCURRED BY ME ON OFFICIAL BUSINESS OF THE COMMONWEALTH OF VIRGINIA AND INCLUDE ONLY SUCH EXPENSES AS WERE NECESSARY IN THE CONDUCT OF BUSINESS.

**3** Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_  
**2** Social Security # \_\_\_\_\_ - \_\_\_\_\_ Suffix: \_\_\_\_\_

**4** STATE EMPLOYEE?  YES  NO  
**5** SIGNATURE OF TRAVELER \_\_\_\_\_ DATE \_\_\_\_\_  
 TITLE \_\_\_\_\_

I HEREBY CERTIFY THAT THE TRAVEL UNDERTAKEN IN THIS REIMBURSEMENT VOUCHER HAS BEEN REVIEWED AND APPROVED AS NECESSARY FOR THE CONDUCT OF BUSINESS OF THE COMMONWEALTH.

TRAVELER'S SUPERVISOR \_\_\_\_\_ DATE \_\_\_\_\_

1. DATE	2. LOCATION AT WHICH EXPENSE WAS INCURRED. POINTS BETWEEN WHICH TRAVEL WAS NECESSARY, METHOD OF TRANSPORTATION USED AND MILEAGE RATE ALLOWED. EACH DAYS EXPENSES MUST BE SHOWN SEPARATELY.	3. MILES TRAVELED	4. MILEAGE	5. AUTO EXPENSE (ITEMIZE IN SECOND COLUMN)	6. MEALS		7. LODGING	8. OTHER (ITEMIZE IN SECOND COLUMN)	AMOUNT
					#	AMT.			
<b>6</b>									

I certify all computations are correct and that all necessary and required receipts are attached. Initial \_\_\_\_\_

**TOTALS**

VOUCHER NUMBER \_\_\_\_\_ DATE(MMDDYY) \_\_\_\_\_

PURPOSE OF TRIP  
 CONFERENCE  PRESENTATION  EXTRADITIONS  
 ATHLETICS  INVESTIGATIONS  FIELD WORK  
 RECRUITMENT  EDUCATION  OTHER (EXPLAIN)  
**7** \_\_\_\_\_

TOTAL SHEET 2  
 GRAND TOTAL  
 AMOUNT ADVANCED  
 Payment/(Due to Agency)

TRANS	AGENCY	GLA	FUND		FFY	PROGRAM			OBJECT	REVENUE SOURCE	AMOUNT	PROJECT		
			FUND	DET		PROG	SUB	ELE				PROJECT	TK	PH
COST CODE	FIPS	PSD	AGENCY REFERENCE			INVOICE			DUE DATE	REFERENCE DOC				
									MM DD YY			NUMBER	SX	
DESCRIPTION						CURRENT DOCUMENT NUMBER		SX	SUBSIDIARY ACCOUNT	MULTI-PURPOSE	1099	CHECK IF CONTINUATION SHEET ATTACHED <input type="checkbox"/>		

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## III. VSB Policies

### A. Policy Concerning the Use and Disclosure of VSB Email Addresses

Resolved, that the Virginia State Bar will send group emails to its members only:

- 1) in circumstances as determined to be appropriate by the executive director or a majority of the officers of the bar,
- 2) in a periodic electronic newsletter of official bar news according to guidelines and in a format to be determined by the Communications Committee, and
- 3) In a periodic electronic newsletter by the president regarding items of interest, and
- 4) in the case of emails to their members from bar conferences, sections, committees and task forces, emails may be sent as necessary to carry out the work of the conference, section, committee or task force.

Pursuant to Va. Code § 2.2-3705.1(10), member email addresses are exempt from public disclosure, provided the member has asked the VSB not to disclose it. Such requests can be made on the annual dues statement or in writing to the membership department of the VSB. In the absence of such a request, member email addresses are record information subject to disclosure to third parties who ask for such information.

Adopted by VSB Council  
March 3, 2006

Amended by VSB Council  
October 17, 2008

Amended by VSB Council  
February 22, 2014

### B. Policy Governing Legislative Activities

#### (A.) General Statement of Policy

The Supreme Court has accorded to the Council of the Virginia State Bar the discretion to exercise the necessary powers to promote reforms in judicial procedure and in the judicial system, to regulate the legal profession and to improve the quality of legal services made available to the people of Virginia. In furtherance of that discretion, the Council recognizes that an important governmental and public interest is met in allowing the participation of the Bar in the legislative process with respect to some issues; and that the expertise of the Bar serves as a valuable resource for the General Assembly of Virginia and the United States Congress in their consideration of some legislative issues. Council also recognizes, however, that the participation of the Bar in the legislative process must necessarily be limited to appropriate subject areas, and should be undertaken only when duly authorized and within the procedures set out below. To this end, Council hereby adopts this policy governing the participation of the Virginia State Bar, its sections, conferences, committees, officers and employees in legislative activities.

#### (B.) Restrictions on Participation in Legislative Activities

1. No officer, employee or member of the Virginia State Bar shall participate in legislative activities on behalf of the Virginia State Bar or one of its sections, conferences or committees unless such participation is authorized as provided herein.
2. No section, board of governors, or committee of the Virginia State Bar shall participate in legislative activities on behalf of the Virginia State Bar or one of its sections, conferences or committees unless such participation is authorized as provided herein.
3. For the purpose of this policy, “legislative activity” means:
  - a) publicly asserting a position on a legislative issue;

- 
- b) appearances before the General Assembly or the United States Congress, or the legislative committees or subcommittees of either; and,
  - c) meeting with members of the General Assembly, Congress, or representatives of the executive branch of the state or federal government for the purpose of promoting, advocating or opposing any matter before the General Assembly or Congress.
4. Nothing in this policy shall be construed to restrict the personal or professional activities of any person when such activities are not undertaken on behalf of the Virginia State Bar or one of its sections, conferences or committees.

### **(C.) Permissible Participation in Legislative Activities**

1. Officers, employees and members of the Virginia State Bar may participate in legislative activities on behalf of the Virginia State Bar or any of its sections, conferences or committees when such participation is specifically authorized by the Executive Committee.
2. The Executive Committee may authorize participation in legislative activities on behalf of the Virginia State Bar or any of its sections, conferences or committees only when the subject matter of the legislative activities is within one of the following categories:
  - a) the powers and duties of the Virginia State Bar;
  - b) the regulation of the legal profession;
  - c) budget appropriations for the Virginia State Bar, the judicial system or legal aid societies;
  - d) the availability of legal services to the public;
  - e) qualifications and standards for admission to the Bar;
  - f) the endorsement of judicial candidates on a nonpartisan merit basis;
  - g) improvements to the quality of the legal services made available to the public;
  - h) reforms in judicial procedure or the judicial system that are intended to improve the quality and fairness of the system; and any other
  - i) matters within the scope of Paragraph 9(j), Section IV, Part 6 of the Rules of the Supreme Court of Virginia.
3. Prior approval by the Executive Committee shall not be required when the subject matter of the legislative activity is:
  - a) The provision of expert advice on the state of the law at the request of a member of the General Assembly or Congress, or a legislative committee or subcommittee. Such advice shall not, however, express the approval or disapproval of any proposed legislation on behalf of the State Bar or any of its sections, conferences or committees without specific prior approval of the Executive Committee.
4. Subject to paragraph 6 below, approval of legislative activities under this policy may be delegated by the Executive Committee to the officers when it is not feasible to convene a meeting of the Executive Committee. An officer shall individually poll as many members of the Executive Committee as is practical prior to authorization of the legislative activity in question.
5. In making a determination on whether to authorize legislative activities, the Executive Committee shall consider, along with any governmental or public interest that may be affected, the degree to which there is perceived to be a substantial consensus among the members of the Virginia State Bar on the issue involved, and the degree to which the issue is perceived to have significant political or ideological underpinnings.
6. Whenever the timing makes it feasible, the Executive Committee shall not approve legislative activity without first having the issue and the bar's proposed position on it submitted to Council for its approval at a regularly scheduled Council meeting. In situations where it is not feasible to seek prior approval by Council, the Executive Committee shall report its approval of any legislative activity to Council at its next regularly scheduled meeting, at which time Council shall vote to endorse or withdraw support for the legislative activity in question.

Approved by VSB Executive Committee  
May 1989

Revised by VSB Executive Committee and Approved by Council  
October 1990

Revised by VSB Executive Committee and Approved by Council  
June 2001

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## C. Policy Governing Regulatory Activities

### (A.) General Statement of Policy

The Supreme Court has accorded the Council of the Virginia State Bar the discretion to exercise the necessary powers to promote reforms in judicial procedure and in the judicial system, to regulate the legal profession and to improve the quality of legal services made available to the people of Virginia. In furtherance of that discretion, Council recognizes that an important governmental and public interest is met in allowing the participation of the organized Bar in the regulatory process with respect to some issues; and that the expertise of the Bar serves as a valuable resource for the General Assembly of Virginia, the United States Congress and state and federal administrative agencies in their consideration of some regulatory issues. Council also recognizes, however, the participation of the Bar in the regulatory process must necessarily be limited to appropriate subject areas, and should be undertaken only when duly authorized within the procedures set forth below. To this end, Council hereby adopts this policy governing the participation of the Virginia State Bar, its sections, conferences, committees, officer and employees in regulatory activities.

