

## Virginians Honored by ABA for Advocacy for Children

Two Virginia lawyers have received American Bar Association awards for their legal work on behalf of children

Robert E. Shepherd Jr., professor emeritus at the University of Richmond's T.C. Williams School of Law, received the 2005 Livingston Hall Juvenile Justice Award "for positive and significant contributions to juvenile justice and the children it serves."

Andrew K. Block Jr. received the Child Advocacy Award from the ABA Young Lawyers Division for his work with JustChildren, a program of the Legal Aid Justice Center in Charlottesville.

Both awards were presented in August during the ABA's annual meeting in Chicago.

Shepherd is well-known to the ABA, having served as chair of its ABA Juvenile Justice Committee and editor of the twenty-four volume *Juvenile Justice Standards*, published by the ABA and Institute of Judicial Administration.

In a forty-year career as a leading advocate for youth, Shepherd worked with the Virginia General Assembly to draft the commonwealth's first child-abuse and special-education laws. He chaired a Virginia Bar Association commission that produced guardian *ad litem* standards now used by Virginia courts. He was vice-chair of a commission that revised Virginia's juvenile code in the 1970s, and he was editor and a principal author of the leading manual on Virginia juvenile law and practice.

Shepherd, who received his undergraduate and law degrees from Washington and Lee University, began teaching law at UR in 1978.

Dean Rodney A. Smolla of the UR Law School said, "Professor Bob Shepherd has

for many years been one of the nation's towering figures in the field of juvenile justice. He has been a passionate advocate for the rights of juveniles in our courts, legislative halls and arenas of public opinion.

"As a teacher, lawyer and scholar, Professor Shepherd has had a profound influence on the evolution of our law and social policies regarding juvenile justice. He is a beloved and respected figure in Virginia and throughout the nation."

The Livingston Hall Juvenile Justice Award, established in 1985, is named for a professor emeritus at Harvard Law School who was instrumental in getting ABA approval of the *Juvenile Justice Standards*.

Also presented with a Livingston Hall Award this year was Steve Drizin, legal director of the Center on Wrongful Convictions at the Northwestern University School of Law in Illinois.

Block, 40, arrived in Virginia in 1997 with a bachelor's degree from Yale University, a law degree from Northwestern and three years' experience with Washington state's Seattle-King County Public Defender Association, where part of his work was with juvenile offenders.

Part of the Seattle program was "Team Child," which adopts a holistic approach to juvenile justice. Block brought that approach to Virginia. JustChildren tries "to take a micro and macro approach to children's advocacy," he said.

He started JustChildren from the budget of the Charlottesville-based Legal Aid Justice Center and soon won a fellowship and significant grant from the Open Society Institute of the Soros Foundation Network, and funding from the Jesse Ball duPont Fund.



Andy Block (left) and Professor Bob Shepherd were recognized for their work on behalf of children in Virginia.

The program since has expanded to offices in Richmond and Petersburg, as well as Charlottesville. Five lawyers are on staff, supplemented by up to twenty University of Virginia law students who volunteer for a Law Child Advocacy Clinic established by Block. Attorneys from law firms such as Williams Mullen and Pillsbury Winthrop Shaw Pittman also serve the program pro bono. JustChildren also employs a community education coordinator. Its budget is more than four hundred thousand dollars.

JustChildren lawyers tackle children's advocacy issues on many fronts. Its lawyers help individual clients obtain needed services, and they work on policy reform. Clients include children with disabilities and mental health needs, older children in foster care and children in the juvenile justice system.

JustChildren also trains nonlegal professionals, volunteers from Freddie Mac and parents to be more effective advocates for children and their communities.

The program now receives support from numerous sources, including the Freddie Mac Foundation, the Victims of Crime Act, Legal Services Corporation of Virginia, and the U.Va. Law School.

In nominating Block for the ABA award, UR Law School Professor Adrienne F. Volenik wrote, "In a very short time,

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## Attorneys Commended for Pro Bono Work by Circuits in Pilot Award Project

Three Virginia attorneys are the first recipients of an award that recognizes extraordinary contributions to courts in individual circuits.

They are Michelle J.L. Atkins of Norfolk, Melanie L. Jorgensen of Jonesville and John Randolph “Randy” Nelson of Lynchburg. They were singled out by their local legal communities for the work they provide pro bono or for minimally compensated court-appointed cases.

The awards were suggested by retired Judge Dale H. Harris of Lynchburg as a way of recognizing attorneys who carry out their ethical responsibility to represent the poor. The Virginia State Bar Council and Virginia Chief Justice Leroy R. Hassell Sr. supported the idea, and the VSB Access to Legal Services Committee launched the award as a pilot project in three circuits.

Each winner received a “Certificate of Appreciation for Extraordinary Public Service to the Supreme Court of Virginia,” signed by the Chief Justice and Virginia State Bar President Phillip V. Anderson. The awards were presented in each winner’s home circuit.

Atkins, who practices with Abrams, Fasano & Sceviour PLLC, was recognized for her work as a guardian *ad litem* (GAL) and criminal defense attorney who represents court-appointed clients in her private practice.

Donna Bausch, executive director of the Norfolk & Portsmouth Bar Association, said in nominating Atkins for the Fourth Circuit award: “I have heard it said of Michelle that it is impossible to determine from her performance in the courtroom and on client matters whether she has been retained as counsel or court-appointed, which . . . is the standard to which all court-appointed counsel should aspire.”

Atkins was admitted to the Virginia State Bar in 1992. She has a bachelor’s degree from Loyola University and a law degree from Howard University.



