

# Virginia Lawyer Register

The Official Publication of the Virginia State Bar

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Anthony Gerome Davis	Birmingham, AL	October 5, 2010	August 25, 2010	n/a
Crystal Anita Gist Fisher	Waldorf, MD	August 10, 2010		n/a
Walter Franklin Green IV	Harrisonburg, VA	October 5, 2010		n/a
Jay Lawrence Pickus	Richmond, VA	August 2, 2010		n/a
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Timothy James Wall	Fredericksburg, VA	August 31, 2010		n/a
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Brian Gay	Virginia Beach, VA	September 24, 2010		
Denis Joseph McCarthy	Blackstone, VA	August 18, 2010		n/a

\*Supreme Court granted stay of suspension pending appeal.

**Virginia Lawyer Register**

The Official Publication of the Virginia State Bar

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The Virginia State Bar publishes the *Virginia Lawyer Register* five times annually. The *Register* is primarily a compilation of disciplinary actions against attorneys licensed to practice law in the commonwealth; administrative suspensions; legal ethics opinions; and proposed amendments to the Rules of the Supreme Court of Virginia. All documents submitted

to the state bar for inclusion in the *Register* are subject to alteration as to typography and formatting, in order to conform to the requirements of the *Register*, without changing the intent of any document.

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The following are summaries of disciplinary actions for violations of the Virginia Rules of Professional Conduct (RPC) (Rules of the Supreme Court of Virginia, Part 6, § II, eff. Jan. 1, 2000) or another of the Supreme Court Rules (Rules).

Copies of complete disciplinary orders are available at the Web link provided with each summary or by contacting the Virginia State Bar Clerk's Office at (804) 775-0539 or clerk@vsb.org. VSB docket numbers are provided.

CIRCUIT COURTS

**HILTON GORDON OLIVER**

Virginia Beach, Virginia  
09-022-079969

On September 24, 2010, a three-judge disciplinary panel in the Virginia Beach Circuit Court issued a public reprimand to Hilton Gordon Oliver for violating disciplinary rules that govern fairness to an opposing party or counsel and respect for rights of a third person. This was an agreed disposition of misconduct charges. RPC 3.4(j); 4.4

<http://www.vsb.org/docs/Oliver-101110.pdf>

**CHARLES LOWENBERG PINCUS III**

Virginia Beach, Virginia  
09-021-076759

On August 10, 2010, the Supreme Court of Virginia granted a stay of the following suspension pending appeal.

Effective July 28, 2010, a three-judge court in the Circuit Court of Virginia Beach suspended Charles Lowenberg Pincus III's license to practice law for sixty days for violating professional rules that govern fees and diligence. The misconduct occurred while he was serving as attorney-in-fact for an incarcerated client. RPC 1.3(a); 1.5(b)

<http://www.vsb.org/docs/Pincus-092810.pdf>

DISCIPLINARY BOARD

**JAMES ANTHONY BULLARD JR.**

Richmond, Virginia  
09-032-077894, 09-032-077767, 09-032-078765

Effective August 19, 2010, the Virginia State Bar Disciplinary Board imposed a public reprimand with terms on James Anthony Bullard Jr. for violating professional rules that govern diligence and communication. The misconduct occurred in his court-appointed representations on criminal appeals. This was an agreed disposition of misconduct charges. RPC 1.3(a); 1.4(a)

<http://www.vsb.org/docs/Bullard-083110.pdf>

**MICHAEL MITRY HADEED JR.**

Alexandria, Virginia  
10-000-077606

On August 27, 2010, the Virginia State Bar Disciplinary Board suspended Michael Mitry Hadeed Jr.'s license to practice law for two years, based on his 2009 conviction in the U.S. District Court for the Eastern District of Virginia, Alexandria Division, of conspiracy to commit immigration fraud and other charges. Rules Part 6, §IV, ¶ 13-22 A.

