

The newsletter of the Young Lawyers Conference of the Virginia State Bar

Virginia AG's Controversial Decision Not to Defend Same-Sex Marriage Ban May Herald a New Day for Same-Sex Couples in the Commonwealth

Alexander T. MacDonald

New Virginia Attorney General Mark Herring is, if nothing else, unafraid of controversy. Only days after being sworn into office last January, Mr. Herring dropped the Commonwealth's defense of the Marriage Amendment—a provision in the state constitution forbidding same-sex marriage. In a public announcement, Mr. Herring declared that not only would he not defend the Amendment, first approved by voters in 2006, but he would actively seek to have it declared invalid under the U.S. Constitution.

After abandoning the Commonwealth's defense, Mr. Herring's office filed a brief on behalf of the plaintiff's in an ongoing federal case: *Bostic v. Rainey*¹. Mr. Herring's brief argued that the Marriage Amendment violated the Fourteenth Amendment of the U.S. Constitution. In February, Federal District Judge Arenda L. Wright Allen agreed with Mr. Herring striking down the Amendment under the Due Process and Equal Protection clauses of the U.S. Constitution.

Citing *United States v. Virginia*², a case in which the Virginia Military Institute (VMI) argued it could exclude women, and *Loving v. Virginia*³, a case in which Virginia argued it could prohibit interracial marriages, Mr. Herring noted the Commonwealth had “too often found itself on the wrong side of landmark civil rights cases.” Mr. Herring publicly heralded the ruling in *Bostic*, opining that Virginia, for once, was on the right side

of history: “The injustice of Virginia's position in [the *Loving* and *VMI*] cases will not be repeated this time.”

Mr. Herring's decision to drop the Commonwealth's defense was not unprecedented. Attorney Generals in other states, such as Oregon, have similarly refused to defend their states' same-sex marriage bans. Likewise, the Obama Administration refused to defend the federal Defense of Marriage Act (DOMA) last year, a refusal that culminated in the Supreme Court's landmark ruling in *United States v. Windsor*⁴. Even Mr. Herring's Virginia predecessors, on occasion, have refused to defend laws they believed were unconstitutional. For example, in 2013, former Attorney General Ken Cuccinelli declined to defend the Opportunity Educational Institution, an organization designed to take control over failing school systems.

This precedent aside, Mr. Herring's decision has not been greeted with universal acceptance. The Family Foundation of Virginia, a conservative group that opposes same-sex marriage on religious grounds, portrayed the decision as illegitimate, arguing that the proper method for changing the Virginia Constitution is the amendment process. In part as a reaction to the decision, the group called on Virginians to participate in forty days of “prayer, fasting, and repentance,” scheduled to end on October 5, 2014—the day the Supreme Court opens its next term.

The Foundation's protests are, however, somewhat premature, as Mr. Herring's decision hasn't yet had any concrete legal impact. His stance on the Marriage Amendment has no legal effect on its own, and the *Bostic* ruling was stayed pending an appeal to the United States Court of Appeals for the Fourth Circuit. Accordingly, Virginia's Marriage Amendment remains in effect—for now.

Should the *Bostic* ruling ultimately stand, it will greatly expand same-sex couples' legal rights in the Commonwealth. Because same-sex couples currently cannot legally marry under Virginia law, they cannot file their Virginia state taxes as a married couple. Nor can they own property in a tenancy by the entirety, get a forced share of a decedent spouse's estate, or adopt a partner's child. This is true even if the couple is validly married in another state: the Marriage Amendment forbids Virginia officials from recognizing such a marriage. But *Bostic*, if upheld, would change all of that: same-sex couples would be entitled to legally marry, and thus would enjoy all the legal benefits of marriage.

Even without *Bostic*, much has already changed for same-sex couples—not only in Virginia, but across the country. As a result of the Supreme Court's ruling in *Windsor*, same-sex couples have made significant gains under federal law. For instance, the U.S. Department of Labor followed up on *Windsor* by announcing that public-sector and ERISA-covered

health and retirement plans must now define the term *spouse* to include same-sex spouses. And the IRS recently declared that, for all qualified 401(k) plans, the terms *spouse*, *husband*, and *wife* must include same-sex partners who are validly married under either state or international law.

Indeed, same-sex couples' legal status began changing even before *Windsor*. According to James Dwyer, a professor of law at the William & Mary School of Law who specializes in, among other things, family and constitutional law, same-sex couples' legal rights have been expanding for at least twenty years.

