

Harrisonburg-Rockingham Bar Association Presents Pro Bono Awards



Dana J. Cornett (right), president of the Harrisonburg-Rockingham Bar Association, presented Pro Bono Awards to (l-r) Roger A. Ritchie Sr., Dawn Wine Ruple and R. Darren Bostic.

Two attorneys and a law firm from Harrisonburg have been honored for their commitment to pro bono publico service.

Attorneys R. Darren Bostic and Dawn Wine Ruple and the Ritchie Law Firm PLC were recognized by the Harrisonburg-Rockingham Bar Association and Blue Ridge Legal Services during the association's professionalism seminar on October 12, 2005.

All were honored for significant hours of work they put into individual pro bono cases. Bostic and Ruple took on complex domestic relations matters, and the Ritchie Law Firm—made up of Roger A. Ritchie Sr. and his sons, Roger Jr. and Michael L. Ritchie—has accepted many pro bono cases over the years, including complex Supplemental Security Income litigation that is ongoing.

Bostic practices with his wife, Mary Beth M. Bostic, in the firm Bostic & Bostic PC.

Ruple is a solo practitioner who has handled many pro bono matters since she came to Harrisonburg in the late 1980s.

The awards were presented by Dana J. Cornett, president of the bar association. The Pro Bono Awards recognize lawyers in private practice who take referrals of pro bono cases from Blue Ridge Legal Services, a legal aid society that serves low-income residents of the Shenandoah and Roanoke valleys. Blue Ridge has offices in Winchester, Harrisonburg, Lexington and Roanoke.

The referral program has been recognized nationally for its success in drawing volunteers who donate thousands of dollars worth of legal services in critical cases.

More information on the Pro Bono Referral Program can be obtained by calling Janet R. Ikenberry, referral coordinator, at (540) 433-1830.

Legal Aid Honors Pro Bono Attorneys

More than one hundred attorneys, judges and law office staff gathered in Blacksburg on November 15 to honor the pro bono contributions of Southwest Virginia attorneys. Hosted by Southwest Virginia Legal Aid Society (SVLAS), the gathering celebrated the partnership of legal aid and the private bar in providing essential legal services to low-income Virginians.

SVLAS Executive Director Larry T. Harley said, "In two of the last three fiscal years our legal aid has closed the greatest number of cases of any legal aid in Virginia. You, the pro bono attorneys working with us, have handled 20 percent of our cases that have resulted in court orders."

The Honorable Ray W. Grubbs of the Twenty-seventh Judicial Circuit, was the event's keynote speaker.

SVLAS provides free legal services to low-income Virginians in seventeen counties and four cities in southwestern Virginia west of Roanoke. "This is a huge geographic region—an area the size of New Jersey that we are currently serving with only eleven legal aid staff attorneys," Harley said. Pro bono attorneys in the SVLAS region have served more than five hundred clients in the past two years. Most of the cases have involved divorce, custody or bankruptcy.

Sharon Sowers, the SVLAS community resources coordinator, makes referrals of cases to pro bono attorneys in the New River Valley. SVLAS provides services to low-income residents over a variety of civil legal issues, but refers to pro bono attorneys only those types of cases that each has agreed to accept.

Harley serves as the secretary of The Virginia Bar Association's Community Service Council and has helped legal aid coordinate pro bono work with the private bar for over twenty years. "I don't think the private bar appreciates the power for change it has in its possession. If just half of Virginia's attorneys would handle just one prescreened pro bono court case each year it would double the number of low-income Virginians receiving extended services through our legal aid programs," he said.

Free and Low-Cost Pro Bono Training

Visit the Pro Bono page on the VSB Web site for free and low-cost pro bono trainings and volunteer opportunities: www.vsb.org/probono/.

Emeritus Members Can Contribute Pro Bono

An emeritus membership status with the Virginia State Bar is now available for lawyers who are retiring from active practice, but who want to be able to contribute through pro bono work.