### (B.) Restrictions on Participation in Regulatory Activities

1. No officer, employee or member of the Virginia State Bar shall participate in regulatory activities on behalf of the Virginia State Bar or one of its sections, conferences or committees unless such participation is authorized as provided herein.
2. No section, board or governors or committee of the Virginia State Bar shall participate in regulatory activities on behalf of the Virginia State Bar or one of its sections, conferences or committees unless such participation is authorized as provided herein.
3. For the purpose of this policy, the term “regulatory activity” means:
  - a) publicly asserting a position on a regulatory issue;
  - b) appearance before any state or federal administrative agency; or
  - c) meeting with members of any state or federal administrative agency to advocate or promote any action on a regulatory issue.

Regulatory activities shall not include appearance before state or federal regulatory agencies or meetings with members or representatives of such agencies in connection with proceedings before the regulatory agency when the Virginia State Bar or one of its sections, conferences or committees is a party to the proceedings.

4. Nothing in this policy shall be construed to restrict the personal or professional activities of any person when such activities are not undertaken on behalf of the Virginia State Bar or one of its sections, conferences or committees.

### (C.) Permissible Participation in Regulatory Activities

1. Officers, employees and members of the Virginia State Bar may participate in regulatory activities on behalf of the Virginia State Bar or any of its sections, conferences or committees when such participation is specifically authorized by the Executive Committee.
2. The Executive Committee may authorize participation in regulatory activities on behalf of the Virginia State Bar or any of its sections, conferences or committees only when the subject matter of the legislative activities is within one of the following categories:
  - a) the powers and duties of the Virginia State Bar;
  - b) the regulation of the legal profession;
  - c) budget appropriations for the Virginia State Bar, the judicial system, the administrative adjudicatory system or legal aid societies;
  - d) the availability of legal services to the public;
  - e) qualifications and standards for admission to the Bar;
  - f) the endorsement of judicial candidates or candidates for administrative appointments on a nonpartisan, merit basis;
  - g) improvements to the quality of the legal services made available to the public;
  - h) reforms in judicial procedure or the judicial system that are intended to improve the quality and fairness of the system; and any other
  - i) matters within the scope of Paragraph 9(j) Section IV, Part 6 of the Rules of the Supreme Court of Virginia.

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3. Prior approval by the Executive Committee shall not be required when the subject matter of the regulatory activity is:
    - a) the provision of expert advice on the state of the law at the request of a member of the General Assembly or Congress, a legislative committee or subcommittee, or a state or federal administrative agency. Such advice, however, shall not express the approval or disapproval or any proposed regulatory action on behalf of the State Bar or any of its sections, conferences or committees without specific prior approval of the Executive Committee.
  4. Subject to paragraph 6 below, approval of regulatory activities under this policy may be delegated by the Executive Committee to the officers when it is not feasible to convene a meeting of the Executive Committee. An officer shall individually poll as many members of the Executive Committee as is practical prior to authorization of the regulatory activity in question.
  5. In making a determination on whether to authorize regulatory activities, the Executive Committee shall consider, along with any governmental or public interest that may be affected, the degree to which there is perceived to be a substantial consensus among the members of the Virginia State Bar on the issue involved, and the degree to which the issue is perceived to have significant political or ideological underpinnings.
  6. Whenever the timing makes it feasible, the Executive Committee shall not approve regulatory activity without first having the issue and the bar's proposed position on it submitted to Council for its approval at a regularly scheduled Council meeting. In situations where it is not feasible to seek prior approval by Council, the Executive Committee shall report its approval of any regulatory activity to Council at its next regularly scheduled meeting, at which time Council shall vote to endorse or withdraw support for the regulatory activity in question.

Approved by VSB Executive Committee  
May 1989

Revised by VSB Executive Committee and Approved by Council  
October 1990

Revised by VSB Executive Committee and Approved by Council  
June 2001

## D. Policy on Solicitation of Funds

### (A.) Policy

The Virginia State Bar, including its committees, sections, Young Lawyers Conference, Senior Lawyers Conference and Conference of Local Bar Associations should refrain from soliciting funds from any source to underwrite special projects, programs or purchases.

With the exception of sponsorships authorized for CLE programs and events planned by the VSB Bar Services Department in conjunction with the Annual Meeting of the Virginia State Bar, all committee, section, Young Lawyers Conference, Senior Lawyers Conference or Conference of Local Bar Associations projects, programs and purchases must be funded through the general operating budget of the Virginia State Bar, or the budgets of its sections, Young Lawyers Conference, Senior Lawyers Conference, or the Conference of Local Bar Associations, ~~budget~~ as may be appropriate, with the approval of the Executive Committee and Council.

If a section, committee, ~~or~~ the Young Lawyers Conference, the Senior Lawyers Conference, or the Conference of Local Bar Associations of the Virginia State Bar has a unique need which would require solicitation of funds for a project, program or purchase not authorized in its budget, special approval by the Executive Committee of the Virginia State Bar must be sought in advance of the solicitation.

With respect to CLE programs held in conjunction with the Annual Meeting of the Virginia State Bar, any proposed sponsorship requests must be approved in advance by the Better Annual Meeting Committee, according to the criteria set forth in Section C. below, including programs cosponsored by entities that are not funded by the Virginia State Bar such as the Diversity Conference, the Virginia Women Attorneys Association and other bar groups that wish to present a program at the Annual Meeting.

Approved by VSB Executive Committee  
April 28, 1994

Amendments approved by VSB Executive Committee

### (B.) Criteria For Evaluating Solicitation Requests

The Executive Committee will consider the following criteria when evaluating a request to solicit funds for a program or project.

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1. Description of Project
  2. Sponsor/Co-sponsor of Project
  3. Date(s) of Project
  4. Goals of Project
  5. Target Audience/Beneficiaries
  6. Funding/Budget
    - A. Expenses
    - B. Potential Income
    - C. Why project is not in budget
  7. Description of Solicitation Proposal
    - A. Who/how many persons or entities will be solicited
    - B. Whether the person or entity has been solicited before by the VSB
    - C. Whether this is a one-time solicitation request
    - D. Amount/contribution requested
  8. Whether a similar project has been implemented before
  9. Whether any other bar association has a similar project
  10. Previous requests for solicitation for this purpose and Executive Committee action on such requests

### **C. Criteria for Evaluating Solicitation Requests by Better Annual Meeting Committee**

The Better Annual Meeting Committee will consider the following criteria when evaluating and approving a request to solicit funds for a CLE program for the Annual Meeting.

1. Description of CLE.
2. Sponsor/Co-sponsor of CLE.
3. Date(s) of CLE.
4. Goals of CLE.
5. Target Audience/Beneficiaries.
6. Funding/Budget.
  - A. Expenses.
  - B. Why expenses cannot be met by other funding sources.
7. Description of Solicitation Proposal.
  - A. Who/how many persons or entities will be solicited.
  - B. Whether the person or entity has been solicited before by the CLE Sponsor/Co-Sponsor.
  - C. Amount/contribution requested.
  - D. Form and content of solicitation request.
8. Whether any other bar association or group has a similar CLE.
9. Previous requests for solicitation by CLE Sponsor/Co-Sponsor.

Section C Approved by Better Annual Committee

Section C Approved by Executive Committee

## **E. Gender Neutral Language Policy**

### **(A.) Report**

At its meeting on June 15, 1988, the Council of the Virginia State Bar adopted a resolution expressing its commitment to develop and implement policies to enhance women and minority participation at all levels of State Bar activities. The Committee on Participation by Women and Minorities, which has had a similar objective since its inception, is pleased to present the following recommendation for the Council's consideration in furtherance of the resolution adopted by it in 1988.

While many may believe that changes in language usage are unnecessary, particularly in the ranks of those as well-educated as lawyers, extensive research recently conducted is proving many wrong. And as we said when a similar resolution was presented to and adopted by the House of Delegates of the American Bar Association in February 1989, "the legal profession prides itself on thinking, speaking and writing clearly about complex issues. It is thus our particular obligation to employ language that conveys precisely what we mean."

The Committee urges the Council to adopt the proposed resolution.

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## (B.) Recommendation

BE IT RESOLVED, that the Virginia State Bar and each of its entities should use gender neutral language in all documents establishing policy and procedure.

BE IT FURTHER RESOLVED, that the Virginia State Bar calls upon its members, sections and conferences actively and with due diligence to implement this resolution.

Adopted by VSB Council  
June 15, 1989

## (C.) General Examples of Gender Neutral Language

1. Avoid the generic use of the term “man” or “men.”  
*Example:* The (chairman) *chair* of the committee . . .
2. Avoid the use of the masculine or feminine pronouns “he,” “she,” “his” or “her.”  
*Example:* The President or (his) *the President’s* designee . . .  
If the attorney knows that the witness (he is examining) *being examined* has testified before . . .  
A lawyer may amend (his) *the* petition until . . .  
If (an individual) *individuals* seek(s) nomination to the council, (he) *they* must submit . . .
3. Choose a generic noun in place of a gender specific noun.  
*Example:* (wife) *spouse*  
(widower/widow) *surviving spouse*
4. Add the feminine pronoun in places where only the masculine pronoun appears.  
*Example:* If the President is unable to attend the meeting, his *or her* designee may attend . . .