"[I]t's probably always been true that same-sex couples have a First Amendment right to hold wedding ceremonies; it's just the state marriage license and certificate that has been thought constitutionally denied them," Dwyer wrote in an email. "But as a result of *Romer v. Evans* (1996), there are constitutional limits to any state's efforts to disable sexual minorities from seeking protective legislation, and [the Marriage Amendment] might violate those limits. As a result of *Lawrence v. Texas* (2003), same-sex couples have a constitutional right to freedom and privacy that protects their relationships, intimate conduct, and homes. So for 11 years, they have been entitled to live together and have a family life, as well as to hold a non-legal wedding ceremony in Virginia."

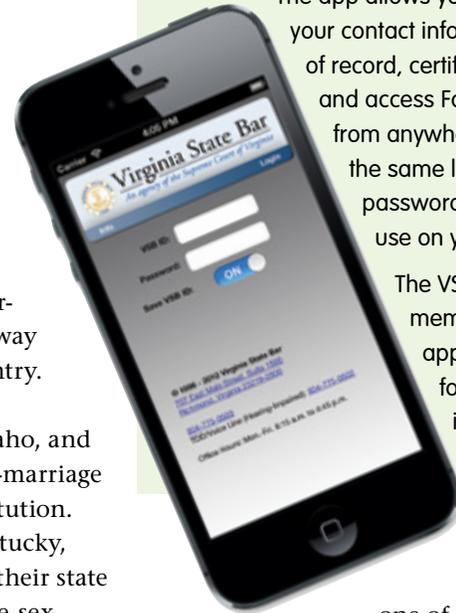
Whether same-sex couples' rights will continue to expand depends, for the

moment, on the Fourth Circuit. The defendants in *Bostic* appealed Judge Wright Allen's ruling, and the Fourth Circuit heard oral arguments on that appeal on May 13. As it had done in the trial court, Mr. Herring's office filed a brief with the appellate court, urging it to affirm.

When and how the appeals court will rule is, for now, unknown. Regardless of what the court decides, it will almost certainly not have the last word on the subject. There are at least seventy cases challenging state same-sex marriage bans now winding their way through courts across the country. Like Judge Wright Allen, trial judges in Texas, Oklahoma, Idaho, and Arkansas have found same-sex-marriage bans to violate the U.S. Constitution. Likewise, federal judges in Kentucky, Ohio, and Tennessee required their state governments to recognize same-sex marriages performed in other states (the New Mexico Supreme Court also invalidated their state's same-sex marriage ban, but on state, rather than federal, constitutional grounds). None of these rulings has yet been resolved on appeal, and it is possible that various courts of appeals could reach different conclusions, giving rise to a split among the federal circuits. Such a split would almost guarantee that the issue will reach the U.S. Supreme Court. Indeed, even in the absence of a circuit split, most legal commentators agree that the Supreme Court is likely to grant

Want to check on your MCLE credits or certify your latest course?

Go to the iTunes store to download the Virginia State Bar app for mobile devices.



The app allows you to check your contact information of record, certify courses, and access Fastcase from anywhere, using the same login and password you now use on your computer.

The VSB mobile member access app is available for free in the iTunes store.

Thus, regardless of how the Fourth Circuit rules, the fate of Virginia's Marriage Amendment will likely rest in the hands of the nation's highest court.

Alexander T. MacDonald is a 2012 graduate of the William & Mary School of Law. He is now an Honors Attorney in the Office of General Counsel for the U.S. Postal Service. He can be reached as amac2644@gmail.com.

1. 970 F. Supp. 2d 456 (E.D.Va. 2014).
2. 518 U.S. 515 (1996).
3. 388 U.S. 1 (1967).
4. 570 U.S. 12 (2013).

An audience of thousands of young lawyers across the Commonwealth. ABA award winner.* **The Docket Call.**

Be a part of the *Docket Call*.

Contact DocketCall@gmail.com to write.

* First place winner in the Newsletter category of the American Bar Association Young Lawyers Division Awards of Achievement 2005-06, 2008-09, and 2010-11

Don't Miss a Thing! Sign Up For the YLC List Serve at <http://mailman.listserve.com/listmanager/listinfo/ylc>

Networking Around the Commonwealth

Jessica O'Connell

With a tough economy comes a tough job market, and no one knows that better than recent law school graduates. For example, only 57 percent of 2013 law school graduates had full time, long-term jobs in the legal profession, according to the American Bar Association's Section of Legal Education and Admissions to the Bar. This means we need to think outside the box in terms of finding full time employment.