<http://www.vsb.org/docs/Hadeed-102210.pdf>

**DEAN SPIRO KALIVAS**

Seattle, Washington  
06-053-3184

Effective June 15, 2010, the Virginia State Bar Disciplinary Board revoked Dean Spiro Kalivas's license to practice law. The board found he had failed to comply with professional rules that govern fees, safekeeping property, unauthorized practice of law, firm names and letterheads, and misconduct that reflects adversely on the lawyer's honesty, trustworthiness, or fitness to practice. The misconduct included trust account violations. This was an agreed disposition of disciplinary charges. RPC 1.5(c); 1.15(a)(1),(2); 5.5(a)(1); 7.5(a); 8.4(b)

<http://www.vsb.org/docs/Kalivas-062510.pdf>

**KYLE CORNELIA LEFTWICH**

Richmond, Virginia  
10-033-084258

On September 16, 2010, the Virginia State Bar Disciplinary Board revoked Kyle Cornelia Leftwich's license to practice law. In consenting to the revocation, Ms. Leftwich acknowledged the truth of pending charges that she had violated disciplinary rules that govern dishonest conduct that reflects on a lawyer's fitness to practice. She acknowledged she had diverted legal fees for her own use, rather than delivering the money to the law firm as she was contractually obliged to do. Rules Part 6, § IV, ¶ 13-28

<http://www.vsb.org/docs/Leftwich-102210.pdf>

**FREDERICK HOPE MARSH**

Richmond, Virginia  
09-032-077180, 09-032-076013, 08-032-075404

On September 29, 2010, the Virginia State Bar Disciplinary Board suspended Frederick Hope Marsh's license to practice law for three years, effective January 1, 2011, for violating professional rules that govern diligence, communications, and conflicts of interest that include prohibited transactions. This was an agreed disposition of misconduct charges. RPC 1.3(a); 1.4(a); (1.7(a)(1),(2); 1.8(h)

<http://www.vsb.org/docs/Marsh-101210.pdf>

**DENIS JOSEPH MCCARTHY**

Blackstone, Virginia  
09-031-076135, 09-031-077245, 09-031-079279, 10-031-080381, 10-031-081999, 10-031-082265, 10-000-082305

On August 26, 2010, the Virginia State Bar Disciplinary Board revoked Denis Joseph McCarthy's license to practice law. In consenting to the revocation, Mr. McCarthy acknowledged the material facts of disciplinary complaints that are pending against him and acknowledged that the bar could prove the allegations against him. Rules Part 6, § IV, ¶ 13-28

<http://www.vsb.org/docs/McCarthy-090910.pdf>

For easier access to the documents cited in this magazine, the *Virginia Lawyer Register* is posted with live Internet links at [http://www.vsb.org/docs/valawyer magazine/ Register\\_2010-11.pdf](http://www.vsb.org/docs/valawyer magazine/ Register_2010-11.pdf).

## DISTRICT COMMITTEES

**BENNETT ALLAN BROWN**

Fairfax, Virginia

09-051-078236

On July 9, 2010, the Virginia State Bar Fifth District Committee, Section I, imposed a public reprimand with terms on Bennett Allan Brown for failing to respond to a lawful demand for information from the bar during an investigation of a disciplinary complaint. RPC 8.1(c)

[http://www.vsb.org/docs/Brown-Bennett\\_08-12-10.pdf](http://www.vsb.org/docs/Brown-Bennett_08-12-10.pdf)

**HENRY L. CARTER**

Orange, Virginia

08-070-074634

On July 20, 2010, the Virginia State Bar Seventh District Committee issued a public dismissal de minimis sanction to Henry L. Carter for violating professional rule that governs conflict of interest: general rule. RPC 1.7(b)(1-4)

<http://www.vsb.org/docs/Carter-082410.pdf>

**CHARLES WILLIAM GITTINS**

Middletown, Virginia

10-070-082364

On September 3, 2010, a Virginia State Bar Seventh District Subcommittee issued a public admonition with terms to Charles William Gittins for violating a professional rule that governs fairness to opposing party and counsel. The Virginia sanction was in response to a finding by the staff judge advocate to the Commandant of the Marine Corps, Rules Counsel, that Mr. Gittins had violated a rule by engaging in conduct prejudicial to the administration of justice. RPC 3.4

<http://www.vsb.org/docs/Gittins-102210.pdf>

**DANIELE EUBANKS HERNDON**

Washington, D.C.