## F. Policy Statement Regarding Participation by Women and Minorities in Bar Activities

WHEREAS the Council of the Virginia State Bar deems it in the best interest of the entire bar and the public to have greater participation from all of its members — including women and minority lawyers throughout Virginia;

WHEREAS the Council wishes to be on record and affirmatively to assist this process;

NOW, THEREFORE BE IT RESOLVED by the Council of the Virginia State Bar that it express its commitment to develop and implement policies to enhance women and minority member participation at all levels of State Bar activities, including but not limited to:

1. Aggressively identifying, recruiting and appointing women and minorities to membership and to leadership positions throughout the organizational apparatus of the bar, including its committees and boards;
2. Exploring opportunities or substantive programs which are responsive to the special needs and requirements of women and minority practitioners;
3. Seeking out and involving leadership of statewide women and minority bar organizations in the meetings and significant programs of the Virginia State Bar;
4. Endorsing and supporting equal employment opportunity principles and programs in respect to State Bar staff positions, and any other employment relationships generated on behalf of the Virginia State Bar;
5. AND, BE IT FURTHER RESOLVED that, while recognizing the limitations of one state agency’s influence on other organizations and other governmental entities, the Council does express its public support for greater involvement of women and minorities in all positions of public trust including, but not limited to, the judiciary, the range of court appointments, and all county, city and state attorneys’ posts.

Approved by VSB Council  
June 1988



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## **G. Policy Concerning the Use of Social Media on Behalf of Virginia State Bar and its Entities**

Social media are popular means of communication and self-expression. They offer an important and developing way for an association to communicate and share information with its members and the public. The Virginia State Bar supports the sensible use of social media to increase member engagement, to enhance the Virginia State Bar's public profile, to enhance the mission of the Virginia State Bar, and to improve access to information about the Virginia State Bar. At the same time, the use of social media may not be appropriate in all instances nor for all kinds of outreach. Because in some instances the use of social media can conflict with the Virginia State Bar's interests, Council has adopted this policy governing the use of social media on behalf of the Virginia State Bar.

### **Scope**

This policy applies to the Virginia State Bar's volunteers, conferences, sections, committees, boards, panels, task forces and related programs or groups (each, a "VSB entity" and, collectively, "the VSB entities"). This policy governs the manner in which a VSB entity may create or maintain a social media presence that identifies, expressly or by implication, the VSB entity or its social media presence as being sponsored by, administered by, or affiliated with the Virginia State Bar (a "VSB social media presence"). This policy also applies to a member's or volunteer's use of social networking or social media in a manner that identifies, expressly or by implication, that member's or volunteer's commentary or posting as being sponsored by, administered by, approved by or affiliated with the Virginia State Bar. This policy does not apply to a member's or volunteer's use of social networking or social media that is unrelated to the Virginia State Bar.

For the purposes of this policy, "social media" means websites that may permit interaction and communication, including but not limited to online posting, commentary and publication, also known as "social networking," among users. Some examples of social media include, but are not limited to, personal and professional websites, email websites, blogs, chat rooms, listservs, bulletin boards, networking websites, such as Facebook, Friendster, LinkedIn, Twitter and My Space, photo-sharing websites, such as Flickr, Zoomr and Photobucket, and video-sharing websites, such as YouTube.

### **Policy**

All VSB entities creating or maintaining a VSB social media presence, and any VSB member or volunteer using social networking or social media in a manner that identifies, expressly or by implication, that member's or volunteer's commentary or posting as being sponsored by, administered by, approved by, or affiliated with the Virginia State Bar, are expected to do so responsibly, professionally, ethically, and lawfully, and in accordance with this policy.

### **Establishing and Administering a VSB Social Media Presence**

Each VSB entity desiring to create or maintain a VSB social media presence will work with its Virginia State Bar's staff liaison (or his/her designee) to determine the VSB entity's objectives and the proper social media venues, if any, for the VSB entity, and to approve any such venues. The VSB entity must create and submit to the Virginia State Bar staff a plan for its social media presence. The plan, which shall be memorialized in writing (such as in an email), should include: (a) the social media tools the VSB entity desires to use; (b) the objective of the use; (c) the guidelines for use to be followed by members of the VSB entities; (d) the oversight mechanism proposed to be in place with the VSB entity, and (e) the VSB entity's plans for generating regular and relevant content (including identification of the position at the VSB entity responsible for administering the VSB social media presence). The Virginia State Bar staff must establish the page or account for the VSB social media presence for the VSB entity, but subsequent administration of the VSB social media presence shall be the responsibility of the VSB entity, with oversight from the VSB in accordance with this policy.

Wherever possible, any VSB social media presence must clearly and conspicuously indicate its affiliation with the Virginia State Bar and must contain direct links back to the Virginia State Bar website in a manner prescribed by the Virginia State Bar staff.

VSB entities may use the Virginia State Bar's name in an approved VSB social media presence. Usage of the Virginia State Bar's name shall comply with any usage guidelines provided by the Virginia State Bar.

VSB entities shall work with their VSB staff liaison to coordinate the development of appropriate and approved graphics for the VSB social media presence. No VSB social media presence shall use the Virginia State Bar's logo without prior written approval from, and under such usage guidelines mandated by, the Virginia State Bar's executive director or his/her designee.

The Virginia State Bar reserves the right to remove or demand removal of any content deemed inappropriate or not in keeping with this policy. VSB entities are responsible, in collaboration with their Virginia State Bar staff liaison (or his/her designee), for complying with these guidelines.

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## Using social media

VSB entities are expected to use good judgment and common sense when using social media in ways that pertain to, concern or relate to the Virginia State Bar. The following content standards apply to any VSB social media presence:

- A. Content posted to a VSB social media presence should be relevant to the mission of the VSB entity and the Virginia State Bar. Content should assist in advancing the availability and quality of legal services provided to the people of Virginia and/or to improving the legal profession and the judicial system. Content must be of professional quality and must be carefully considered. All statements must be true to the best of the knowledge and belief of the participating VSB entity and not misleading. Private information about posters or others is prohibited. Content must adhere to all statutory prescriptions and Rules of Professional Conduct, including but not limited to laws and rules governing the privacy of individuals and confidential information of clients. No VSB social media presence shall contain material that is obscene, defamatory, profane, libelous, threatening, harassing, abusive, hateful, or embarrassing to another person or entity or to the Virginia State Bar.
- B. Content posted to a VSB social media presence must comply with the applicable rules and terms of use of the applicable social network or social media page, to the extent those rules and terms of use are not inconsistent with this policy.
- C. Unless otherwise approved by the Virginia State Bar staff liaison, VSB social media presences shall be purely informational and not interactive, and shall not permit the posting of comments or “wall posts” by anyone other than the VSB entity or the Virginia State Bar staff. By way of example, without advance approval by the Virginia State Bar staff liaison, no VSB entity shall establish a “group” page on Facebook, to which comments could be posted; however, the VSB entity may establish an official “page” for the entity, to which only the VSB entity may post content.
- D. In the event that the Virginia State Bar staff liaison approves the creation and use of an interactive VSB social media presence (i.e., a social media presence to which external comments may be published), the VSB entity shall state prominently on its VSB social media presence that:

“The Virginia State Bar’s use of external social media tools is provided as a public service. The Virginia State Bar and [name of VSB entity] disclaim liability for any external content or comments (including, but not limited to, ads, videos, and promoted content) that are written, created posted or published by any person other than the Virginia State Bar and [name of VSB entity]. Any such external content or comments constitute the speech of persons other than the Virginia State Bar and [name of VSB entity], and the responsibility for such external content or comments rests solely and exclusively with persons providing them. Any inclusion of external content or comments does not imply endorsement by the Virginia State Bar or [name of VSB entity]. The Virginia State Bar and the [name of VSB entity] reserve the right and may choose to reprint comments/materials placed on the social media web sites to other media. The Virginia State Bar and [name of VSB entity] have the right, but not necessarily the obligation, to remove comments/materials from social media tools when those comments/materials, in the sole discretion of the Virginia State Bar or [name of VSB entity], are:

- Potentially libelous;
- Obscene or sexually explicit comments;
- Hateful or mean-spirited;
- Personal attacks, insults, profane, name-calling, or threatening language;
- Plagiarized material or material that potentially violates intellectual property rights;
- Private, personal or confidential information published without consent;
- Commercial promotions or spam;
- Off-topic or that link to material that is off-topic;
- Embedded images from external sources;
- Violate any law or promote the violation of any law;
- Encourage or constitute prohibited discriminatory or harassing conduct; or
- Made by a person masquerading as someone else.

“In addition, the Virginia State Bar reserves the right to terminate a person’s ability to post comments/materials or otherwise participate in its social media tools when the person has posted any of the above listed inappropriate comments/materials.”

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- E. No VSB entity shall post content to a VSB social media presence, or conduct any activity in connection with a VSB social media presence, that fails to conform to all applicable state and federal laws.
    - 1. Without limitation, this includes compliance with copyright law by ensuring that the VSB entity has permission to use or reproduce any copyrighted text, photos, graphics, video or other material owned by others. Any copyrighted or borrowed material must be identified with appropriate citations and links, giving credit to the original publisher or author.
    - 2. Without limitation, this includes antitrust laws. No content shall encourage or facilitate agreements between Virginia State Bar members of different firms concerning the following, as they pertain to legal services: prices, discounts, or terms or conditions of sale; salaries; profits, profit margins, or cost data; market shares, sales territories, or markets; allocation of customers or suppliers; or any other term or condition related to competition.
  - F. No VSB social media presence shall contain confidential or non-public proprietary information of or about the Virginia State Bar.
  - G. Content posted by a VSB entity must comply with all other applicable Virginia State Bar policies, including, without limitation, the Virginia State Bar's policies concerning legislative and regulatory activities. In addition, no VSB entity shall use a VSB social media presence for the purpose of interfering with or affecting the result of an election or a nomination for public office, or advocating for or against a partisan political party, candidate for partisan political office or partisan political group.