You have probably heard the phrase "it's who you know" ad nauseum. Well, it's true. Networking is essential to professional and personal growth, and it is not just about swapping business cards or sending someone a LinkedIn request. Good networking is about building quality, long-term, win-win relationships. You need to let your fellow networkers know that you are there to help them succeed too, because networking is not just about what you are looking to achieve, it is also about how you can help others.

Even if you are not currently looking for a new job, take the time to invest in networking now. Many lawyers found their first job through traditional routes such as their law school's job listing database, on campus interviewing, or sending out resumes to firms. However, many attorneys find their second job through networking with fellow attorneys. Here's the lesson: good things don't come to those who wait...only those who initiate.

That being said, where are you supposed to find people to network with? This article hopes to answer that question by providing an overview of places and ways to meet people in the legal profession, and beyond. For example, most of us are familiar with the Virginia State Bar, but take the time to check out local bar associations. With local bar associations, you will have a chance to interact with people you are likely come across in court, or with a particular case you are handling. There is also a very good chance that the local bar association has committees looking for volunteers. Volunteering is a fantastic way to get involved and put your name out there. In particular, consider joining the sections and committees geared toward young lawyers or your particular practice area. Getting involved in social events, CLEs, pro bono activities, mentoring programs, and professional development opportunities sponsored by your local bar association will likely create a solid networking foundation.

After you find networking opportunities, be sure to approach them the right way. Partners and Senior Associates at firms attend these events regularly, so be prepared to let them know who you are. Always have business cards on you. If you do not have a legal job yet, consider having cards made that provide your contact information and state that you are a licensed attorney. If you give someone a business card, be sure to ask for their business card as well. If they do not have

one handy, take down their name and follow up the next day with a friendly e-mail or LinkedIn message.

In addition to local bar association events and committees, look beyond the legal realm for networking opportunities. Get involved in sports teams, volunteer organizations, or professional organizations. Take advantage of a happy hour after work during which you may meet a friend's legal associates. You never know who you could meet, or how you could help each other. Remember, you're always networking.

Statewide Networking

The Young Lawyers Conference of the Virginia State Bar

The Young Lawyers Conference of the Virginia State Bar currently manages over 25 service programs for attorneys and non-attorneys alike, all of which provide excellent opportunities to meet and network with attorneys across the Commonwealth. The YLC strives to provide effective service projects to the bar, and the community at large, and its innovative projects consistently earn state and national recognition by the American Bar Association. Membership is automatically open to all Virginia State Bar members 36-years-old or younger, or members who have been admitted to the bar for less than three years.

The YLC invites you to visit its website (www.vayounglawyers.com) and review the numerous YLC projects in which you can become involved. You may complete the volunteer form online and let us know about your interests. You may also use the YLC's website to sign up for its list serve, which is used to send out email blasts about upcoming events. The YLC also shares its news with the help of Docket Call, and social media tools such as Facebook and Twitter.

The Virginia Bar Association

The Virginia Bar Association ("VBA") has 19 substantive law sections designed to promote law reform and to keep their more than 5,500 members current in their areas of special concentration through CLEs. The VBA also has a Young Lawyers Division which has more than 40 active committees promoting special and on-going projects and activities. New members of the Virginia bar are entitled free membership during their first year of practice. To learn more, [visit www.vba.org](http://www.vba.org).

The Virginia Women Attorneys Association

The Virginia Women Attorneys Association ("VWAA") was formed to advance the interests of women attorneys in Virginia, to encourage their mutual improvement and social interaction, and to promote the interests of women under

law. If you have been admitted to practice law for one year or less, your membership is free! The VWAA has chapters in: Fredericksburg, Hampton Roads, Loudoun County, New River Valley, Northern Virginia, Prince William, Richmond, and Roanoke. The Roanoke chapter holds monthly lunch meetings and is a very active and vibrant group. To learn more, visit www.vwaa.org.

The Federal Bar Association

The Federal Bar Association (“FBA”) consists of more than 16,000 lawyers, including 1,200 federal judges, who work together to promote the sound administration of justice and integrity, quality, and independence of the judiciary. The FBA also provides opportunities for scholarship and for judges and lawyers to professionally and socially interact. The FBA has 23 sections and 6 divisions, including a Young Lawyers Division. The FBA has chapters in Northern Virginia, Richmond, Roanoke, and Tidewater. Upcoming events include “Women in the Law”, an all-day CLE on July 11, 2014, at George Washington University in Washington, D.C. For more information, visit www.fedbar.org.

