

—VSB Attorney Profile—

Anne P. Michie

This is one in a series of Virginia Lawyer magazine profiles of state bar attorneys.



Anne P. Michie joined the Virginia State Bar almost ten years ago. She is an assistant ethics counsel; her job includes offering advice to attorneys who call the Ethics Hotline, teaching continuing legal education courses, and serving as staff liaison to the VSB Standing Committee on Legal Ethics.

She began her childhood in the mountains of North Carolina and moved to Richmond at a young age. She attended the University of Virginia, from which she earned a bachelor's degree in philosophy in 1983 and a law degree in 1986.

Her legal experience includes working as a research attorney for the National Legal Research Group and practicing family and special education law with Wright & Associates in Richmond.

In 1989, she joined the Virginia Department of Education. Her work there included coordinating the special education administrative hearing system, leading a team that drafted state special education regulations, and serving on a multiagency task force that developed state day-care regulations.

As a volunteer, Michie has been board chair for Coordinators/2 Inc., an adoption agency, and president of an elementary school Parent Teacher Association. She currently teaches adult religious education classes at her church.

Your face is familiar to many Virginia lawyers because you do ethics training at continuing legal education courses throughout the Commonwealth. What kinds of questions are lawyers asking these days—what are the hot issues in ethics?

Advancements in technology are provoking new questions for lawyers around the

state. On the ethics hotline, lawyers ask about powerful surveillance tools and software that reads keystrokes. Should attorneys, like private detectives, be able to do anything that is legal? Or should attorneys limit themselves in the use of invasive information-gathering techniques? Only professional consensus can draw the line. Pivotal issues such as this underscore the benefit and responsibility of self-government enjoyed by this profession.

You served on the University of Virginia's Arbitration Board while you were an undergraduate there. Sounds like law has interested you from the beginning.

My father, Joseph M. Parker Jr., is a lawyer. Dinner table discussions throughout my childhood presented lawyers as noble professionals in the Atticus Finch model. I always understood that my father practices law with integrity and that his respect for fellow attorneys is directly proportionate to that quality in them. It was inevitable, as I became a reader and lover of the power of language, that I would contemplate a career in the law. I set on that path in high school and never really considered anything else (once I had abandoned an early childhood dream of being the next Jacques Cousteau).

What is the Arbitration Board, and what did you learn on it that foreshadowed your profession?

The Arbitration Board is an arm of the Judiciary Committee, one of the three branches of student government at U.Va. Board members are all students. The board provides mediation and arbitration services to students in disputes with each other and with local businesses. During my period on the board, we primarily did mediation, often in the areas of landlord/tenant and tenant versus tenant conflicts. (Students in apartments do not

always get along!) The experience was a confidence builder: several of my first mediations involved graduate students fighting over rent and security deposits, and it was satisfying to have older students turn to me for advice and dispute resolution. That satisfaction emboldened me in my first job out of law school, for the National Legal Research Group, where I advised and wrote for more experienced attorneys around the country. I get that same sort of satisfaction with my present job, as I advise Virginia attorneys facing ethical dilemmas. Helping attorneys resolve these thorny situations is my favorite part of the job.

How did serving as a judge on the university's Judiciary Committee prepare you for the complexities of real-life practice?

The cases I heard presented a struggle between the rule of law and concern for the people involved. In many cases, students facing charges are also deserving of compassion. It was usually easy for the panel of judges to decide that an infraction had occurred as a factual matter, quite another to determine what sanction was appropriate. In many instances, despite a clear violation, we judges found it difficult to order severe sanctions in light of the young age of most of the students. I saw a lot of impulsive actions with long-term consequences. This dichotomy between the bright line of rules versus the equities of a person's individual situation is present throughout the law. The attorneys working in the Virginia State Bar disciplinary system are quite familiar with that delicate

balance. I have to resist telling attorneys seeking ethics help what they want to hear to feel better; instead, I must give them advice that is supported by the ethics rules. The callers need to trust that I maintain that objectivity in providing advice.

As a research attorney and private practitioner, you dealt with family and special education law. What drew you to these areas?

My mother, Louise Mitchell, was a teacher, now retired. Like my father, she presented her profession as a calling to service. I always enjoyed assisting her at school and hearing about her involvement with students and her development as first a teacher and then an administrator. As my legal career developed, I was able to tap into that influence by spending a number of years in the area of school law. Each of my parents rightfully saw in my work their influences on me.

Tell us about your family.