Under the program—described in Paragraph 3, Section IV of the Rules of Court—lawyers can take emeritus status and continue to provide legal services under supervision of an approved legal services program. To be an emeritus lawyer, you must meet the following criteria:

- You must be an active member of the Virginia State Bar at the time of the application for emeritus status.
- You must have been in active practice for ten of the fifteen years preceding application. Active practice includes working as in-house counsel, a public lawyer or full-time teacher at an American Bar Association-accredited law school, as well as private practice.
- You must have been in good standing, with no discipline for professional misconduct by the VSB or the courts, for fifteen years.
- You must continue to submit to the disciplinary jurisdiction of the Virginia State Bar and Supreme Court of Virginia.
- You must satisfy the mandatory continuing legal education requirements for active members; however, you need not pay annual bar dues.

- You and the legal aid society you will work with must sign affidavits agreeing to the supervisory relationship.
- You must agree to receive no compensation except for reimbursement of expenses for the legal work.

Emeritus lawyers can appear in Virginia courts, prepare and sign court filings and give legal advice. Clients must agree in writing to the arrangement. Judges have discretion to determine the extent of an emeritus attorney's participation in a case.

Some legal aid societies have begun formal programs for recruiting emeritus lawyers. Lawyers with no formal program in their jurisdictions can approach their local legal aid societies individually to arrange emeritus supervision.

The program went into effect on September 1, 2004. So far, one lawyer has emeritus status.

To begin the application status, a lawyer must send a letter of intent to Membership Department, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond 23219. For questions, call (804) 775-0535.

The rule can be downloaded at www.courts.state.va.us/scv/amendments/080204_para_3_sec_4_part_6_effective_090104.pdf.

Western District of Virginia Names First Public Defender

Larry W. Shelton of Norfolk will serve as the Western District of Virginia's first public defender, starting early next year.



Shelton has supervised Norfolk's federal public defender's office since it opened in 2001.

He will relocate to Roanoke, where the Western District's central office will be located. He will supervise two assistant public defenders in each of the district's offices in Roanoke, Charlottesville and Abingdon.

He was selected by the Fourth U.S. Circuit Court of Appeals from about fifty candidates.

Shelton is a former president of the Norfolk and Portsmouth Bar Association, a former member of the Boyd-Graves Conference and a fellow of the Virginia Law Foundation. He has volunteered in the Virginia State Bar disciplinary system and served on the VSB's Special Committee on Judicial Nominations.

He received his undergraduate and law degrees from Duke University. He came to Norfolk in 1978 as an assistant U.S. attorney, and had a private practice in civil litigation for fourteen years.



LSNV Celebrates Twenty-fifth Anniversary

At Legal Services of Northern Virginia's Twenty-fifth Anniversary Reception and fundraiser on November 9 were (l-r) J. Bennett Downey, managing attorney of LSNV's Loudoun office; Virginia State Bar Immediate Past President David P. Bobzien; Debra Berke; Fairfax Circuit Judge Stanley P. Klein; and Mark H. Bodner, president of the LSNV Board of Directors. To support LSNV, please contact Andrea L. Bridgeman at (703) 903-2796 or andrea_bridgeman@freddiemac.com. Photo by Russ Hatchl.

Fairfax Public Law Library: Legal Information for the Public

by Bobbie J. Denny

The mission of the Fairfax Public Law Library (FPLL) is to promote justice by providing all citizens with access to legal information. The number of individuals representing themselves in court and in noncourt legal matters without assistance of counsel is increasing. The law library, which is located in the Fairfax County Judicial Center, serves thirty-five thousand nonattorney customers each year. Many of these individuals need legal information because they are unable to afford legal representation and do not qualify for free legal services. The FPLL staff provides a portal for individuals proceeding *pro se* to access forms and procedures—both within and beyond the walls of the law library. Other organizations who assist individuals who represent themselves include Legal Services of Northern Virginia (LSNV), the Office of the Clerk of the Circuit Court of Fairfax County, the commonwealth attorney's office and the Fairfax Bar Association (FBA). The law library links patrons to those resources and other print and online legal materials. The library staff frequently refers customers to LSNV, mediation services and the lawyer referral services of the Virginia State Bar and the FBA.

The strongest demand from citizens proceeding *pro se* is for fill-in-the-blank legal forms and pleadings. (See "LSNV Develops Public Forms Web Site," this issue.) In the past, library patrons could only copy sample legal forms and pleadings and then use them as models to draft their own documents at home. The major improvement in the law library's services is the ability to provide customers with direct access to legal forms that can be completed at five public computer workstations, printed and filed with the court. Legal forms are general and may not be suitable for an individual's particular needs. Because personnel do not give advice on which forms to select, the burden is on customers to choose or revise

forms appropriate under their own circumstances. When a customer cannot locate a suitable form to complete, other resources are available, including sample legal forms in both print and online databases. Although the law library does not offer word processing to customers, LSNV has added a blank page on its Web site where library users may draft short legal documents while they are in the law library.