11-041-084426

On September 22, 2010, a Virginia State Bar Fourth District-Section I Subcommittee issued a public reprimand with terms to Daniele Eubanks Herndon for violating professional rules that govern knowingly making a false statement of material fact and conduct that reflects adversely on a lawyer's fitness to practice law. Ms. Herndon falsely certified that she had attended a mandatory continuing legal education teleconference. This was an agreed disposition of misconduct charges. RPC 8.1(a); 8.4(c)

<http://www.vsb.org/docs/Herndon-100710.pdf>

**HARVEY LATNEY JR.**

Richmond, Virginia

09-033-078040

On September 9, 2010, a Virginia State Bar Third District Subcommittee issued a public dismissal for exceptional circumstances sanction to Harvey Latney Jr. for violating disciplinary rules that govern safekeeping property and responsibilities regarding nonlawyer assistants. Due to embezzlement by his former assistant, Mr. Latney failed to pay funds he was holding from a special commissioner's sale of real estate. This was an agreed disposition of misconduct charges. RPC 1.15(e)(1)(i-v), (2)(i-iii), (f)(1)(i),(ii),(iii)(a-c),(iv),(v),(vi)(2-4)(i),(ii),(5)(i-iii),(6); 5.3(a), (b), (c)(1),(2)

<http://www.vsb.org/docs/Latney-090910.pdf>

**ROBERT CHARLES NEELEY JR.**

Virginia Beach, Virginia

10-022-081894

On August 30, 2010, a Virginia State Bar Second District-Section II Subcommittee imposed a public reprimand with terms on Robert Charles Neeley Jr. for violating professional rules that govern diligence and communication. This was an agreed disposition of misconduct charges. RPC 1.3(a); 1.4(a)

<http://www.vsb.org/docs/Neeley-090910.pdf>

**DAVID O'NEIL PRINCE**

Richmond, Virginia

08-032-074356

On August 2, 2010, a Virginia State Bar Third District Subcommittee imposed a public admonition with terms on David O'Neil Prince for violating disciplinary rules that govern diligence, fees, safekeeping property, declining or terminating representation, and a deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness to practice. The subcommittee ordered Mr. Prince to refund a portion of the client's fees. This was an agreed disposition of disciplinary charges. RPC 1.3(a),(c); 1.5(a)(1-8); 1.15(c)(3),(4),(d)(2)(iii), (e)(1)(i-iii),(v), (f)(2),(6); 1.16(a)(1), (c),(d); 8.4(a),(b)

<http://www.vsb.org/docs/Prince-082410.pdf>

**TIMOTHY JAMES WALL**

Fredericksburg, Virginia

08-060-074935

On August 11, 2010, a Virginia State Bar Sixth District Subcommittee issued a public reprimand to Timothy James Wall for violating disciplinary rules that govern communication, safekeeping property, declining or terminating representation, and failing to respond to a lawful demand for information from a disciplinary authority. The misconduct occurred when a client attempted to obtain a refund of unearned fees after a divorce representation. This was an agreed disposition of misconduct charges. RPC 1.4(a); 1.15(c)(4); 1.16(d); 8.1(c)

<http://www.vsb.org/docs/Wall-100710.pdf>

## APPROVED RULE CHANGES

RULES OF PROFESSIONAL CONDUCT 4.2,  
COMMENT [5]*COMMUNICATION WITH PERSONS REPRESENTED BY COUNSEL*

Deadline for comment: September 15, 2010

Effective: November 1, 2010

The Supreme Court of Virginia approved the Virginia State Bar's Rule 4.2 Task Force's proposed amendment to Comment [5] of Rule 4.2 of the Rules of Professional Conduct to address the situation in which a defendant who is in custody, formally charged, and represented by counsel waives his rights under *Miranda v. Arizona* and wants to give a statement to a law enforcement officer without his counsel present.

The question addressed by the task force was: "If the law enforcement officer seeks legal advice from a commonwealth's attorney regarding whether the officer may obtain a statement from the defendant under these circumstances, may the commonwealth's attorney advise the police officer without violating Rule 4.2?"

Rule 4.2 had previously prohibited a lawyer from communicating with a person the lawyer knew to be represented by counsel unless the counsel for the represented person consented or the communication was authorized by law.

Rule 8.4(a) states that a lawyer cannot violate a professional rule through the agency or actions of another. A reading of the rule led to the conclusion that the commonwealth's attorney could not ethically advise law enforcement officers to proceed with the custodial interview without notice to or consent from the accused's lawyer.

The task force determined that the defendant's waiver of his right to have his lawyer present when the accused desires to talk to a law enforcement officer presents a constitutional legal issue on which the commonwealth's attorney should be permitted to give advice without fear of violating the cited rules. The amendment to Rule 4.2, Comment [5] clarifies that the commonwealth's attorney can advise the law enforcement officer regarding the legality of an interrogation or the legality of other investigative conduct. The amendment to Comment [5] does not, however, authorize the commonwealth's attorney to script or mastermind the police's interrogation of the defendant.