### **Social Media Activity by VSB Volunteers**

The Virginia State Bar respects the right of its member and volunteers to use social media and engage in social networking. However, only those officially and expressly designated by the Virginia State Bar are authorized to engage in social media activity on behalf of the Virginia State Bar. This policy applies to a member's or volunteer's use of social networking or social media in a manner that identifies, expressly or by implication, that member's or volunteer's commentary or posting as being sponsored by, administered by, approved by, or affiliated with the Virginia State Bar. For purposes of this policy, a posting that identifies its author as being a member of the Virginia State Bar shall not be deemed, on that basis alone, to state or imply that the author's commentary or posting is sponsored by, administered by, approved by or affiliated with the Virginia State Bar. When appropriate, volunteers must make clear that they are speaking on their own behalf and not on behalf of the Virginia State Bar. VSB members and volunteers are personally liable for all communications and information they publish online on their behalf; provided, however, that no third party beneficiaries are created by this policy.

### **Media Inquiries**

Social media postings may generate media coverage. If a member of the media contacts a VSB entity about a VSB social media presence, that contact should be referred to the Virginia State Bar's deputy executive director.

### **Enforcement**

If the Virginia State Bar deems a VSB social media presence, or a posting thereto, to be inappropriate, the Virginia State Bar will take to enforce this policy as the Virginia State Bar deems appropriate. VSB entities failing to comply with this policy may forfeit the right to participate in social media activities sponsored by, administered by, approved by, or affiliated with the Virginia State Bar. Moreover, nothing in this policy alters, derogates from, or otherwise affects Virginia State Bar members' (a) legal obligations under civil or criminal law or (b) ethical and professional obligations under the Rules of Professional Conduct.

### **Risk Management and Loss Prevention**

The Virginia State Bar does not maintain any liability insurance policies in force and does not provide any indemnification that could protect a Virginia State Bar member or volunteer from consequences of participation in social media, including but not limited to participation in a VSB social media presence.

### **Changes**

The Virginia State Bar may amend this policy at any time and from time to time, and all VSB entities must conform to this policy as so amended. No vested rights are granted by the policy to anyone.

Approved by VSB Communications Committee October 2010  
Approved by VSB Executive Committee October 14, 2010  
Approved by VSB Council October 15, 2010

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## V. Communications

The Virginia State Bar's Communications Department (<http://www.vsb.org/site/public>) is responsible for producing print and online publications for bar members and providing information to the public. Publications include *Virginia Lawyer* and *Virginia Lawyer Register*, *Professional Guidelines*, Latest News at [vsb.org](http://www.vsb.org), E-News mailings, conference and section newsletters, public information brochures, and meeting and seminar programs. Through its Communications Committee, the department has assisted in creating video production guidelines for sections or conferences interested in producing a video. Information about publications beyond what is described in this handbook may be obtained by calling the department at (804) 775-0586.

### A. *Virginia Lawyer* and *Virginia Lawyer Register*

*Virginia Lawyer* and *Virginia Lawyer Register* magazine is the official publication of the Virginia State Bar and is distributed to all VSB members in good standing, general subscribers, law libraries, other state bar associations, and the media. Total distribution, including members of the bar, is about forty-eight thousand.

*Virginia Lawyer* is published in February, April, June, August, October, and December. Issues contain substantive articles on the law and a number of regular features, including letters to the editor, professional notices, advertising, and classified ads. The magazine also apprises members of disciplinary actions, rule changes, and other regulatory information.

### Section and Conference Participation in *Virginia Lawyer* Magazine

- **Bar News**

*Virginia Lawyer* and *Virginia Lawyer Register* offers a number of ways for sections and conferences to educate lawyers and to promote membership. The first is through the Noteworthy section, which provides highlights of VSB news, CLE recaps, and ongoing activities of members of the bar. It offers a means for every lawyer in Virginia to know what your section or conference is doing and, in turn, helps to encourage section membership. Send your announcement to the editor by e-mail to [hickey@vsb.org](mailto:hickey@vsb.org), or call (804) 775-0586. If you are highlighting a recent seminar or meeting, we encourage photos to accompany your announcement. Digital files should be sent as high-resolution (300 ppi) in jpg, eps, or tiff attachments. Copy deadlines are generally a month before the publishing dates listed above.

- **Dedicated Issues**

Many of the substantive articles that appear in the magazine come from VSB sections or conferences that agree to provide articles (usually three) for a dedicated issue. Sections interested in contributing to a dedicated issue may do so by contacting the editor, Gordon Hickey, at (804) 775-0586 or [hickey@vsb.org](mailto:hickey@vsb.org). A VSB style book is available online at <http://www.vsb.org/docs/VSB-style-book.docx>.

### B. Brochures

The VSB Communications Department produces more than twenty brochures for use by attorneys and the general public. Some are available at no charge, others at nominal cost. For a list of these publications, visit the communications website at <http://www.vsb.org/site/publications/>. To obtain copies, call (804) 775-0594.

If your section, conference, or committee is interested in producing a brochure, a request for new publications may be made by filling out an impact statement (see pages 9–10) and sending it to the Communications Department. The request will then be forwarded to the Communications Committee for review.

### C. Videos

The VSB receives requests from sections, conferences, and committees wishing to produce videos. The VSB Council has enacted guidelines for video production that were recommended by the Communications Committee. These guidelines are reprinted below.

1. The Communications Committee will meet as necessary to consider ideas for videos. Section, conference, and committee chairs will be apprised, in advance, of the dates of these meetings and asked to submit any ideas or plans their groups may have for videos.

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2. An idea for a video should be accompanied by a proposal that includes a VSB impact statement (see pages 9–10) for the proposed video and an outline of the script.
  3. Based on the idea, outline, cost, and availability of resources, the Communications Committee will make recommendations to the VSB Executive Committee.
  4. Approval for production of a video will come from the Executive Committee, with the provision that a final script will need to be reviewed, as will the video itself prior to its release.
  5. Once approval is received, the committee or section will be responsible for procuring the production company and writing the finished script.
  6. The final script will be reviewed by a video committee that comprises a staff member from the bar and two members of the Communications Committee chosen by the committee.
  7. Credit lines on videos should include acknowledgment of any foundation or grant support; e.g., “This project was financially assisted by The Virginia Law Foundation.”
  8. A rough cut of the video also will be reviewed and approved by the video committee prior to any release or use of the video. The committee may choose to have the video viewed by a larger and more diverse group if it is being produced for the public.

## D. Annual Report

The Virginia State Bar Annual Report is a summary of the bar’s activities published each fiscal year. The report is used for research by VSB staff and volunteers, journalists and historians, court and government officials, and legislators for resource information and policymaking.

The chair of each section, conference, committee, and task force should **file an annual report before its annual meeting, but no later than July 1, 2016**, about activities from July 1 to June 30 in the prior fiscal year. The chair who served during the report year usually writes the report. The report should be sent to the Communications Department at [dnorman@vsb.org](mailto:dnorman@vsb.org).

Previous annual reports may be read at [www.vsb.org/site/about/annual-reports/](http://www.vsb.org/site/about/annual-reports/).

Your annual report may include the following information:

- number of members of your section or conference;
- special activities during the fiscal year and the key person in charge of each (full names, please);
- significant issues that arose and how they were resolved;
- continuing legal education programs sponsored by your group;
- officers and board members for the next fiscal year; and
- the name and title of the person filing the report.

The Annual Report is published online only. Questions about the annual report should be addressed to Dee Norman at (804) 775-0594 or [dnorman@vsb.org](mailto:dnorman@vsb.org).

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## VI. Sections and Conferences

### A. General Information

Sections of the Virginia State Bar are separate groups having special interests in particular areas of practice. Sections function under bylaws approved by the Virginia State Bar Council and broad policy guidelines, also established by the Council. (See pages 6–7)

Members in good standing of the Virginia State Bar are eligible for *active* membership in most sections upon payment of authorized dues. In addition to *active* membership, the bylaws of many sections also provide for *judicial*, *law student*, and *associate* categories of membership. As voluntary, nonappointed entities, sections elect their own officers and choose their own activities within limitations established by the bylaws of the section, as well as by the general policies and purposes of the Virginia State Bar.

Sections provide the structure through which all members of the bar have the opportunity to participate in bar work. Sections may be divided into smaller units. For example, committees of sections may be appointed to undertake particular projects such as membership recruitment and retention, newsletters and other publications, and continuing legal education (CLE) programs. The board of governors should serve to coordinate the work of the section committees rather than attempt to do all of the section's work.

As of September 1, 2015, the Virginia State Bar Council has authorized twenty sections, with a approximate total membership of 21,869. (<http://www.vsb.org/site/members/sections/>). In addition, Council has authorized four conferences:

- **Conference of Local Bar Associations (CLBA)**

All local and specialty statewide bar associations are eligible for membership

(<http://www.vsb.org/site/conferences/clba/>)

Number of Member Bar Associations: 120 (as of September 1, 2015)

- **Senior Lawyers Conference (SLC)**

All members of the Virginia State Bar in good standing who are aged 55 or older are automatic members of the SLC.

