

President's Message

by W. David Harless



No Trace

IN JUNE, I TOOK THE OATH as the seventy-fourth president of the Virginia State Bar. I am humbled and will endeavor to serve in a manner commensurate with the trust you have reposed in me. I will strive also to be guided by the example and wisdom of my immediate predecessors, George Shanks and Irv Blank. We are indebted to each for their dedication and tireless work.

In preparation for this column, I reviewed the articles submitted by my five predecessors. I concluded that there are few topics of immediate importance to the bar that they have not addressed comprehensively. I will attempt to avoid repetition.

Recently, many folks have asked me related questions that seem particularly appropriate for discussion in this inaugural column. What new programs will you propose? Do you have a project? Will you seek changes in VSB operations? In contemplating the need for such undertakings, I inventoried the recent activities of the bar. I am delighted to share this sample of the accomplishments and activities of the VSB during the past year:

- Through the dedication of the Committee on Lawyer Discipline, bar counsel's staff, and our district committees, the bar has hired additional investigators and a new assistant bar counsel, dramatically improved response times to and quicker investigations of disciplinary complaints, and reduced pre-FY 2011 cases as of March 31, 2012, from 197 to 54, a remarkable 72.5 percent reduction.
- The Conference of Local Bar Associations conducted solo and

small-firm conferences free of charge in the Northern Neck, Farmville, and Big Stone Gap, areas historically underserved with live CLEs by traditional providers. More than 400 attendees received seven hours of CLE, four in ethics. These sessions concluded with town hall meetings conducted by Justice Mims, Justice Lemons, and Chief Justice Kinser, respectively.

- More than 1,000 active volunteers devoted their services this past year to fulfillment of the VSB's mission. By the conclusion of FY 2012, these volunteers will have driven more than 300,000 miles and invested thousands of hours of their labors to the improvement of our profession.
- The fiscal condition of the VSB is strong. The bar is a frugally operated, fiscally austere agency. Indeed, with a \$25 reduction of dues in 2011–12, our annual dues are tied for the lowest among mandatory bars in the nation.
- The statewide bar organizations share a robust commitment to cooperation and collaboration in addressing issues critical to the public and our profession. For example, during the past year representatives of the VSB, VBA, VTLA, VADA, and VWAA met to address multi-faceted approaches to protecting the public from lawyer defalcations. This task force has recommended two measures for consideration by the Supreme Court and Bar Council that entail a proposed payee notification statute, and a proposal that the Clients Protection Fund and Bar Council increase the sums available and payable for such losses.

I believe that the VSB is serving well the mission and core purposes for which it was created by the General Assembly and the Supreme Court. The bar has no immediate need for “new” projects and I will exercise restraint in proposing such endeavors.

To be clear, I am not advocating complacency. We are committed to improving our current operations and programs and service to the public and our members. However, the bar's success this year will be attributable to our devoted council members, talented staff professionals, and committed lawyer volunteers, not to a passing program or initiative.

Years ago I accompanied my two sons on two trips to Philmont Scout Ranch in northern New Mexico. Philmont covers 137,000 acres, approximately 214 square miles, of rugged mountain terrain. Over ten days young men and their adult leaders packed seventy pounds of food, water, and personal gear over seventy miles of undeveloped terrain.

The campsites and natural environment of Philmont should now reveal the scars of the 950,000 campers who have lodged there since 1939. However, through a practice known as “no trace camping,” Philmont today is as pristine as when it opened. This practice is simple: Leave the campsite better than you found it with no trace of your earlier presence.

This summarizes our simple goal. If through good stewardship of your money and fulfillment of our appointed purposes we leave the bar better than we found it with no trace of our presence, we will have done our job well this coming year. I hope you will agree.