Details: [http://www.vsb.org/pro-guidelines/index.php/rule\\_changes/item/rule-42-amendment-addressing-defendant-waiving-rights/](http://www.vsb.org/pro-guidelines/index.php/rule_changes/item/rule-42-amendment-addressing-defendant-waiving-rights/)

**REMINDER:**

## MCLE CERTIFICATION CAN BE FILED ONLINE

You can certify your Mandatory Continuing Legal Education classes attendance online by logging in to the VSB Member Portal at <https://member.vsb.org/vsbportal/>.

The Form 1 End of Year Report for 2010 compliance was mailed November 8 and is due back to the Virginia State Bar by December 15 from those who do not certify online. Instructions for Form 1 completion are posted at <http://www.vsb.org/docs/mcle-form1.pdf>. For more information, see <http://www.vsb.org/site/members/mcle-courses/>.

## FINAL LEGAL ETHICS OPINIONS

## LEGAL ETHICS OPINION 1802

*ADVISING CLIENTS ON THE USE OF  
LAWFUL UNDISCLOSED RECORDING*

Details: <http://www.vacle.org/opinions/1802.htm>

## LEGAL ETHICS OPINION 1849

*THE ETHICAL ISSUES OF LAWYERS TESTIFYING UNDER OATH  
IN COURT TO DEBTS OWED BY THE CLIENT*

Details: <http://www.vacle.org/opinions/1849.htm>

## LEGAL ETHICS OPINION 1854

*SETTLEMENT NEGOTIATIONS IN A CRIMINAL CASE*

Details: <http://www.vacle.org/opinions/1854.htm>

**SAVE THE DATE  
INDIGENT DEFENSE SEMINAR**

The Seventh Annual "Indigent Criminal Defense: Advanced Skills for the Experienced Practitioner" seminar will take place April 29, 2011, in Richmond, Weyers Cave, and Wytheville.

The continuing legal education program is open without charge to public defenders and attorneys who accept court-appointed representations. Details and registration forms will be published in early January.

**NEW VIRGINIA APPELLATE  
RULES ARE IN EFFECT**

Amendments to Parts 5 and 5A of the Rules of the Supreme Court of Virginia are among rule changes that went into effect July 1, 2010. The amendments affect appellate procedure in the Supreme Court of Virginia and the Virginia Court of Appeals. The current rules are posted on the Virginia's Judicial System website at <http://www.courts.state.va.us/courts/scv/rulesofcourt.pdf>.

## ATTORNEYS MAY SUBMIT ETHICS QUESTIONS BY E-MAIL

The Virginia State Bar now responds to lawyer's ethics questions submitted by e-mail, as well as telephone.

E-mail: Go to <http://www.vsb.org/site/regulation/ethics/> and click the blue box, "E-mail Your Ethics Questions."

Phone: Call (804) 775-0564 and leave a voice mail. Your call will be returned.

The ethics staff tries to respond to questions on the same business day they are received.

## RISK MANAGER

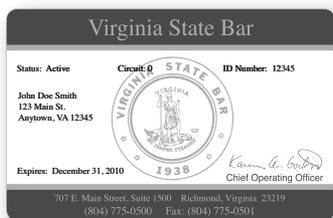
*Free, confidential, and toll-free consultation* is available to Virginia attorneys on questions related to legal malpractice avoidance, claims repair, professional liability insurance issues, and law office management. Contact McLean lawyer John J. Brandt, the Virginia State Bar's risk manager, at (800) 215-7854.

## VIRGINIA LAWYER REFERRAL SERVICE

Attorneys are needed throughout Virginia to provide half-hour legal consultations. The Virginia Lawyer Referral Service handles the paperwork. For information, or to apply online, see <http://www.vlrs.net>.

# Your Virginia State Bar card is about to change.

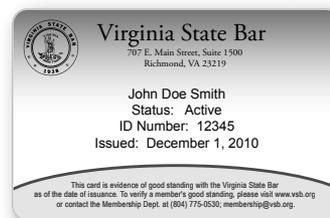
### From this:



Active members will receive the current card design (left) upon payment of their 2011 dues. This is an interim card and will expire 12/31/10. NEW permanent cards (right) will be issued in December to all Active members in good standing.

Associate members will receive the newly designed permanent card (right) upon payment of their 2011 dues this summer.

