

# Celebrating Our Diamond Anniversary



This year marks the 75th, or diamond, anniversary of the Virginia State Bar. We know, in England the 60th year of the monarch's reign is the diamond anniversary, but we're not in England, and we don't have a monarch.

We do, though, have a president — Sharon D. Nelson. And we have four conferences that represent pretty much every one of our 47,000 members. So we asked Nelson and representatives of the conferences to give us their take on where we've been, what we do, and perhaps most importantly, where we're going.

Our authors all noted the giant steps the bar has taken over the years. They write about the many publications, and seminars, and

events, and just general activities lawyers participate in to help each other and to serve the public.

When they look to the future they write about equal protection under the law, the growing opportunities for communication, improving and expanding diversity, providing more pro bono services. And they write about the seemingly unending and challenging explosion of technology. Their articles follow.

But first, we present a couple of diamonds mined from our past — a timeline of significant happenings over the years, and the introduction to the 50th anniversary article published by *Virginia Lawyer* 25 years ago.

—Gordon Hickey

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## Bar Highlights

### 1937–38

- The Virginia General Assembly in 1938 created the integrated Virginia State Bar. The enabling act invested the Supreme Court of Appeals with the power to adopt rules defining the practice of law, prescribing codes of ethics for bench and bar, organizing the bar, and prescribing procedures for the disciplining and disbarment of attorneys.
- A “Committee of Forty” — thirty-four judges and six members appointed by the Court, met at Sweet Briar College and wrote a definition of the practice of law, codes of ethics for bench and bar, a plan of organization for the bar, and bylaws for the Council.

### 1938–39

- Russell Eubank “Tubby” Booker became the bar’s first staff member in December, 1938, serving as secretary-treasurer until 1969.
- The first three standing committees were Legal Ethics, Judicial Ethics, and Unauthorized Practice of Law.
- Fifty-one complaints against lawyers were considered by the nine district committees; twenty-seven were dismissed. One lawyer was disbarred.

### 1939–40

- The first meeting of the bar was at the John Marshall Hotel on August 2, 1939.
- Dues were \$3.50 a year.

### 1940–41

- The Committee on Public Relations was formed.
- The UPL Committee issued a five-point report on unlawful activities by real estate agents, including their appearance in court to collect rent for their principals and the preparation of deeds, deeds of trust, and mortgages.

### 1943–44

- In its first six years, the bar district committees had considered 185 cases of alleged unprofessional conduct, dismissing 126. Eight lawyers were disbarred, sixteen suspended, two reprimanded, and three had their licenses cancelled.

### 1944–45

- The annual meeting was cancelled because the Office of Defense Transportation prohibited meetings involving more than fifty people from out of town.
- More than 700 board members served in World War II and eighteen died while in the service.

### 1947–48

- The bar borrowed \$1,000 from the state to help pay debts.

### 1950–51

- A bar committee recommended that state law, which required two years of college work and two years of studying law for admittance to the bar, be changed

to require three years of law school after at least two years of academic work.

#### 1962–63

- The 25th anniversary of the bar.
- Membership was about 6,000 and the budget was \$76,000.

#### 1964–65

- President Fred W. Bateman warned that the legal profession was under threat. “There is an insidious philosophy being promoted by our lay friends and, indeed, a segment of our bar, to the effect that the unauthorized practice of law is both necessary and justified, when used to promote social welfare.”

#### 1960–70

- “Tubby” Booker retired as the first and only secretary-treasurer of the bar. He was replaced by N. Samuel Clifton, who became the first executive director. He also became editor of the *Virginia Bar News*.

#### 1970–71

- The VSB moved to the renovated Imperial Building at Fifth and Franklin streets.
- Annual dues were raised from \$15 to \$25.

#### 1972–73

- James R. Wrenn Jr. became the first bar counsel, and James N. Woodson first director of communications.
- The Young Lawyers Conference was organized.

#### 1973–74

- Rampant inflation pushed the dues from a \$45 ceiling to a \$75 ceiling.
- The first midyear seminar was held in Bermuda.

#### 1974–75

- The VSB office was relocated to the second floor of the 700 building and remained there until 1986.

#### 1976–77

- The U.S. Bicentennial.
- The VSB disciplinary system was changed, establishing new rules and procedures.
- A new twelve-member disciplinary board was set up.