<http://www.vsb.org/site/conferences/slc/>

Membership: 18,382 (as of September 1, 2015)

- **Young Lawyers Conference (YLC)**

All members of the Virginia State Bar in good standing who are age 36 or younger and/or who have been admitted to their first bar less than three years are automatic members of the YLC.

<http://www.vsb.org/site/conferences/ylc/>

Membership: 10,229 (as of September 1, 2015)

- **Diversity Conference (DC)**

Open to all members of the Virginia State Bar in good standing who are interested in increasing diversity in the legal profession and in ensuring that Virginia meets the legal needs of an increasingly diverse population.

<http://www.dcvsb.org>

Membership: 675 (as of September 1, 2015)

### B. Historical List of Sections and Conferences

NAME OF SECTION	ESTABLISHMENT DATE
ADMINISTRATIVE LAW SECTION	January 1979
ANTITRUST, FRANCHISE & TRADE REGULATION SECTION <sup>7</sup>	April 1977
BANKRUPTCY LAW SECTION	February 1990
BUSINESS LAW SECTION <sup>1</sup>	January 1970
CONSTRUCTION LAW & PUBLIC CONTRACTS SECTION <sup>8</sup>	April 1979

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CORPORATE COUNSEL SECTION	October 1989
CRIMINAL LAW SECTION	October 1967
EDUCATION OF LAWYERS SECTION	October 1992
ENVIRONMENTAL LAW SECTION	October 1978
FAMILY LAW SECTION	January 1978
GENERAL PRACTICE SECTION	February 1986
HEALTH LAW SECTION	October 1984
INTELLECTUAL PROPERTY LAW SECTION <sup>4</sup>	May 1970
INTERNATIONAL PRACTICE SECTION <sup>6</sup>	October 1978
LITIGATION SECTION <sup>2</sup>	October 1980
LOCAL GOVERNMENT LAW SECTION <sup>5</sup>	February 1985
MILITARY LAW SECTION	February 1996
REAL PROPERTY SECTION <sup>3</sup>	October 1978
TAXATION SECTION	October 1955
TRUSTS AND ESTATES SECTION <sup>3</sup>	October 1978

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CONFERENCE OF LOCAL BAR ASSOCIATIONS	1990
SENIOR LAWYERS CONFERENCE <sup>9</sup>	July 2001
YOUNG LAWYERS CONFERENCE	July 1974
DIVERSITY CONFERENCE <sup>10</sup>	January 2010

- (1) Originally authorized October 21, 1955, with name changed to Section on Corporation and Business Law and then to Section on Corporation Counsel, October 1969.
- (2) Originally authorized October 21, 1955, with name changed to Section on Negligence, October 27, 1967.
- (3) Estates and Property Section authorized October 21, 1955, with a division into Trusts and Estates Section and Real Property Section, October 28, 1978.
- (4) Formerly Patent, Trademark and Copyright Law Section; name change was authorized by Council, February 27, 1987.
- (5) Formerly Municipal & Local Government Law Section; name change was authorized by Council, October 16, 1988.
- (6) Formerly International Law Section; name change was authorized by Council, June 15, 1989.
- (7) Formerly Antitrust Law Section; name change was authorized by Council, February 1989. Restated by section, June 1991.
- (8) Formerly Construction Law Section; name change was authorized by Council, February 1992.
- (9) Formerly Senior Lawyers Section, established February 1987. Council authorized establishment of the Conference in June 2001.
- (10) Council approved creation of the Diversity Conference in June 2009. Supreme Court of Virginia authorized establishment of the conference in January 2010.

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## E. Newsletters, Websites, and Electronic Communications

### Newsletters

Newsletter production varies by conference and section as well as by methods of disbursement. Staying in touch with your section membership and providing current articles and information is vital to the health of your section. We encourage each section to publish 2–3 newsletters a year. To keep newsletter editors current, we provide newsletter resources at <http://www.vsb.org/site/members/editors>. For questions and to plan strategy, please contact Public Relations Specialist Dee Norman at [dnorman@vsb.org](mailto:dnorman@vsb.org) or (804) 775-0594.

### Section and Conference Websites

Most section webmasters take advantage of the website template that was designed to have the look and some of the functionality of the pages on the state bar's website. Your webmaster may access the template by contacting Caryn Persinger at [persinger@vsb.org](mailto:persinger@vsb.org) or (804) 775-0588.

The template is based on the VSB website's content management system. It allows for basic features such as lists of board members and meetings, news, bylaws, publications, and a membership form. We can meet other requirements as needed, and password protection is available for portions of the site, such as newsletters and member rosters.

Sections should designate a person to be in charge of content for their sites, and they need to hire an outside contractor to maintain the sites once they are set up. We can provide contact info for outside vendors.

VSB staff currently maintains the SLC and CLBA sites. We also maintain the bar's entire site including disciplinary information and the *Professional Guidelines* and its supplement of rule changes and proposed rule changes throughout the year.

A disclaimer will appear on all section pages that states that the information is the work of the section and that the contents do not necessarily reflect official state bar views or policies.

### Group E-mail Distribution Lists

At the request of the chair of a section or conference, the bar will send a group e-mail to the section's or conference's membership list. The text of group e-mails may be reviewed and edited by the VSB. The service does not permit members to respond to any of the messages. Please give one week notice. (*See Handbook, Council Policy*, page 31).

## F. CLE Seminars and Educational Programs

### (A.) Coordination with Virginia CLE Office

Sections and conferences interested in developing CLE programs are encouraged to establish a cosponsorship arrangement with Virginia CLE, the continuing legal education program administered by the CLE Committee of the Virginia Law Foundation. The CLE Committee includes representatives appointed by both the Virginia State Bar and The Virginia Bar Association, as well as representatives from each of the state's eight law schools.

Ray White, director of Virginia CLE, and his staff operate out of offices located in Charlottesville. Virginia CLE currently conducts programs which are cosponsored with many state bar sections on an annual basis. Staff liaisons from the Virginia CLE office will work with a group's board of governors to develop the substantive aspects of the CLE program. In addition, the CLE office is organized to coordinate all of the administrative details of planning and conducting the program. Typically, the staff of Virginia CLE will assume responsibility for:

- **Marketing the seminar;**
- **Handling preregistration and on-site registration;**
- **Assembling and producing written materials;**
- **Assuring compliance with MCLE regulations;**
- **Coordinating on-site logistics; and**
- **Providing on-site staffing.**

In cosponsoring a program with a section, Virginia CLE will customarily establish a discounted registration fee structure for section members.



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Chairs should contact Ray White early in the bar year to discuss proposed cosponsorship of a CLE program. (800) 223-2167 or (804) 979-5644; FAX: (804) 979-3147; <http://www.vacle.org>

VIRGINIA CLE  
P.O. Box 4468  
Charlottesville, Virginia 22905

## **(B.) Independent Programming**

With the exception of programs planned in conjunction with the Virginia State Bar's Midyear Legal Seminar and Annual Meeting, any seminar and or educational program planned by a section/conference **independently** of Virginia CLE **must have advance approval** of the Virginia State Bar's Executive Committee, after consultation with the VSB executive director and the staff liaison.

Such advance approval will ensure that the section has adequate resources to promote and finance the program. Prior to the approval of an independent program, consideration will be given to the level of administrative support required of the state bar office in order to adequately staff all aspects of such an undertaking. Since the Virginia State Bar is not set up generally to conduct CLE programs on a regular basis, the impact on staff resources may be an important consideration.

If an independent CLE program is approved by the Virginia State Bar, the section/conference must work closely with its liaison to coordinate all of the administrative details of the program, including selecting the site, marketing the seminar, handling registration, producing written materials, ensuring MCLE compliance, and handling on-site logistics and staffing.

## **G. MCLE Regulations and Compliance**

<http://www.vsb.org/site/members/mcle-courses/>

Pursuant to Rule of Court (Paragraph 17, Part Six, Section IV), the Supreme Court of Virginia established a mandatory continuing legal education program in Virginia which requires each active member of the Virginia State Bar annually to complete a minimum of twelve (12) hours of approved continuing legal education courses, of which at least two (2) hours shall be in the area of legal ethics or professionalism, unless expressly exempted from such requirement. Of the twelve credit hours required, no more than eight (8) may be earned from pre-recorded courses resulting in a minimum requirement of four (4) credit hours via live interactive programs. The program is administered by the Mandatory Continuing Legal Education (MCLE) Board, appointed by the Supreme Court of Virginia, using regulations adopted by the board.

### **(A.) MCLE Attorney Online Records and Certification**

Attorneys may visit the member's area of the Virginia State Bar's website at <https://member.vsb.org/vsbportal/> to review their MCLE records and certify course attendance online. Course attendance information will be posted to the member's record immediately using this feature.

### **(B.) MCLE Definitions and Requirements**

CLE credit will be given for attendance at an educational program sponsored by a section/conference of the Virginia State Bar if the seminar meets the standards of approval as outlined in the Mandatory Continuing Legal Education Regulations. Virginia CLE will be responsible for ensuring that programs which they cosponsor meet the required standards of approval. However, if a section/conference has received authorization from the VSB Executive Committee to present an independent program, the program chair should consult with the group's staff liaison to ensure that the program is developed to meet MCLE regulations.