### To this:



**Membership cards will no longer be issued each year. You may receive a replacement card for a nominal fee.**

**Look for more details  
at <http://www.vsb.org/site/members/vsb-card-info>.**

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# HIGHLIGHTS OF THE VIRGINIA STATE BAR COUNCIL MEETING

OCTOBER 15, 2010

At its meeting on October 15, 2010, in Charlottesville, the Virginia State Bar Council heard the following significant reports and took the following actions:

## UPL PROSECUTION

The council voted 64 to 1 to seek legislation in the 2011 General Assembly to extend the statute of limitation on prosecution of unauthorized practice of law and to increase the penalties for committing UPL, a misdemeanor under current law. Under the proposal, Virginia Code § 19.2-8 would be amended to allow prosecution within two years of the complainant's discovery of the offense. In addition, restitution could be ordered in a criminal conviction under proposed amendments to § 54.1-3904, and, in a civil proceeding to enjoin unauthorized practice, a complainant could recover attorney fees, costs, damages, and civil penalties, including treble or punitive damages. The proposed statutory changes have been sent to the Supreme Court of Virginia for its consideration.

## MCLE RULES PROPOSAL APPROVED

The council approved proposed amendments to Rules of Virginia Supreme Court, Part 6, § IV, ¶ 17, that would increase the Mandatory Continuing Legal Education Board quorum needed to change MCLE regulations. The proposal also would give the council the authority to suspend a new or amended MCLE regulation until the Supreme Court has considered it. Under the proposal, approval by seven members of

the twelve-member MCLE Board would be required for a regulation change to pass. A two-thirds vote would be required for the council to reject implementation of a regulation until it has been reviewed by the Court. Proponents of the council-override measure said it would give the council input while maintaining the MCLE Board's independence. The proposal was passed by a vote of 58 to 6. It has been sent to the Court for its consideration.

## PARAGRAPH 13 PROPOSALS APPROVED

The council approved proposed changes to Rules of Virginia Supreme Court, Part 6, § IV, ¶ 13, that would establish procedural authority for regulating multijurisdictional practice by lawyers who are not members of the Virginia State Bar, but who are authorized to conduct a limited practice here. The proposed changes also would incorporate into Paragraph 13 requirements for persons serving as members of a district committee, the Disciplinary Board, and the Committee on Lawyer Discipline. These requirements are also found in the Bylaws of the Virginia State Bar. The proposals have been sent to the Court for its consideration.

## RESOLUTIONS

The council approved without dissent resolutions honoring Leroy Rountree Hassell Sr. for his accomplishments during eight years as Virginia's Chief Justice, and Cynthia Dinah Fannon Kinser on her election as Chief Justice for 2011-15.

## MCLE BOARD POSTPONES EFFECTIVE DATE OF AMENDED REGULATIONS

The Mandatory Continuing Legal Education Board has postponed until November 1, 2011, the implementation of amended regulations, including a requirement that four of the twelve hours of annual MCLE be live and interactive.

For the coming year, all twelve hours can be either prerecorded or live and interactive.

But as of November 1, 2011, the amended MCLE Regulations 102, Requirements and Computations, requires:

- (a) ... Of the twelve credit hours required, no more than eight (8) may be earned from prerecorded courses.

<http://www.vsb.org/docs/MCLE-regs-eff-110110.pdf>

The MCLE Board decided on July 21, 2010, that more time is needed for lawyers and MCLE providers to clearly understand the regulations before they go into effect.

## HAVE YOU MOVED?

### *KEEPING IN TOUCH WITH THE VSB*

To check or change your address of record with the Virginia State Bar, take the following steps:

Go to the VSB Member Login at <https://member.vsb.org/vsbportal/>. Go to "Membership Information," where your current address of record is listed. To change, go to "Edit Official Address of Record," click the appropriate box, then click "next." You can type your new address, phone numbers, and e-mail address on the form.

Contact the VSB Membership Department ([membership@vsb.org](mailto:membership@vsb.org) or (804) 775-0530) with questions.

# NOMINATIONS SOUGHT FOR DISTRICT COMMITTEE VACANCIES

The Standing Committee on Lawyer Discipline calls for nominations for district committee vacancies to be filled by the Virginia State Bar Council in June. Note that some of the vacancies may not become available because some incumbent members are eligible for reappointment.

To review qualifications for eligibility, see Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-4 – Establishment of District Committees, specifically 13-4.E (Qualifications of Members) and 13-4.F (Persons Ineligible for Appointment).