#### 1977–78

- Almost 16,000 inquiries were received during the first year of the Virginia Lawyer Referral Service.
- The Clients’ Security Fund reached \$80,000.
- The VSB relocated to the 16th floor of the 700 Building.

#### 1979–80

- Russell Eubank Booker died.
- The VSB had sixteen full-time and three part-time employees, 15,000 members and an operating budget of \$900,000.

#### 1981–82

- The Rules of Professional Conduct were modified to reflect relaxed restriction on solicitation efforts by lawyers.

#### 1985–86

- The bar office moved to larger quarters in the Ross Building
- Council approved a revised system of discipline whereby bar staff have primary responsibility for investigating and prosecuting allegations of misconduct. (The original disciplinary process looked to district committees to investigate allegations of misconduct and file complaints in circuit court for prosecution. In September 1976, the Supreme Court of Virginia gave the district committees the authority to conduct hearings, impose private reprimands, and certify complaints to a newly formed Disciplinary Board.)

#### 1986–87

- Council voted to seek a Supreme Court rule that would require attendance at a two-day seminar on professionalism, the first of its kind in the country.
- On July 1, 1986, the bar’s new disciplinary system came into effect with bar staff given total responsibility for prosecuting misconduct matters before ten district committees.

#### 1987–88

- Council decided that bar members will be required annually to report whether or not they carry malpractice insurance and whether or not they have outstanding judgments against them.

#### 1988–89

- The MCLE Board was established by rule of the Supreme Court of Virginia.

#### 1989–90

- The disciplinary system was revised: District Committees are able to enter into plea bargain agreements; Screening subcommittees have power to dismiss cases, impose public or private reprimands through plea agreements and refer serious cases to the State Disciplinary Board.

#### 1990–91

- First pro bono award was given to retired Justice Lewis F. Powell Jr.
- VSB became first state bar to provide a fidelity bond for every member.
- First year to have a Clerk of the Disciplinary System on staff

#### 1991–92

- Bar headquarters moved from the Ross Building to Eighth & Main



**1993–94**

- The bar conducted the first comprehensive review and revision of the Virginia Code of Professional Responsibility in ten years.

**1995–96**

- Bar implemented recommendations of audit by the Joint Legislative Audit and Review Commission

**1996–97**

- The General Assembly enacted the Consumer Real Estate Settlement Protection Act, with the bar developing guidelines to assist non-lawyer settlement agents in avoiding unauthorized practice of law.
- The bar posted its first Web pages at [www.vsb.org](http://www.vsb.org) in December 1996.

**1997–98**

- Council approved Virginia Model Rules of Professional Conduct

**1999–2000**

- After VSB nominations, Oliver Hill Sr. was awarded the ABA Medal and the Presidential Medal of Freedom.

**2001–02**

- The bar’s petition for approval of the revised and consolidated rules was approved at the Supreme Court of Virginia. The rule change adopted by the Council in June 2001 to open district disciplinary committee hearings to the public was approved by the Court in September 2001

and implemented in January 2002.

**2004–05**

- Bar members served on a General Assembly-created indigent defense commission.

**2005–06**

- Fastcase became a VSB member benefit.

**2006–07**

- A task force voted to recommend that the employee dishonesty bond and surety bond required under CRESPA be increased from \$100,000 to \$200,000.

**2007–08**

- The bar’s task force on public protection was asked to revisit the issue of payee notification after reports of defalcations totaling more than \$4 million from more than 300 clients by former attorney Steven Thomas Conrad.
- Thomas A. Edmonds retired on December 31, 2007, after more than eighteen years as executive director.

**2008–09**

- Council approved creation of a Diversity Conference.

**2010–11**

- The governor proposed transferring \$5 million of the VSB’s dedicated special revenue to the commonwealth’s general fund.
- State Bar members received permanent bar cards.

- Executive committee approved \$25 dues decrease.

**2011–12**

- The 20th anniversary Conclave on the Education of Lawyers was held.
- VSB offered online membership renewal process that included online payment by credit card.

**2012–13**

- Council approved payee notification legislation.
- Mobile app allowed member access to records.

**2013–14**

- The bar office will move in April 2014.
- The bar is implementing an Enterprise Content and Records Management (ECRM) Project. The completion date is scheduled for July 2015.