The library staff closely monitors forms and instructions available to the public on the following Web sites: www.lsnv.org (Forms Master Larry Fann, LSNV staff attorney), www.fairfaxcounty.gov/courts/circuit (the Honorable John T. Frey, clerk of the Fairfax County Circuit Court), and www.courts.state.va.us (home page for the Virginia Judicial System). The LSNV Web site offers legal information and public forms; the index alone is twenty-five pages. The library staff keeps LSNV informed of forms needed by the public and makes suggestions for improvements based on customer feedback when the forms are accessed. The Fairfax County Circuit Court Web site offers subject-specific procedural information and Supreme Court-approved PDF forms for public use. The circuit court and the law library also assure that law library staff knows what is available on the circuit court Web site and how to direct library patrons to print the documents in a format acceptable to the court. The Web site for the Supreme Court of Virginia includes downloadable PDF forms used by the circuit courts, the general district courts and the juvenile and domestic relations district courts in Virginia.

Frequently requested forms are in the areas of divorce, name change and expungement. For divorce matters, the Fairfax County Circuit Court provides a *pro se* divorce brochure at <http://www.co.fairfax.va.us/courts/circuit/pdf/CCR-H-53.pdf>. LSNV pro-

vides additional information related to divorces and public forms for bills of complaint and final decrees for less complicated uncontested divorces. The library also instructs customers how to access forms (divorce and many others) using the *Fairfax County Circuit Court Manual* (print version and/or disc, which works in conjunction with the Virginia Casefinder CD-ROM database). The Model Domestic Relations Court Orders (*pendente lite*, spousal, final decree, name change, income deduction) for the Fairfax County Circuit Court are available online in the law library. The model orders were produced by the FBA Family Law Section (Chair Richard J. Byrd). For name changes, the Fairfax County Circuit Court Web site includes a brochure with a number of name change petitions and orders in PDF format; customers frequently complete a petition and order for a name change at a computer workstation while they are in the law library. The circuit court also provides an expungement brochure describing procedures applicable to the process. Those seeking expungements are often directed to the law library for expungement forms. These forms are available on the Public Forms section of the LSNV Web site. The library also has expungement forms for use in Fairfax County drafted by Assistant Commonwealth's Attorney John J. Murray. The advantage to *pro se* individuals who choose to complete forms while in the law library is that they have immediate access to explanatory legal information contained in both print and online resources.

The Fairfax Public Law Library includes publications acquired specifically for *pro se* individuals such as the Nolo Press legal self-help books, West's Nutshell Series, and legal materials written for nonattorneys. For the past several years, the Fairfax Public Law Library Committee has

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LSNV Develops Public Forms Web Site

by Laurence E. Fann

How can a legal aid organization effectively use new technology, such as the Internet and e-mail, to enhance the delivery of legal resources by staff and assist pro bono attorneys, law librarians, personnel in other social service agencies and nonlawyers alike? Starting four years ago, Legal Services of Northern Virginia (LSNV)¹ developed a Web site we call Public Forms². The site provides legal information and procedures as a public service. From the beginning, we decided that we didn't want the traditional "bulletin board" for our site—we wanted to provide ample useful and practical resources that would permit the users to address specific legal issues or procedures.

Our first efforts were directed at developing more than two hundred supplemental forms designed to harmonize with Virginia state forms posted on the Virginia Judicial System Web site. We developed these supplemental forms for many of the more common legal procedures, such as adding a third party to a lawsuit or filing a motion to request a bill of particulars. We also developed specialized forms specific to areas of the law where we practice, such as consumer or family law.

Most of the feedback and guidance in this effort was the result of our collaboration with personnel in the Fairfax County Law Library. Time and again they tell us the most common topics and questions that they are addressing, and we use this information to develop new forms and procedures. We endeavor to add unique and useful information to these forms such as instructions for their use, direct electronic links to the *Code of Virginia*, and rules cited in the form. We make some of them bilingual. The law library has completely integrated Public Forms in their resources to assist the public with information on legal matters. For instance, the library has five computers

devoted to legal information on the Internet, including Public Forms.