The United States Junior Chamber of Commerce

The United States Junior Chamber (“Jaycees”) exists for active young citizens ages 18 to 40, who bring energy and insight to solving problems locally and around the world. The Jaycee’s mission is to empower young active citizens to create positive change in their communities. Becoming a member of the Jaycees is a step in the right direction if you are looking to branch out, meet new people, become a civic leader, find new challenges, develop professional skills, and make new connections locally, nationally and internationally. There are Jaycees chapters across the Commonwealth, from Roanoke to Farmville to Virginia Beach. For more information and to find a chapter near you, visit www.jci.cc/local/media/usa.

Richmond/Central Virginia

The Richmond Bar Association

The Bar Association of the City of Richmond seeks to maintain the honor and dignity of the legal community, to promote legal science and the administration of justice, and to cultivate social interaction among its members. The RBA’s membership is composed largely of lawyers who practice or are employed in the City of Richmond and the counties of Henrico, Chesterfield and Hanover. The Richmond Bar Association holds seven yearly luncheon meetings with outstanding speakers, giving lawyers and judges the opportunity to meet one another. Other large events include an annual holiday cocktail party as well as a spring cocktail party. The Young Lawyers Section (“YLC”) of the RBA is open to members under the age of 38 or who have been practicing for less than four years. The RBA YLC sponsors Dodgeball (winter

and Kickball (spring) teams which compete in the River City Sports and Social Club League. If you are interested in receiving more information about either team, please contact Jeremy Williams at jeremy.williams@kutakrock.com. The YLS also typically holds two happy hours/mixers a year. For more information about the RBA, visit www.richmondbar.org.

The Metro Women’s Richmond Bar Association

The Mission of the Metropolitan Richmond Women’s Bar Association (“MWRBA”) is to support and enhance the professional development of women in the legal profession through education and networking opportunities. The MWRBA is a great group for young female attorneys to network with other female attorneys. It sponsors an annual trip to see the Flying Squirrels (Richmond’s minor league baseball team), has a very popular mentorship program, and earlier this year it held its inaugural “Women, Wine & A Worthy Cause” fundraiser, the proceeds from which helped fund MWRBA’s public service project, “Understanding Your Domestic Relations Rights in Virginia,” a pamphlet to help the public understand the general legal circumstances one may face in resolving domestic relations problems under Virginia law. To learn more, visit www.mrwba.org.

Charlottesville Albemarle Bar Association

The Charlottesville Albemarle Bar Association (“CABA”) is a not for profit professional association established to preserve and improve the legal profession and its services to the people of the Charlottesville-Albemarle community. This past April the CABA hosted its Third Annual Senior Lawyers/Young Lawyers event, which featured a presentation by the young lawyers to the senior lawyers on “Social Media 101”. The event also provided attendees time for networking. CABA holds monthly luncheons for its members on the third Thursday of each month. For more information, visit www.cabaonline.org.

Northern Virginia

Alexandria Bar Association

The Alexandria Bar Association’s membership is comprised mainly of small firms and solo practitioners located in and around the City of Alexandria. The Alexandria Bar Association has monthly dinner meetings from September through May on the third Thursday of each month. It also sponsors special events throughout the year, such as a family picnic and the Gridiron Musical Show & Dinner, which features entertainment that satirizes current events and courthouse personalities. The Alexandria Bar Association also sponsors many community outreach programs, such as pro bono service days and educational outreach for troubled youths. For more information, visit www.alexandriabarva.org.

continued on following page

Arlington Jaycees

The Arlington Jaycees is an organization for young people (ages 21 to 40) focused on personal and professional growth, community involvement, and social engagement. This organization provides its members with a number of opportunities to get involved during the course of the year, ranging from community service projects to social events to professional networking events. Recent volunteer opportunities included helping put together meals for Arlington Street People's Assistance Network, and participating in an Adopt-A-Highway Cleanup. Members went out for food and drinks after each event. To learn more about the Arlington Jaycees, visit www.varlingtonjaycees.org, or check out their [Facebook page](#).

The Northern Virginia Urban League Young Professionals Network

The Young Professionals Network ("YPN") is a volunteer auxiliary of the Northern Virginia Urban League, which provides a forum for young professionals (ages 21 to 40) in the Urban League Movement to foster professional development, social consciousness, and civic engagement. YPN organizes a number of programs designed to further their mission, including "College Survival 101", which is an annual day-long college preparation workshop for minority and other disadvantaged high school juniors and seniors. YPN also sponsors an Annual Black Opal Fundraising Gala. For more information, visit www.nvulypn.org.