**FIRST DISTRICT COMMITTEE:** 2 attorney vacancies (one of whom is eligible for reappointment). 2 nonattorney vacancies (one of whom is eligible for reappointment). The vacancies are to be filled by members from the 1st, 3rd, 5th, 7th, or 8th judicial circuits.

**SECOND DISTRICT COMMITTEE, SECTION I:** 1 attorney vacancy (who is eligible for reappointment). 3 nonattorney vacancies (one of whom is eligible for reappointment). The vacancies are to be filled by members from the 2nd or 4th judicial circuits.

**SECOND DISTRICT COMMITTEE, SECTION II:** 4 attorney vacancies (3 of whom are eligible for reappointment). 1 nonattorney vacancy (who is eligible for reappointment). The vacancies are to be filled by members from the 2nd or 4th judicial circuits.

**THIRD DISTRICT COMMITTEE, SECTION I:** 1 attorney vacancy; 3 nonattorney vacancies (1 of whom is eligible for reappointment). The vacancies are to be filled by members from the 6th, 11th, 12th, 13th, or 14th judicial circuits.

**THIRD DISTRICT COMMITTEE, SECTION II:** 2 attorney vacancies; 1 nonattorney vacancy. The vacancies are to be filled by members from the 6th, 11th, 12th, 13th, or 14th judicial circuits.

**THIRD DISTRICT COMMITTEE, SECTION III:** 3 attorney vacancies (2 of whom are eligible for reappointment); 2 nonattorney vacancies (1 of whom is eligible for reappointment). The vacancies are to be filled by members from the 6th, 11th, 12th, 13th, or 14th judicial circuits.

**FOURTH DISTRICT COMMITTEE, SECTION I:** 3 attorney vacancies; 1 nonattorney vacancy (who is eligible for reappointment). The vacancies are to be filled by members from the 17th or 18th judicial circuits.

**FOURTH DISTRICT COMMITTEE, SECTION II:** 3 attorney vacancies (1 of whom is eligible for reappointment); 1 nonattorney vacancy (who is eligible for reappointment). The vacancies are to be filled by members from the 17th or 18th judicial circuits.

**FIFTH DISTRICT COMMITTEE, SECTION I:** 2 attorney vacancies (1 of whom is eligible for reappointment); 1 nonattorney vacancy (who is eligible for reappointment). The vacancies are to be filled by members from the 19th or 31st judicial circuits.

**FIFTH DISTRICT COMMITTEE, SECTION II:** 3 attorney vacancies; 2 nonattorney vacancies (1 of whom is eligible for reappointment). The vacancies are to be filled by members from the 19th or 31st judicial circuits.

**FIFTH DISTRICT COMMITTEE, SECTION III:** 2 attorney vacancies; 1 nonattorney vacancy (who is eligible for reappointment). The vacancies are to be filled by members from the 19th or 31st judicial circuits.

**SIXTH DISTRICT COMMITTEE:** 2 attorney vacancies; 1 nonattorney vacancy (who is eligible for reappointment). The vacancies are to be filled by members from the 9th or 15th judicial circuits.

**SEVENTH DISTRICT COMMITTEE:** 1 attorney vacancy (who is eligible for reappointment); 2 nonattorney vacancies. The vacancies are to be filled by members from the 16th, 20th, or 26th judicial circuits.

**EIGHTH DISTRICT COMMITTEE:** 2 attorney vacancies (1 of whom is eligible for reappointment); 2 nonattorney vacancies (1 of whom is eligible for reappointment). The vacancies are to be filled by members from the 23rd or 25th judicial circuits.

**NINTH DISTRICT COMMITTEE:** 3 attorney vacancies (2 of whom are eligible for reappointment); 2 nonattorney vacancies (1 of whom is eligible for reappointment). The vacancies are to be filled by members from the 10th, 21st, 22nd, or 24th judicial circuits.

**TENTH DISTRICT COMMITTEE, SECTION I:** 3 attorney vacancies (1 of whom is eligible for reappointment). The vacancies are to be filled by members from the 27th, 28th, 29th, or 30th judicial circuits.

**TENTH DISTRICT COMMITTEE, SECTION II:** 3 attorney vacancies; 2 nonattorney vacancies. The vacancies are to be filled by members from the 27th, 28th, 29th, or 30th judicial circuits.

Nominations, along with a brief résumé, should be sent by April 30, 2011, to  
Gwen Evans, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, VA 23219-2800

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