- 1) Accredited Sponsors:** Together with over 100 other providers, the Virginia State Bar and Virginia CLE have been designated as accredited sponsors of continuing legal education programs in Virginia. Accredited sponsors are subject to and governed by the applicable provisions of the rules and regulations of the MCLE Board, including the quality standards of Regulation 103 and the record-keeping and reporting requirements of Regulation 105. **The MCLE Board may at any time review an accredited sponsor program and reserves the right to deny CLE or ethics credit when the standards for approval are not met.**

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- 2) **Written materials:** An outline **must** be submitted in order for a program to qualify for CLE credit. Pursuant to MCLE Regulation 103(g), thorough, high-quality instructional written materials which appropriately cover the subject matter must be provided. **An agenda or topical outline will not be sufficient.** [MCLE Opinion #14]
  - 3) **Ethics Credit:** A presentation may qualify for credit in the area of legal ethics or professionalism if the ethics component meets the definition in MCLE Regulation 101(s and t) and covers a minimum of 30 minutes, as outlined in MCLE Regulation 103(d).

If a section/conference plans to incorporate an ethics segment into a CLE program, the program chair is responsible for ensuring that:

    - a) the material qualifies as legal ethics or professionalism [MCLE Opinion #13];
    - b) the segment is clearly and appropriately described or entitled in the written materials [MCLE Reg 101(s and t)];
    - c) the time for the ethics component is clearly designated in the program schedule [MCLE Reg 103(d)].
  - 4) **Coordination with VSB MCLE Department:** If a program is being planned independently by a section/conference, it is the responsibility of the section to apprise the MCLE Department of the proposed program and to seek approval of the course for the specified number of CLE and ethics credits. **Applications must be received at least 30 days in advance of the program.**

Virginia CLE will coordinate with the State Bar’s MCLE Department for course approval for any programs cosponsored with that office.
  - 5) **Course Approval:** At the earliest possible date in the planning, the section/conference should coordinate through its staff liaison to ensure that an Application for Course Approval (**Form #4**) and the proper materials are submitted to the MCLE Department. Since the section/conference is applying for credit under the auspices of the Virginia State Bar, which is an accredited sponsor, it is exempt from filing the fee specified on the application form. It is helpful in marketing the seminar if course approval is finalized prior to advertising the program and mailing the announcement brochure.
  - 6) **MCLE Certification Forms:** Once a program has been approved for CLE credit, the MCLE Department will provide attendance certification forms to the “accredited sponsor” (either Virginia CLE or the VSB section). These forms must be distributed to all registrants at the seminar. For CLE programs planned independently of Virginia CLE, it is the section’s/conference’s responsibility to coordinate with its staff liaison to make sure that the appropriate number of these forms (**Form #2**) are provided. The MCLE Department will also provide certification forms for the speakers (**Form #3**).

### (C.) MCLE Opinion #13—Topics Qualifying for Ethics Credit

The Virginia Supreme Court has required by Rule of Court that each active member of the Virginia State Bar complete a certain minimum amount of continuing legal education “in the area of legal ethics or professionalism.” MCLE Regulations provide that an approved course or program may provide credit toward this requirement by addressing “topics embraced in recognized formulations of rules of professional conduct or codes of professional responsibility applicable to attorneys.” The board has encountered instances where it has received applications for approval of ethics credits for topics which do not objectively pertain to or specifically address rules of professional conduct or codes of professional responsibility specifically applicable to attorneys.

The following are examples of some of the topics and types of courses which DO NOT qualify for ethics credits:

**Ethics in Government:** Programs or components which, although presented to attorneys, focus on standards of conduct applicable to non-attorney employees including those dealing with:

- i) the ethical standards applicable to governmental employees, federal legislators, governmental contractors;
- ii) United States’ employees’ compliance with the President’s Executive Order requiring a standard of conduct higher than the bare ethical rules might require;
- iii) educating the government attorney in these standards to enable that attorney to better advise a legislative and/or executive branch client on the applicable standards.

**Medical Ethics:** Programs or components which, although presented to lawyers, focus on:

- i) an analysis or the application of medical ethics, “bioethics,” or “biomedical” ethics;
- ii) statutory options involving “living wills,” the right to die, and “informed consent”;
- iii) educating the lawyer in these subjects to enable that lawyer to better advise a client.

**Ethics of other Professions:** Programs or components which although presented to lawyers, focus on:

- i) an analysis or the application of ethical standards governing members of a profession other than the legal profession, e.g. ethics for museum administrators, accountants, realtors, architects, engineers, chemists, etc.;

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- ii) educating the lawyer in these standards to enable that lawyer to better advise a client on the applicable standards.

**Business or Corporate Ethics:** Programs or components which, although presented to lawyers, focus on:

- i) an analysis or the application of ethical standards appropriate for executives, corporate officers and employees;
- ii) educating the lawyer in these standards to enable that lawyer to better advise a client on the applicable standards.

**Rules of Procedure, Rules of Evidence and Litigation Tactics:** Programs or components which focus on rules of procedure, rules of evidence, unless the focus of the programs or components also provides a substantial treatment of applicable rules of professional conduct or codes of professional responsibility. In particular, malpractice prevention programs or components which focus primarily on malpractice litigation, tactics, or strategy will not be approved for ethics credit.

Programs or components devoted to or including these topics may meet the requirements for general MCLE credit. The board is of the opinion that such topics do not fulfill the requirement for continuing legal education in the area of legal ethics or professionalism. The board will therefore not assign ethics credits to such topics.

**[Paragraph 17.C.(1) of Section IV, Part Six, Rules of the Supreme Court of Virginia and MCLE Regulations 101(s), 101(t) and 103(d)]. (12/92)**

Amended effective 11/1/09

### **(D.) MCLE Opinion #14—Requirement for Written Materials**

The Supreme Court of Virginia has required by Rule of Court that courses or programs qualifying for MCLE credit must provide attendees with written educational materials which reflect a thorough preparation by the provider of the course and which assist course participants in improving their legal competence. Paragraph 17(H)(3) of Section IV, Part Six, Rules of the Supreme Court of Virginia. In compliance with this mandate, the MCLE Board has promulgated Regulation 103(g). That provision provides:

Thorough, high quality instructional materials which appropriately cover the subject matter must be distributed to all attendees at or before the time the course is presented. A mere agenda or topical outline will not be sufficient.

Although courses of shorter duration may require less lengthy materials, this requirement must be satisfied by courses of any length in order for MCLE credit to be granted.

The purpose of the requirement of written materials is threefold. First, it insures thorough course preparation by the provider. Generally, the provider must furnish materials prepared specifically for the course and the subject matter addressed. The distribution of copies of cases or statutes without customized materials is not acceptable. A second purpose of this requirement is to insure that the attendees will be provided with materials which are useful after the course is completed. Materials provided should be sufficient to assist the attendee when questions regarding the particular subject matter covered are raised at a later date and to serve as a general resource after course completion. The third reason for this requirement is to allow the MCLE Board to evaluate the quality and nature of the course and the actual subject matter being covered. Occasionally neither the title of the course submitted on an application nor the agenda for the presentation provides sufficient information about course content to allow evaluation. The review of the written materials provided to course attendees allows the Board to assess the quality and subject matter of the course and to insure that the topics addressed are appropriate for accreditation purposes.

In determining whether written materials are adequate, the Board will also consider the teaching method employed. For example, materials appropriate to participatory skills development courses, such as a trial advocacy course, will differ from a course where a straight lecture method is employed. Moreover, courses in which role-playing or other interactive teaching methods are employed will have varied materials.

Several recurring problems regarding the provision of instructional materials, however, have come to the Board's attention.

- a) Written materials which contain only hypotheticals will not satisfy this requirement. While the discussion of hypotheticals can be an appropriate teaching method, written materials including only hypotheticals to be discussed will not suffice as thorough, high quality instructional material. On the other hand written materials in which the hypotheticals are accompanied by (1) course materials which assist the understanding of the subject matter and have reference value to the participants or (2) course materials which provide a thorough written discussion and/or responses to such hypotheticals may satisfy this requirement. Such written discussion or responses to hypotheticals may be provided to the participants separately at any time up to the time of the conclusion of the course.
- b) Bibliographies or a list of other reference materials, such as internet sites, standing alone, will generally not suffice as thorough, high quality instructional material. Similarly, sample pleadings, without instructional materials are inadequate to satisfy this requirement.

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The requirement to provide written materials can be satisfied by providing printed copies or copies stored on electronic media. It may also be satisfied by allowing attendees access to a website or other area where electronic copies are available for downloading. In the event that a provider does not provide printed copies to all course participants, such copies must be made available to any attendee who requests them.

**[Paragraph 17(H)(3) of Section IV, Part Six, Rules of the Supreme Court of “Virginia; MCLE Regulation 103(g). Effective 07/01/95, Revised 02/11/02**

## H. Sample Bylaws

BYLAWS OF THE SECTION  
VIRGINIA STATE BAR  
Approved by Council

### ARTICLE I *Name and Purpose*

Section 1. *Name*—The name of this Section shall be the Section on \_\_\_\_\_ Law of the Virginia State Bar.

