

Highlights of Council Meeting

February 23, 2001

On February 23, 2001, the Virginia State Bar Council heard the following reports and took the actions indicated below:

Lawyer Discipline

Council received an informational report from the Task Force on Public Access to the Attorney Disciplinary Process. The task force is recommending that the system be opened to the public at the probable cause stage, but with a reasonable opportunity prior to a complaint becoming public for agreed upon private discipline in appropriate cases. There was little discussion and few reactions to the Task Force report, pending development by the Standing Committee on Lawyer Discipline of the actual rule changes needed to implement the recommendations. These rule changes are expected to be published for comment later this year and will be on the agenda for Council action later this year.

The Standing Committee on Lawyer Discipline presented several amendments to Paragraph 13 of the Rules of Court designed to clarify the qualifications of persons for appointment to, and continued service on, district committees and the disciplinary board. Persons with serious criminal convictions or recent disciplinary sanctions would be ineligible for appointment or continued service, and sitting committee or board members against whom a disciplinary complaint is filed would be required to recuse themselves until the matter is favorably resolved. The amendments were unanimously approved by Council and will now be recommended to the Virginia Supreme Court.

Budget and Finance

The Standing Committee on Budget and Finance reported to Council on its progress in developing the budget for 2001–2002. It also presented for action by Council a rule change that would require payment of half dues by new members admitted each fall or winter on the basis of passing the Virginia Bar examination. The rule change would raise approximately \$90,000 per year in additional revenue for the bar. The rule change was unanimously approved by Council and will be submitted to the Virginia Supreme Court for its approval.

Mandatory Continuing Legal Education

Council heard an informational report from the staff and the Mandatory Continuing Legal Education Board recommending a change in the MCLE compliance cycle which would shift the deadline for completing one's annual course requirements from June 30 to January 31. Separating the MCLE compliance cycle from payment of dues and completion of other membership obligations would clarify these very different requirements for bar members, as well as distribute the workload of the bar staff much more evenly throughout the bar year. There was no question or discussion about the proposal, and the rule changes nec-

essary to implement the shift in the MCLE compliance cycle will be published for comment this spring and placed on Council's agenda for action in June.

Professionalism

Council approved a recommendation from the Standing Committee on Professionalism that presentations on professionalism by the bar be made each year to first year students at all of the Virginia law schools. Pilot programs have been conducted during the last two years at most Virginia law schools, and they have received a good response. The bar and its Section on Education of Lawyers in Virginia will share equally the limited cost of producing these programs.

Moratorium on Capital Punishment

In response to a letter from past president Edward B. Lowry, of Charlottesville, which had previously been sent to all members of Council, the matter of a possible moratorium on the imposition of capital punishment was discussed during the Council meeting. A motion which sought to put the bar on record as favoring such a moratorium was tabled, so that a committee of Council members could work with Mr. Lowry to develop a resolution on this subject for consideration by Council at its June meeting.

Midyear Legal Seminar

Florence & Rome, Italy
November 7–15, 2001

The 29th Annual Midyear Legal Seminar of the Virginia State Bar will be held in Italy:
4 nights in Florence and 3 nights in Rome!

TOTAL CLE CREDITS: 9.0 Hours,
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