Fairfax Bar Association

The Fairfax Bar Association ("FBA") hosts popular social activities including an Annual Bench Bar Dinner Dance, which drew nearly 500 attendees this past year, making it the largest legal social event in Northern Virginia. Other popular events include Jazz 4 Justice and the Annual Golf Tournament. Current law students and those who have been practicing for less than a year receive FREE memberships!

The Young Lawyers Section ("YLS") of the FBA holds regular happy hours and recently hosted a Young Lawyers Dinner with the General District Court Judges. Since 1995, the FBA YLS has hosted "Lawyerpalooza," a volleyball tournament and outdoor picnic complete with backyard games, a catered barbeque, music, and door prizes. For more information, visit www.fairfaxbar.org.

Tidewater Region

Norfolk & Portsmouth Bar Association

Every year in April the Norfolk & Portsmouth Bar Association ("NPBA") sponsors a Bench Bar Conference which begins with a luncheon, followed by a half day program with breakout sessions on various legal topics and speeches by Norfolk Circuit Court and General District Court Judges, and ending with a social hour for networking. The Young

Lawyers Section of the NPBA is hosting a golf outing on Thursday, June 19, 2014, and all proceeds will go to the Norfolk Law Library. The YLS is also forming a kickball team with The Kickball League of Hampton Roads. Contact the YLS committee to find out how to join. For more information, visit www.norfolkandportsmouthbar.org.

Virginia Beach Bar Association

The Virginia Beach Bar Association ("VBBA") promotes the cultivation of good fellowship among its members, and is comprised of over 500 attorneys. VBBA members have access to a mentorship program, and may join a number of committees, including Court Liaison Committees, Young Lawyers, Pro Bono and Medical Legal. Upcoming events include the Annual Dick Brydges VBBA Golf Outing on October 10, 2014. For more information, visit www.vbbarassoc.com.

Western Virginia

Loudoun County Bar Association & Fauquier County Bar Association

The Fauquier County Bar Association ("FBA") and its members work to maintain and advance the honor associated with the legal profession, to improve the community in which they live, and to promote the administration of justice in society. The FBA and the Loudoun County Bar Association co-sponsor a Leadership in the Law Summer Camp which provides 24 students from Loudon and Fauquier counties the opportunity to work with local judges, lawyers, law clerks and other professionals to learn about the law. For more information about the FBA, visit www.fauquierbar.com. For more information about the Loudoun County Bar Association, visit www.loudounbar.org.

Harrisonburg-Rockingham Bar Association

The Harrisonburg-Rockingham Bar Association ("HRBA") is dedicated to improving the local community and providing pro bono opportunities, and is well-known throughout the Virginia legal community. HRBA also provides a number of other ways for its members to become involved with the association and connect with their fellow members. For example, they host an annual picnic as well as an annual professionalism seminar, and have been recognized for their mentorship program. For more information, visit www.hrbar.net.

Southwest Virginia

Roanoke Bar Association

The Young Lawyer Division of the Roanoke Bar Association ("RBA") holds regular gatherings and happy hours. They have also developed a popular Mentor Match Program designed to help new lawyers develop the knowledge, practice skills, client service standards, and professionalism necessary for the effective practice of law in Southwest Virginia. The RBA also

sponsors a number of programs, including “You and the Law,” a program designed to educate the public about the legal system in order to make citizens’ interaction with the system more efficient and less frustrating. For more information, visit www.roanokebar.com.

Roanoke Regional Chamber of Commerce

The Roanoke Regional Chamber of Commerce (“RRCC”) hosts multiple business related events every month and also offers a program called Leadership Roanoke Valley (“LRV”). LRV is 10 month program that brings together a core group of 40 to 50 young leaders to develop leadership skills and provide an opportunity to make a difference in the Roanoke Valley. Each LRV group graduates into the Leadership Forward Group, an alumni association of LRV, which offers a great way to continue networking with your contacts. For more information, visit www.roanokechamber.org.

Roanoke Regional Forum

The Roanoke Regional Forum (“RRF”) is a quarterly speaker series that draws a large group of business, civic, and community leaders. The RRF’s mission is to bring leaders from the world stage to Southwest Virginia. RRF brings unique opportunities to discuss matters of importance with many of the leading business people and politicians in the region. The RRF’s website boasts that the time periods before their programs begin have been called “the best networking time in Roanoke.” Admission to RRF’s programs is free, but advanced registration is required. For more information, visit www.roanokeregionalforum.com.

Jessica O’Connell is a 2013 graduate of George Mason University School of Law and is a Litigation Assistant at Drinker Biddle & Reath LLP. She can be contacted at jessicalynnoconnell@gmail.com.

