

On Your Behalf

by Bernard J. DiMuro, 2002–2003 VSB President

Last time, I mentioned that one of my colleagues had suggested that my views on professionalism were outdated—especially in this era of big business. Not to be outdone, another colleague recently suggested that it's time I told the membership what the Virginia State Bar has been doing on behalf of its members in the last year. So, in my ongoing efforts to satisfy my critics, let me tell you what we have been doing for you.

Efforts to Reduce Fee Disputes

This year, I appointed a Task Force to Study Alternative Fee Dispute Resolution. Led by Robert Ballou of Roanoke, the task force has been meeting regularly to find ways to help the bar reinvestigate the resolution of fee disputes by means of voluntary and alternative dispute resolution. We have a blue-ribbon panel of lawyers, judges, mediators and arbitrators from across Virginia whose goal is to make sure that we provide every opportunity for fee disputes to be resolved by voluntary mediation. One-third of the complaints filed against lawyers involve fee dispute matters. These disputes virtually never arise from any unethical conduct by attorneys, but mostly because of misunderstandings and a lack of communication. The faster we can have those disputes sent to an alternative dispute resolution forum, the sooner all involved will benefit. Clients and attorneys who do not resolve their fee disputes promptly suffer unnecessary frustration.

Noting the Good Things Lawyers Accomplish

Throughout my travels this year and in my presentations to members of the General Assembly, local and statewide bar associations and elsewhere, I have publicized the many good things lawyers do in the provision of *pro bono* legal services and their contributions to countless charitable and civic endeavors. The state bar has surveyed all of the local and statewide bar associations seeking information about their programs or projects that fit these categories. The bar's publications department and pro bono office will publish pamphlets on these pro bono, civic and charitable activities of local and statewide bars. I am proud of these



efforts, because we are finally taking some proactive steps to inform the public about the contributions made by attorneys within their various communities. One of these efforts, perhaps you have noticed, is my use of the "President's Page" to highlight one, two or three particular lawyers or programs in each issue of the *Virginia Lawyer*.

Ongoing Dialogue with Other Statewide Bar Associations and the General Assembly

We have also made great strides in seeking and considering the views of leaders of all of the statewide bar associations. I have asked them to share with me their views on matters important to their constituencies. This year, we have emphasized the issue of judicial independence, which is vitally important to all attorneys and their clients.

The statewide bars have banded together to open a dialogue on this issue and to publish a "white paper" on judicial independence disseminated to the Courts of Justice Committee of the General Assembly. Additionally, we have made significant efforts to meet with leaders of the General Assembly to explain the important role of the State Bar in the regulation of our profession and as an advocate for lawyers and the judiciary.

Better Annual Meeting Committee

Following the 2002 annual meeting, I appointed a committee to brainstorm about ideas to reinvestigate future annual meetings. The committee of 16 people, chaired by Jeannie Dahnk, VSB president-elect, has met regularly to discuss issues, both long-term and short-term, including the format, location, substantive programming and the social and professional activities that usually take place at the meeting. For the 2003 annual meeting, the committee has focused on developing a showcase CLE event that is being sponsored by five sections; developing a non-CLE pro-

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gram that should have broad-based appeal for both lawyers and their spouses; streamlining the schedule to eliminate several events; enhancing our sponsorships for the meeting; and asking law firms to support the meeting by encouraging attendance within their firms.

Study of *Pro Hac Vice* Rules

Virginia is one of the few states that does not have any registration requirements for the *pro hac vice* admission of attorneys from other states. This has begun to cause great concern about the number of non-Virginia attorneys who are admitted regularly *pro hac vice* to appear in Virginia courts. I have appointed a task force to study the need to propose rules that require the registration of these attorneys and to monitor the frequency with which they appear in Virginia courts.

Maintain and Increase State Bar's Assistance for Lawyers

I hope that I have been successful this year in making it known to the membership that the bar has a number of programs available to assist and counsel lawyers. These programs include the "Ethics Advice Line," staffed by Jim McCauley and others. Jim and his colleagues are available to answer your questions, free of charge, on matters of ethics and professional responsibility. Also, the bar's risk manager, John Brandt, provides free advice to Virginia attorneys on matters of risk management in their practices. The bar also provides the services of a law office management auditor who, for a nominal fee, will audit the operations and procedures of your office to help insure that your office is functioning in a way that will minimize your risk to adverse claims by clients.

Finally, Lawyers Helping Lawyers remains a cornerstone of our commitment to assist lawyers in need. Lawyers Helping Lawyers has recently completed its transition from a committee structure to a 501(c)(3) nonprofit corporation. The state bar has appointed three members to its board of directors. We hope to increase our financial contribution to this vitally important program during 2003–2004. As part of the transition, LHL plans to expand its mission to help lawyers who need assistance in the mental health area.

At the same time that we focus on these assistance programs, we have increased the efficiency of the disciplinary system—our "stats" have never looked better in terms of the time in which complaints have been processed. Moreover, we continue to make efforts to resolve minor matters informally and "divert" them from the system, while meeting the public's needs.

Finally, I want to highlight the work of the Henrico Bar Association:

The Henrico County Bar Association

The Henrico County Bar Association (HCBA) sponsors an annual "Ask a Lawyer" project in which volunteer attorneys provide 15-minute legal consultations, at no charge, to members of the local community. They answer simple legal questions or refer individuals to appropriate agencies or the Virginia Lawyer Referral Service.

- The Henrico Bar also works in conjunction with the Hunton & Williams Church Hill Clinic to provide pro bono legal services to low income clients that are ineligible for help from legal aid.
- Two HCBA board members and the president of the association serve on the board of the Greater Richmond Bar Foundation, which promotes and supports pro bono services to deserving groups.
- The HCBA donates to the Oliver Hill/Samuel Tucker Scholarship Dinner that raises funds for two deserving students from each of the state's law schools (This was in addition to its support for the dinner through the foundation.)
- In the fall of 2002, the HCBA coordinated and collected cash and school supplies for the children of Highland Springs Elementary School for its School Supply Challenge. The association teamed up with the Henrico Business Council to collect over \$600 in school supplies and \$400 in cash contributions for supplies and book room donations.
- In its Project Read Now, the HCBA is working with the Henrico County school system to provide volunteers for Highland Springs Elementary.
- Volunteers from the HCBA are helping juniors and seniors at J.R. Tucker High School with interviewing skills. The mock interview program will occur in April.