Section 2. *Purposes*—The purposes of the Section shall be:

To further the objectives of, and promote active participation in, the Virginia State Bar;

To enhance communication and the exchange of ideas and information on issues which affect the practice of law in Virginia;

To foster unity between members of the Section by providing a forum where Section members can share research, source materials and experiences;

To sponsor programs and projects of special interest and relevance to the members of the Section and the Virginia State Bar in the field of \_\_\_\_\_ law;

To conduct continuing legal education programs, publish and distribute educational and professional materials and undertake other activities which shall enhance the competence and skills of lawyers and improve their ability to deliver the highest quality of professional legal services;

To further promote public understanding of the field of \_\_\_\_\_ law.

### ARTICLE II *Membership and Dues*

Section 1. *Categories*—The categories of section membership: 1) Active, 2) Associate, 3) Judicial, and 4) Law Student (optional). Only Active members in good standing may vote or hold office.

Section 2. *Eligibility*—Any active, associate, or retired member in good standing of the Virginia State Bar shall be eligible for Active membership in the section; any lawyer eligible to practice before the highest court of any state of the United States or the District of Columbia and not a member of the Virginia State Bar shall be eligible for Associate membership in the section; and (optional) any full-time law student not eligible for Active or Associate membership and enrolled in a law school in any state of the United States or the District of Columbia shall be eligible for Law Student membership in the section. Judicial membership shall be open to any active or retired judge of the United States or the Commonwealth of Virginia. Upon request to the secretary, members of each category shall be enrolled and shall continue as members so long as they retain their eligibility as aforesaid and pay the annual dues specified in Section 3 of this Article.

# VIRGINIA STATE BAR YOUNG LAWYERS CONFERENCE

## BYLAWS

(Amended By Council June 2012)

### PREAMBLE

Pursuant to the Resolution adopted by the Virginia State Bar Council at its June 1971 Annual Meeting that an organization of younger members of the Virginia State Bar be created, James A. Howard, 1973-74 President of the Virginia State Bar, appointed an Initial Board of Governors for such organization consisting of nine active members of the Virginia State Bar and charged that Board with the responsibility of implementing the Council Resolution by organizing the "Virginia State Bar Young Members Conference".

Pursuant thereto the Board adopted the following bylaws for the Conference, which bylaws have been made and may be amended from time to time as the need arises.

### ARTICLE I

#### Name and Jurisdiction

**Section 1. Name** - The name of this organization shall be the "Virginia State Bar Young Lawyers Conference".

**Section 2. Purpose** - The purpose of this organization shall be: to serve as a vehicle through which the younger members of the Virginia State Bar can exert a more direct influence upon the activities of the Virginia State Bar to engage in activities designed to respond to discernible needs among the younger members of the Bar in particular and the members of the legal profession in general; to promote, uphold, and elevate the standards of honor, integrity, and competence in the legal profession; and to assist the Council of the Virginia State Bar in discharging its duty to improve the legal system and the responsiveness of the profession to the members of the public, for whose benefit the profession exists.

### ARTICLE II

#### Membership

All members of the Virginia State Bar in good standing who are under thirty-six years of age or who have been admitted to their first bar association less than three years shall be members of the Conference. Membership in the Conference shall terminate automatically on the July 1 next following the date upon which a member shall attain thirty-six years of age or shall have been admitted to their first bar association for three years, as the case may be; or upon such person's ceasing, prior to that time, to be a member of the Virginia State Bar in good standing. Notwithstanding the foregoing provision, all duly elected members of the Conference's Board of Governors and the Immediate Past President of the Conference shall continue to be members of the Conference during the term(s) of their respective positions, provided that they are members in good standing of the Virginia State Bar. Such membership by all such members shall be

automatic and shall not be conditioned upon the payment of any dues other than regular membership dues of the Virginia State Bar. [As amended October 1987 and June 2011]

### ARTICLE III

#### Officers and Board

**Section 1. Officers** - The officers of this Conference shall be: a President, a President-Elect, an Immediate Past President, and a Secretary.

**Section 2. Board of Governors** - There shall be a Board of Governors consisting of fifteen (15) active members, of which ten (10) shall be Regional Governors, one from each of the Young Lawyers Conference Districts. The Districts are comprised of the following judicial circuits:

<u>District</u>	<u>Circuits</u>
1	1, 3, 5, 7, 8
2	2, 4
3	6, 11, 12, 13, 14
4	17, 18
5	19, 31
6	9, 15
7	16, 20, 26
8	23, 25
9	10, 21, 22, 24
10	27, 28, 29, 30

The remaining five (5) Board members shall be Governors at Large, from unspecified areas of the state.

[As amended June 1993]

**Section 3. Election of Officers** - The initial Board shall elect from its membership the initial President of the Conference and Secretary of the Board. Thereafter, at each Annual Meeting of the Virginia State Bar, the general membership shall elect a President-Elect who shall serve for a one-year term commencing on July 1 following said Annual Meeting. The President-Elect shall succeed to the office of President the following year or upon the President's resignation, removal, or inability to serve for any reason. In the event of the unavailability of a previously elected President-Elect to commence his or her term as President, the vacancy in the office of President shall be filled by election by the members at the Annual Meeting.

At the last meeting of the Board of Governors preceding the Annual Meeting, the Board shall elect from its membership a Secretary, who shall serve for a one-year term on July 1 following said Annual Meeting. In considering candidates for Secretary, the Board shall consider each candidate's demonstrated record of service, dedication and commitment to the Conference.

[As amended June 2004]

The President, President-Elect, Immediate Past President, and Secretary shall be ex-officio members of the Board.

No person shall be eligible for election as President, President-Elect or Secretary unless such person shall have first served as a duly elected or appointed member of the Board of Governors of this Conference. No person shall be eligible for election as Secretary if such person would cease to be eligible for membership in the Conference before commencement of such person's term as Secretary. No person shall be eligible for election as President or President-Elect if such person would cease to be eligible for membership in the Conference before commencement of such person's term as President-Elect; except that a person who serves as Secretary shall be eligible for election as President-Elect in the year following his or her term as Secretary; however, no person shall be ineligible for election as President or President-Elect if such person would cease to be eligible for membership in the Conference before commencement of said person's term as President.

[As amended June 2000]

**Section 4. Election of Board Members** - At the 1993 Annual Meeting of the Virginia State Bar, the general membership of the Conference shall elect ten (10) Regional Governors and five (5) Governors at Large, provided that any Board member whose initial term shall not have expired by the date of such Annual Meeting, shall complete his or her term as a Regional Governor for the Young Lawyers Conference District in which he or she maintains his or her Virginia State Bar address of record, and a Regional Governor shall not be elected from such Young Lawyers Conference District; and provided further that if two (2) or more Board members whose initial terms shall not have expired by the date of such Annual Meeting shall both maintain their Virginia State Bar address of record, in the same Young Lawyers Conference District, one of them shall be named a Governor at Large, as the Nominating Committee shall designate until the expiration of such Board member's term. After the 1993 Annual Meeting, elections for the Board of Governors shall be by the general membership of the Conference at the Annual Meeting of the Virginia State Bar as vacancies occur. Each member of the Conference shall be entitled to vote for one (1) candidate for each of the seats being filled at a particular election. All new members of the Board of Governors shall be elected for an initial term of two (2) years commencing on the first day of July following the Annual Meeting at which they were elected and ending on the 30th day of June in the second year of their term. Members of the Board, including persons who served on the Board prior to the 1993 Annual Meeting, may be elected for successive one (1) year terms commencing on the first day of July following the Annual Meeting at which they are re-elected and ending on the 30th day of June of the following year, provided that no person shall serve more than four (4) years on the Board. [As amended June 1993]. No person shall be eligible for election to an initial two-year term as a member of the Board if such person would cease to be eligible for membership in the Conference before commencement of the final year in that term. A current Board member's attainment of the age of thirty-six (36) years shall not preclude him or her from standing as a candidate for and being elected to the one-year terms referenced above so long as the terms are consecutive and immediately follow the Board member's initial two-year term. [As amended June 2011].

Whenever a member of the Board assumes the Office of President or President-Elect, his or her seat on the Board shall be vacated. At such time as any member's seat is vacated by virtue of his or her election a President or President-Elect of the Conference or by virtue of his or her resignation, death, removal for cause or disqualification for membership in the Conference, at that time a successor to said member shall be appointed by the Board to serve until the following June 30, any remaining portion of the term shall be filled by election at the Annual Meeting preceding the said June 30.

In the event a Board member ceases to maintain his or her Virginia State Bar address of record within the District in which the Board member was elected, the Board member shall be eligible to continue representing such District until the next meeting of the general membership. The Board member may, if otherwise eligible for Board service, and if vacancies exist, seek election to the Board for the District in which the Board member has established his or her Virginia State Bar address of record, or for an At-Large position. The unexpired term of the Board position vacated under this provision shall be filled pursuant to the election procedures in this Section 4.

**Section 5. Removal for Cause** - If any member of the Board of Governors shall fail to attend two successive regular meetings of the Board and upon a finding by the Board that such absence was without sufficient reason, or if any member of the Board of Governors should be declared no longer a member in good standing of the Virginia State Bar, the seat held by such member shall be automatically vacated and filled in accordance with Article III, Section 4.

## ARTICLE IV

### **Nominations of Officers and Board Members**

**Section 1. Nominations** - No less than ninety (90) days before the Annual Meeting, the President shall appoint a Nominating Committee of at least three members of the Board of Governors and at least two members of the Conference who are not members of the Board of Governors. The Nominating Committee shall meet as designated by the President of the Conference and shall nominate at least one person for each seat held by a Regional or At Large Governor whose term expires on the 30th day of June following the Annual Meeting. Each nominee for the Regional Governor must maintain his or her Virginia State Bar address of record in the Young Lawyers District from which he or she has been nominated. [As amended June 1993]. The Nominating Committee shall also make and report to the Conference nominations for President-Elect.