YLC’s Immigrant Outreach Committee CLE A Success Giovanni Di Maggio

YLC In
Action

This April, the Young Lawyers Conference (“YLC”) Immigrant Outreach Committee successfully hosted a Continuing Legal Education seminar on “The Immigration Consequences of Criminal Convictions” at George Mason University School of Law in Arlington, Virginia. Thirty Virginia attorneys—including immigration attorneys, criminal defense attorneys, and prosecutors—attended the CLE and participated in engaging and collaborative presentations delivered by three dynamic panelists.

Mr. Jonathan Bialosky, an Immigration attorney in the George Washington University Law School Immigration Clinic, led the first presentation, entitled, “Avoiding the Grounds for Deportability.” Mr. Bialosky explored the various federal grounds under which a non-citizen can be deported and how they may be triggered by convictions or plea bargains under state law—information paramount to a Virginia lawyer’s ability to successfully advise a non-citizen client facing criminal charges.

Mr. Jonathan Sheldon, of Sheldon, Flood, & Haywood PLC in Fairfax, Virginia, presented the second session, entitled, “Post-Conviction Habeas Relief.” Mr. Sheldon drew from his experience working on post-conviction cases in both federal and state courts to discuss the use of the writ of habeas corpus as a remedy for non-citizens who pled guilty to a crime without the benefit of an attorney informing them of the potential immigration-related consequences.

Ms. Hudaidah Bhimdi Ahmed of Fayad Law PC in Richmond, Virginia, presented the final session, entitled “Proceedings in Immigration Court.” Ms. Ahmed, who has appeared in hundreds of cases before immigration judges, provided a detailed yet concise overview of the various grounds of discretionary relief available to a non-citizen in deportation proceedings.

For those who were unable to attend, or who would like to watch the presentations again, the CLE is available for viewing on the YLC YouTube channel, which can be found at www.youtube.com/user/VSBYLC/PDS/.

Among other upcoming projects, the Immigrant Outreach Committee is planning a comprehensive CLE aimed at supporting and increasing pro bono participation in the field of immigration law. The Committee is actively looking for panelists and other volunteers. Please contact Immigrant Outreach Committee co-chairs Giovanni Di Maggio (gdimaggio@uscourts.cavc.gov) and J.D. LeCruise (jlecruise@nor.idc.virginia.gov) if you are interested in volunteering for this or other projects.

Giovanni Di Maggio is the Co-Chair of the Young Lawyers Conference Immigration Outreach Committee. He can be reached at gdimaggio@uscourts.cavc.gov.

Grappling with Westlaw and Lexis Withdrawal? Advice on Free Legal Research Tools

Patrick J. Austin

Practice
Pointers

Having unfettered access to Westlaw and LexisNexis during law school is like having unfettered access to a Lamborghini during Driver's Ed. You don't fully comprehend just how lucky you are until you're forced to turn in your keys to the Lambo in exchange for the keys to a Honda Civic (and I'm a proud Civic owner). There are some fortunate young attorneys who landed jobs in which they continue to enjoy generous access to Lexis and Westlaw. The rest of us, however, still have plenty of research projects to complete, but must quickly overcome Westlaw and Lexis withdrawal to get the work done.

This article is meant to provide my boutique law firm and solo practitioner brethren with advice regarding free and/or cheap legal research tools that can help with complex legal issues necessitating a thoroughly researched memorandum of law.

Fastcase

A major benefit to being a member of the Virginia State Bar is access to Fastcase. In my humble opinion, Fastcase is the closest thing to Westlaw and Lexis that you can access without paying any additional fees. The Advanced Case Law Search section resembles the format of traditional Lexis and Westlaw (not the newfangled Westlaw Next), and utilizes Boolean searching (e.g. "Docket Call" AND "great newsletter" OR "awesome news publication"). You can narrow your search to just one state, or expand to include multiple states and/or federal courts. You can also access Attorney General Opinions and HeinOnline Law Review articles. If you need a hard copy of a document, you can print with the click of a button. In addition, you can add documents to a queue and save your search results.

Even though Fastcase patterns itself after Westlaw and Lexis, you will definitely notice the absence of the complimentary bells and whistles that accompany routine Westlaw and Lexis searches. For example, most cases do not include a summary or head notes. However, Fastcase does offer an "Authority Check Report" which is similar to a Shepard's report on Lexis.