My husband John and I will celebrate our twentieth anniversary in a few months. We have the good fortune to have two great kids: Louisa, 11, and Jack, 8. My brother and his family are also here in Richmond. I also have siblings in New Jersey and North Carolina. My father and his wife are in North Carolina. My mother and stepfather are in sunny Florida. I also have in-laws from my husband's very large family. My kids are growing up with a big, warm family.

Other than your parents, who has inspired you?

I had a neighbor who balanced a career as a chemist with a passion for music and art; he played unusual instruments, wove on a loom and created sculptures. His life was full, with work, his art and his family. That fullness appealed to me as a child and I seek it in my own life now. An early mentor was my high school Latin teacher. She was passionate about her subject and her students—Latin was very popular at my school thanks to her efforts. As I develop as a lawyer, inspirational to me are public service attorneys such as Morris Dees,

who created the Southern Poverty Law Center and leads the fight against hate groups at some personal peril. I try to be mindful that it is an honor to be an attorney, despite the occasional glib media characterizations to the contrary.

As you developed regulations for the Virginia Department of Education, where did you find your ethical challenges as an attorney?

The biggest challenge in that sort of work was juggling the competing interests of various stakeholders. For example, in developing special education regulations, I heard from teachers, parents, principals, superintendents and lawyers, to name a few. It became clear that my loyalty had to be to the process rather than any particular issues. Precision and clarity of language was critical to reduce unnecessary disputes down the road. Through numerous team meetings and public hearings, I learned to listen to all, but to bring my own policy, legal and writing experience to pull those diverse views together for a valuable product—the regulations.

When you look back at these projects, what do you feel was your major contribution?

With the special education regulations, I especially enjoyed bringing order out of chaos. Literally thousands of letters of public comment were received in addition to the many speakers at public hearings a round the state. Categorizing that voluminous comment into a workable structure was challenging but rewarding. While working with the day-care regulations, I particularly remember the opportunity for diplomacy. I worked with representatives from other state agencies and enjoyed the combination of presenting my agency's perspective, learning from those of others, and working toward a common goal.

How do your professional, family and community lives mesh?

Of course, like everyone else, I would love to have the secret to perfect balance of work and family. It is always a juggling act. What makes it possible in my case is

the supportive work environment at the VSB. Among the staff attorneys, you'll find soccer coaches, choir members, blues band performers, athletes, scout leaders, PTA and local bar association officers, and volunteers for a variety of other organizations. The work ethic at the bar includes recognition of the benefits from life outside work. I like to think that my volunteer work enriches my professional work by expanding my leadership experience. The reverse is true as well: the image of the legal profession and the bar is enhanced by attorneys serving on the many civic boards and committees around the state. Attorneys play a vital role in the nonprofit community.

What do you like about your job?

I love this job. Working on the ethics staff provides a combination of three important items: service, variety and intellectual stimulation. Talking with so many lawyers a year, both on the Ethics Hotline and in person at CLE programs, is very satisfying. Attorneys often face perplexing, important dilemmas and seem to appreciate the opportunity for consultation. In addition to the ethics calls, I help the Standing Committee on Legal Ethics with research and draft writing to develop Legal Ethics Opinions. The committee volunteers bring intellectual rigor to the discussions—there is never a dull moment in those meetings! The VSB ethics unit is full of interruptions, and interruptions of those interruptions. The fast pace is energizing.

What have you read recently that you'd recommend?

Two very different books especially impressed me this year. One is a classic, one a new first novel. *Go Tell It on the Mountain* by James Baldwin is a seminal piece of literature from the civil rights era. I knew that, but did not realize how masterfully it was written. The inner thoughts of the characters are the primary content and are expressed with long, poetic, passionate phrases suggestive of evangelistic sermons. My favorite books are always those with masterful use of language, so I also recommend the recent *Everything Is Illuminated* by Jonathan Safran Foer. He

is very young, yet writes with poetic control, telling through numerous voices and documents his story of a young man searching for the person who saved his grandfather during the Holocaust. He uses the poor English of a translator in the story to reveal multiple meanings in any one phrase. These are authors who love working with language.

What does your monthly dinner group do?

A group of very busy acquaintances made a commitment to each other several years ago to take the time to develop real friendships. Ever since, we have met once a month for dinner—long dinners with hours of conversation. We make priority on

our calendars just like for business trips and our kids' orthodontist visits. Americans tend to feel almost guilty about making time for friendships rather than something more "productive." Nonetheless, those of us in this group stake out our evenings as high priority on our "to do" lists and do it unapologetically.