Sometimes a useful form is also the simplest. For example, the library does not permit the public to use Microsoft Word or WordPerfect on its computers because of possible computer viruses. At the request of library personnel, LSNV built a blank page in Adobe Acrobat PDF format so that the public could take notes or attach additional information to forms they need to file.

As we went forward, we encountered concerns, especially from nonlawyers, that demanded solutions if our Web site was to be successful. For example, when nonlawyers are late to court they generally have no idea what course of action is available to them. Using the Google search engine, we developed distinctive search features that take common concepts and link them to appropriate legal procedures. For example, if you enter the search terms "late to court," you are taken to information about a rehearing, an appeal, or both³.

Public Forms is changing the way we use the very important services of pro bono attorneys and paralegals. Previously we requested the pro bono attorney or paralegal meet in person with up to three clients at one of our offices. Too often, at least one of the clients failed to show up, thereby wasting the time of the attorney or paralegal. In addition, we failed to adequately prepare the attorney or paralegal with enough information for them to be able to spot issues and remedy problems. Recently we began to address these two concerns. We now make appointments for the attorney or paralegal to meet with the client at one of our offices, at their own office or to conduct the initial interview by telephone—saving time and the frustration caused by traffic.

Our staff now spends more time and effort gathering facts and identifying legal issues, and then suggesting solutions. We prepare written material that is directly linked to various sections of our Web site where the attorney or paralegal can find information on a particular subject. This information is e-mailed to the attorney or paralegal before the interview.

We also pay more attention to the needs of the other social service agencies. As part of our site on health care, we have information, including forms, regarding financial aid policies and procedures for hospital bills in Northern Virginia. We have an entire section on the Virginia Health Records Privacy Act with forms, charts and instructions.

Public Forms also offers its volunteer advocates unique vignettes, or samples that steer them through typical cases. The vignettes cover general procedures and emerging areas of law. The vignettes—usually four to six pages—present material in a balanced and impartial manner. They address:

- A discrete issue.
- References to the Code of Virginia, rules and case law.
- The best practices.
- The burden of the parties.
- Recommended information to include in pleadings and
- Questions that may be asked at trial by counsel for plaintiff and defendant.

Our staff and pro bono attorneys prepare these vignettes for law firms who want to

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made the law library more user-friendly to *pro se* individuals. The Fairfax Bar Association manages the law library through an agreement entered into by Fairfax County, the Clerk of the Circuit

Court of Fairfax County and the FBA. The Fairfax Public Law Library functions as an essential component of the county's efforts to provide the public with meaningful access to justice. ☞



Bobbie J. Denny is a law librarian at the Fairfax Public Law Library, which provides citizens with access to more than thirty-five thousand books and legal periodicals as well as Internet access to legal resources. She is a member of the Virginia State Bar, the Virginia Association of Law Libraries, and the Board of Directors of the Fairfax County Public Library Foundation.

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contribute their time and expertise to help our clients. ☞

Endnotes:

1 LSNV is a nonprofit public interest law firm that provides free civil legal assistance to low-income residents in Northern Virginia.

2 <http://www.lsnv.org/publicforms.htm>

3 Public Forms can be also be accessed by going to the LSNV main page at www.lsnv.org or by going to a search engine such as Google.com, entering a search term (e.g., garnishment or Public Forms), space and lsnv.



Laurence E. Fann is a part time consumer attorney with Legal Services of Northern Virginia (LSNV), a non-profit public interest law firm that provides free legal assistance to low-income residents of Northern Virginia. He has been with LSNV for ten years, with four of those ten years working on Public Forms. Prior to joining LSNV, Fann worked for twenty-five years as an FBI Agent and three years as an attorney with the U.S. Department of Justice.

**For confidential
toll-free consultation**

available to all Virginia attorneys on questions related to legal malpractice avoidance, claims repair, professional liability insurance issues and law office management, call the VSB's risk manager, McLean lawyer John J. Brandt, at

1-800-215-7854.

**Virginia State Bar
Publications**

The Virginia State Bar publishes pamphlets and handbooks on law-related issues for Virginia's lawyers and Virginia's citizens. Please note that some are available in bulk quantities, and others only in single copies. All publications can be found on the VSB Web site at <http://www.vsb.org/publications>.