Public Access to Court Electronic Records ("PACER")

If you need a brief or motion on a particular issue, the federal courts' PACER system can be a fantastic research tool. How? Well, PACER primarily serves as a storage tool for pleadings in federal cases. As a result, if your firm is handling a case with similar issues to a case filed in PACER, you can access all of the pleadings for a small fee (\$.10 per page, \$3.00 maximum charge per document view). This is a great tool if you are having trouble getting started on a complicated brief or motion, since you can see how similar pleadings were crafted and whether they were successful.

The obvious drawback to using PACER is that you need a specific case to even get your research started. As a result, PACER is best utilized as a supplement to other search tools listed in this article, or with Westlaw/Lexis (if you're lucky enough to have access).

FindLaw & Justia

FindLaw and Justia are included together since they are extremely similar in terms of layout and accessible research material. These sites are intended for a general audience, as opposed to an exclusive attorney research tool. Nevertheless, they can be good resources for a quick research project on a particular statute or code provision. For example, if you visit Justia.com, you can search the laws of all 50 states. If you click on Virginia law, you may access the Code of Virginia, opinions from the Virginia Supreme Court and Court of Appeals, the Fourth Circuit Court of Appeals, and the Virginia Constitution.

Findlaw offers a similar array of state law resources, and can be helpful when searching for a general overview on an area of law. For example, when you search for Virginia laws, you may limit your search to different areas of law, such as negligence, durable power of attorney, child custody, and so forth. When you click on one of these broad topics, you can access a synopsis of relevant code provisions and answers to common questions in that particular area of law.

Legal Information Institute ("LII")

The Legal Information Institute ("LII") is a non-profit organization housed at Cornell Law School. In terms of legal research, LII is similar to FindLaw and Justia, and is best utilized during the early stages of legal research. LII provides a macro overview of an area of law. For example, when you click the "Get The Law" button on the LII home page, you can choose from various "legal selections" in federal law, state law, the Uniform Commercial Code, the Code of Federal Regulations, and so forth.

So There is Life After Westlaw and Lexis?

Believe it or not, the tools described in this article show that you can complete complex research projects without the vaunted Westlaw and Lexis!

Patrick J. Austin is a 2013 graduate of the George Mason University School of Law and is an associate at Shapiro, Lewis, Appleton & Duffan, P.C. in Virginia Beach, Virginia. He is also the new Editor of Docket Call! Patrick can be reached at paustin@hsinjurylaw.com.

2014 YLC Bench-Bar Dinner Draws 150 Attorneys and Judges

Gail M. Deady

YLC
Events

Each year the YLC hosts the Bench-Bar Dinner in Celebration of Women and Minorities in the Legal Profession to honor all newly appointed and elevated women and minority judges in Virginia's judicial system. The dinner celebrates the diversity that exists in the Virginia Bar, and provides a great opportunity for attorneys of all ages and geographic areas of Virginia to meet and interact with judges in a casual atmosphere. It is also an excellent way for young attorneys to get to know judges outside the courtroom.

This year's Bench-Bar Dinner was held on February 10, 2014, at the Bull & Bear Club in Richmond, Virginia. Melissa York and Nerissa Rouzer, both of Morris & Morris, P.C. in Richmond, Virginia, chaired the event, which sold out prior to the registration deadline. One hundred fifty attorneys and judges—including a group of judges that made the eight hour round trip from Smyth County to celebrate Judge Deanis Simmons' elevation to the Smyth County Circuit Court—were in attendance to honor the following ten newly appointed minority and women judges:

The Honorable Marla Graff Decker

The Court of Appeals of Virginia

The Honorable Patricia Kelly

Caroline County Circuit Court

The Honorable Deanis Simmons

Smyth County Circuit Court

The Honorable R. Frances O'Brien

Arlington County General District Court

The Honorable Lisa Michelle Baird

**Prince William County Juvenile
and Domestic Relations District Court**

The Honorable Georgia K. Sutton

**Spotsylvania County Juvenile
and Domestic Relations District Court**

The Honorable Claude V. Worrell II

**City of Charlottesville/Albemarle County Juvenile
and Domestic Relations District Court**

The Honorable John M. Tran

Fairfax County Circuit Court

The Honorable Leisa Kube Ciaffone

City of Roanoke Juvenile and Domestic Relations Court

The Honorable Martha P. Ketron

Tazewell County Juvenile and Domestic Relations Court



Current YLC President Ken Alger gave a general welcome speech, and immediate past president of the Virginia State Bar, David Harless, introduced the evening's keynote speaker: the Honorable Elizabeth A. McClanahan, Justice of the Supreme Court of Virginia. Justice McClanahan spent most of her career practicing in Abingdon, Virginia, before she was appointed to the Court of Appeals of Virginia in 2003. Justice McClanahan was elevated to the Supreme Court of Virginia in 2011. During her speech, Justice McClanahan recounted how her childhood in Southwest Virginia prepared her to face injustices as an adult. She explained that her rural background set her apart from other undergraduates at The College of William and Mary, but expressed that she did not let her differences discourage her. Justice McClanahan encouraged those in attendance to use their own experiences with discrimination or being "different" to face injustices they encounter within the legal profession.