No less than fourteen (14) days prior to the last meeting of the Board of Governors preceding the Annual Meeting, the Nominating Committee shall provide to the Board of Governors a list of all candidates nominated for President-elect and for the Board of Governors. At the last meeting of the Board prior to the Annual Meeting, the Board shall vote upon the candidates nominated for Presidents nominated for President-elect and for the Board of Governors and shall provide its recommendations to the Nominating Committee prior to the Annual Meeting. The Nominating Committee shall then provide its recommendations to the Conference at the Annual Meeting.

In deciding upon its recommendations to the Nominating Committee regarding candidates for President-elect and for the Board of Governors, the Board shall consider each candidate's demonstrated record of service dedication and commitment to the Conference.

[As amended June 2004]

Quorum shall consist of at least fifty percent of those members appointed to the committee, and if less than a quorum is present, the President of the Conference shall appoint new members sufficient to constitute a quorum.

Other nominations for President-Elect or for members of the Board of Governors may be made from the floor at the Annual Meeting by members of the Conference.



## ARTICLE V

### Duties of Officers

**Section 1. President** - The President shall preside at all meetings of the Conference and of the Board of Governors and of the Executive Committee. The President shall formulate and present at each Annual Meeting of the Virginia State Bar a report of the work of the Conference for the then past year. The President shall perform such other duties and acts as usually pertain to his or her office.

The President shall be an ex officio member of the Executive Committee and Council of the Virginia State Bar, representing the Young Lawyers Conference.

**Section 2. President-Elect** - Upon the death, resignation, or during the disability of the President, or upon the refusal or inability to act, the President-Elect shall perform the duties of the President for the remainder of the President's term except in case of the President's absence or disability, then only during so much of the term as the absence or disability continues.

The President-Elect shall serve as coordinator and administrator of committee activities and shall collect and organize committee reports at least semiannually from each committee of the Conference. In addition, the President-Elect shall be a member of the Executive Committee of the Conference and shall preside in the absence of the President over meetings of the Conference, the Board of Governors, or the Executive Committee. The President-Elect shall assist the President in the performance of his or her duties, shall attend generally to the business of the Conference, and shall prepare the budget for the Conference for the year in which he is to serve as President.

**Section 3. Secretary** - The Secretary shall be the custodian of all books, papers, documents, and other property of the Conference. The Secretary shall keep a true record of the proceedings of all meetings of the Conference and of the Board of Governors, whether assembled or acting under submission. With the President, the Secretary shall prepare a summary of the annual proceedings of the Conference for publication in the Annual Report of the Virginia State Bar, after approval by the Executive Committee, or the Council, or a committee designated by either the Executive Committee or Council to give such approval. The Secretary, in conjunction with the President and the President-Elect, shall attend generally to the business of the Conference and shall be a member of the Executive Committee of the Conference.

**Section 4. Immediate Past President** - The Immediate Past President shall be a member of the Executive Committee of the Conference, shall serve as chairperson of the Budget Committee, and shall attend generally to the business of the Conference.

## ARTICLE VI

### **Duties and Powers of the Board, the Executive Committee, and Committees**

**Section 1. General** - The Board of Governors shall have general supervision and control of the affairs of the Conference subject to the provisions of the Rules of Integration and Bylaws of the Virginia State Bar. It shall authorize the expenditures of all monies appropriated for the use or benefit of the Conference. It shall not authorize commitments or contracts which shall entail the payment of more money during any fiscal year than the amount which shall have been previously appropriated for the Conference for such fiscal year, or such other monies as shall be obtained from any source for use of the Conference.

**Section 2. Committees** - The Board of Governors may authorize the President to appoint committees from Conference members to perform such duties and exercise such powers as the Board of Governors shall direct, subject to the limitations of these Bylaws and the Bylaws of the Virginia State Bar.

Committees shall be evaluated by the Board on an annual basis with a standing option to discontinue any committee which has completed its designated assignment or is no longer deemed necessary to accomplish the purposes of the Conference.

The President shall appoint at least one member of the Board to serve as liaison to each committee appointed by the Board. Committee members shall be appointed by the chairpersons and shall be members of the Conference.

It shall be the duty of the chairperson of each committee appointed by the Board, in conjunction with the Board liaison to the committee, to direct the activities of the committee; to prepare an annual written report of the membership and activities of the committee prior to June of each year; to prepare a budget and supervise the expenditure of any funds utilized by the committee; and to make recommendations to the Board with regard to future committee activities, succeeding chairpersons, and committee membership.

It shall be the duty of the liaison to each committee to assist the chairperson in the understanding and accomplishment of committee goals, to advise the Board upon request of the scope and status of committee activities and finances, to assist the President-Elect in obtaining such reports as are requested, and to maintain an open line of communication between the Board and the committee.

**Section 3. Executive Committee** - The Executive Committee shall consist of the President, President-Elect, Secretary, and Immediate Past President of the Conference, and shall meet at the call of the President between meetings of the Board of Governors. The Executive Committee shall be empowered to perform such duties and functions as are prescribed for the Board of Governors, except such functions and duties as the Board may reserve to itself or may delegate to other committees.

**Section 4. Fellows Program** - The Board of Governors may authorize a fellows program and approve its bylaws. The program shall be self-funding and shall not receive support from mandatory bar dues.

[as amended June 2012]

## ARTICLE VII

## Meetings

**Section 1. Annual Meeting** - The Annual Meeting of the Conference shall be held at the Annual Meeting of the Virginia State Bar, in the same city or place as such Annual Meeting of the Virginia State Bar, with such program and order of business as may be arranged by the Board of Governors.

**Section 2. Special Meetings** - Special meetings of this Conference may be called by the President upon approval of a majority of the Board of Governors, at such time and place as the President may determine.

**Section 3. Actions** - Action of the Conference shall be by a majority vote of the members present. Between meetings of the Conference, action of the Board of Governors shall be binding on the Conference without ratification thereby.

**Section 4. Regular Board Meetings** - Regular meetings of the Board of Governors of this Conference shall be held on the call of the President at least once in each quarter of the fiscal year of this Conference, the exact time and place of the meeting to be designated by the President.

**Section 5. Special Board Meetings** - Special meetings of the Board of Governors shall be held as set by the Board of Governors at any meeting thereof; at the request of a majority of the Board of Governors, or at the call of the President.

**Section 6. Quorum** - A majority of the Board of Governors shall constitute a quorum.

**Section 7. Voting** - Action of the Board of Governors shall be by a majority vote of a quorum of the members present at any called meeting. Members of the Board of Governors, when personally present at a meeting of the Board, shall vote in person.

**Section 8. Submission of Propositions for Action** - The President of the Conference may, and upon the request of any member of the Board of Governors shall, submit or cause to be submitted in writing to each of the members of the Board of Governors any proposition upon which the Board may be authorized to act, and the members of the Board may vote upon such proposition or propositions so submitted, by communicating their vote thereon in writing or with their respective signatures, to the Secretary who shall record upon the minutes each proposition so submitted, when, how, at whose request same is submitted, and the vote of each member of the Board thereon, and keep on file such written and signed votes. Such votes must be communicated on or before a date established by the President. The votes of a majority of the members of the Board so recorded shall constitute the action of the Board.

**Section 9. Voting to be Open** - All voting at meetings of the Conference and the Board of Governors, except as set forth in Article IV, Section 1, shall be open, unless specifically changed by a motion passed by a majority vote of those present.

**Section 10. Procedure for Conduct of Meetings** - Except as otherwise provided in these Bylaws, Robert's Rules of Order shall govern the procedure at meetings of this Conference and its Board of Governors.

## ARTICLE VIII

### Miscellaneous Provisions

**Section 1. Fiscal Year** - The fiscal year of the Conference shall be the same as that of the Virginia State Bar.

**Section 2. Payment of Bills** - All bills incurred by the Conference, before being forwarded to the finance officer of the Virginia State Bar for payment, shall be approved by the President or his or her designated representative or, if the Board of Governors shall so direct, by both of them.

**Section 3. Salary and Compensation** - No salary or compensation shall be paid to any officer or member of the Board of Governors for their services, except for such necessary travel or other expenses as are allowed by the Virginia State Bar or provided by special grant programs undertaken by the Bar.

**Section 4. Actions to be Reported to Bar Council** - Any resolution adopted or action taken by this Conference may, on request of the Conference or the Board, be reported by the President of the Conference to any meeting of the Council of the Virginia State Bar for the Bar's action thereon.

**Section 5. Printing** - All printing for the Conference, or for the Board of Governors, or by committees of this Conference shall be done under the supervision of the headquarters of the Virginia State Bar.

## ARTICLE IX

### Amendment

These Bylaws may be amended at any Annual Meeting of the Conference by a majority vote of the members of the Conference present and voting, provided such proposed amendment shall first have been approved by a majority of the Board of Governors and provided, further, that no amendment so adopted shall become effective until approved by the Council upon recommendation of the Executive Committee of the Virginia State Bar.

## ARTICLE X

### Effective Date

These Bylaws shall become effective upon approval thereof by the Council upon recommendation of the Executive Committee of the Virginia State Bar and by this Conference.