Gail M. Deady is a 2011 graduate of the Washington and Lee University School of Law, and an associate at McCandlish Holton, P.C. in Richmond, Virginia. Gail can be reached at gdeady@lawmh.com. This article was prepared with the help of Melissa York and Nerissa Rouzer, both of Morris & Morris, P.C. in Richmond, Virginia.

A Busy Spring for the YLC “Community Law Week” Committee

David Irvine

Community
Corner

The Young Lawyers Conference (“YLC”) once again celebrated the American Bar Association’s annual “Law Day” this spring with a series of events across the Commonwealth designed to enhance the public’s understanding and appreciation of the rule of law in our society.

The YLC’s “Community Law Week” committee is designed to implement Law Day in communities throughout Virginia by hosting programs which raise awareness of the various aspects of the rule of law and promote the ABA’s annual Law Day theme.

This year’s theme, “Why Every Vote Matters: American Democracy and the Rule of Law,” was selected to fall on the eve of the respective 50th anniversaries of the federal Civil Rights Act and Voting Rights Act. The YLC hosted several programs across the state to emphasize the importance of voting in our representative democracy, emphasizing the role that the rule of law plays in our democratic system.

On April 28, 2014, the YLC partnered with the Danville Bar Association to present “Campaigns and Elections 101” to four second grade classes at Park Avenue Elementary School in Danville. Dana Tapper, Hank Bostwick, Stacy Allocca, Scott Jones, John Akin, Sandra Chinn-Gilstrap, Greg Hairston and David Irvine volunteered to share the children’s book “Today on Election Day” by Catherine Stier, field questions on voting from the students, and carry out a special mock election exercise. Everyone agreed that it was a fun and productive morning with the young students.

On May 1, 2014, the YLC sponsored companion Law Day programs in two high schools in the 15th Judicial Circuit. General District Court Judge Bruce Strickland and Co-Circuit Representative Joshua Parrett spoke to the government classes at Stafford High School, and General District Court Judge Hugh Campbell and Co-Circuit Representative Christopher Colby addressed a special Law Day assembly at Patrick Henry High School in Hanover. Both programs included topics such as legal issues commonly faced by young adults, juvenile criminal procedure, and the state and federal court systems. The students appreciated having the opportunity to pose their questions about the legal system to the visiting judges, and Mr. Colby and Mr. Parrett report that both programs were highly successful.

On May 7, 2014, the YLC partnered with the University of Virginia Center for Politics to present a program titled “Why Every Vote Matters.” This event, which was free and open to the public, was held at the recently renovated Jefferson School City Center in Charlottesville. A variety of speakers addressed several different aspects of elections and voting in



our society, including the importance of voting in a representative democracy, the nature of voting rights and how voting rights are reinstated, and the history of minority voting in the Charlottesville community. Perhaps most notably, Joanne Bland, a prominent civil rights leader from Selma, Alabama appeared by video to discuss the importance of voting in the context of her work during the civil rights movement of the 1960s. Several vendors also participated with tables, including the local registrar, with information on registering to vote. The YLC sponsored a reception with refreshments in connection with the event, during which time everyone enjoyed a lively discussion with the speakers and fellow attendees.

Law Day dates back to 1957 when ABA President Charles Rhynes first envisioned a national day to mark our nation’s commitment to the rule of law. The following year, President Dwight D. Eisenhower established the first Law Day. In 1961, Congress issued a joint resolution to set aside this special day for recognition of the rule of law.

With this year’s Community Law Week now in the history books, soon it will be time to turn our attention to a slate of programs for the 2015 celebration. The Committee is always searching for volunteers to help organize an event in their locality. If you have interest in participating, please contact the Community Law Week Program Chair for information on getting started. It is never too early to begin brainstorming and coordinating project ideas for next year.

Many thanks to everyone who volunteered their time and efforts to make this year’s Community Law Week a success.

David Irvine is a 2007 graduate from the University of Virginia School of Law and now works for Tremblay & Smith, PLLC. He can be contacted at david.irvine@tremblaysmith.com.