Atkins



Jorgensen



Nelson

Jorgensen, who has retired from practice, was nominated for the award in the Thirtieth Circuit, which comprises Lee, Scott and Wise counties and the city of Norton. She was recognized for her twenty-two years of practice, which included work as a GAL, a legal aid attorney with Client Centered Legal Services and a private practitioner who represented poor people for lower fees in divorce cases. She also was a juvenile and domestic relations judge.

“Melanie quietly displays compassion for the downtrodden,” wrote Chief Circuit Judge Birg E. Sergent, one of seven sitting and retired judges who endorsed the nomination. “Her expertise in the domestic relations area is legendary in southwest Virginia. When Melanie Jorgensen is looking out for the interests of a child, the judges feel they are getting the very best advice . . . . Melanie keeps a list of ‘her children’ for whom she is GAL during the year, and at Christmas she gets each one a present.”

Jorgensen was a public schoolteacher before she became a lawyer. She received a bachelor’s degree from the University of Notre Dame in 1978 and a law degree from George Mason University in 1982.

She is a former adjunct faculty member at Mountain Empire Community College. She established the nonprofit Lee Child Care Center Inc. in 1990 and served as its board chair.

Nelson has been in private practice in Lynchburg since 1976. He was nominated by several members of the legal community in the Twenty-Fourth Circuit for a career that has included pro bono representation of the poor, service to the legal profession and civic leadership.

“If one were to set a very, very short list of attorneys in the Lynchburg area who are as selfless as they are unassailable in their profession, John Randolph Nelson would be at the top of [all]most anyone’s list,” wrote Lynchburg Delegate L. Preston Bryant Jr.

Nelson graduated from Randolph-Macon College in 1973 with a bachelor’s degree in political science, and received a law degree from the University of Richmond in 1976. He practices with Nelson & Bice PC.

He has served two terms as president of the Lynchburg Bar Association, which, along with the Virginia Legal Aid Society, presented him with a pro bono award last year. He served on the board of Camp Kum Ba Yah, and helped develop youth soccer in Lynchburg.

*The access committee will discuss the future of the circuit-based Extraordinary Public Service awards at its October meeting.*

**Child Advocacy** *continued from page 18*

Andy has had a major impact on the quality of legal services provided to Virginia's children."

Block credits Shepherd with helping give him the entrée he needed to get JustChildren up and running. "He was very helpful when I first got here," he said. Shepherd "made introductions, offered his guidance, and we have continued to work together."

"The nice thing about the kind of work we do is, I think, it strikes a chord with a lot of people," Block said. People agree that

"every child, regardless of what community they're born into, deserves an opportunity."

The ABA awarded a second Child Advocacy Award to Erik Pitchal of New York-based Children's Rights, which litigates nationally on behalf of abused and neglected children.

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## Mentorship Program Developed for Indigent Defense Counsel

Lawyers who want to develop skills required to defend court-appointed clients in criminal cases now have a chance to work alongside an experienced defense lawyer, through a mentorship program sponsored by the Virginia Association of Criminal Defense Lawyers (VACDL).

The Mentorship for Indigent Defense Counsel program matches mentees—lawyers admitted to the Virginia bar within the past three years or with a limited amount of criminal practice experience—with volunteers who have been engaged in the continuous practice of defense for at least five years.

Mentees must be willing to serve as court-appointed criminal defense attorneys in Virginia, and they must have legal malpractice insurance.

The mentors will work with the less experienced participants over a two-year period. The program is free, and a lawyer does not have to belong to the VACDL to participate. Almost forty lawyers, who represent most areas of the state, have signed on as mentors.

Their role is to meet periodically to discuss how best to practice criminal defense law, and to brief the less experienced lawyers on local court procedures.

Participants in the program also will:

- Have access to an electronic discussion group on criminal law issues.
- Be able to submit questions to a help desk staffed by volunteers from the VACDL.
- Receive assistance in complying with Virginia's new Indigent Defense Certification Requirements.

The program begins at a time when a broad spectrum of the legal community is trying to improve the quality of indigent criminal defense in Virginia.

The VADCL estimates that the program will cost ten thousand to thirteen thousand dollars to administer for a year, said James M. Hingeley, chair of the committee that organized the program. The program is partially supported by the Virginia Law

Foundation. It is directed by Richard Diamond at the VACDL office in Charlottesville.

Hingeley has written to judges and bar association presidents throughout the state to encourage them to refer attorneys to the program.

"The mentorship program offers a good opportunity for inexperienced lawyers to fulfill the cocounsel experience requirement in felony and juvenile delinquency cases," he wrote. "Instead of a more random cocounsel assignment, judges could assign the mentor and mentee as cocounsel in these cases. The established mentorship relationship would assure that cocounsel could function as an effective team and that the mentee would be properly supervised."

More information on the program can be obtained at [www.midc-va.org](http://www.midc-va.org), by e-mailing [director@midc-va.org](mailto:director@midc-va.org) or by calling 800-876-9215 (or, in Charlottesville, 434-977-5261).

# Chat at Annual Meeting Expo Yields Big Gift to Potomac Legal Aid

by Dawn Chase

Nicole “Nikki” Francis was casting for pro bono volunteers at the Virginia State Bar Annual Meeting this summer, when she hooked a different kind of trophy than she expected.

The thirty-three-year-old paralegal for Potomac Legal Aid Society Inc. had gone to the VSB Expo at Virginia Beach to volunteer at the Access to Legal Services booth. Across the aisle was Lou Kelaher, a sales representative for Thomson West publishing company.

“He saw me just doing my little dance for each of the lawyers who came by, trying to secure attorneys to do pro bono work,” Francis said. The two got to talking about the work, which they agreed is “sometimes thankless, but most of the time very fulfilling.”

As they chatted, Francis noted the elegant legal volumes in Kelaher’s display. Her office in Arlington had some resources, but they weren’t up-to-date, and the collection wasn’t as comprehensive as Kelaher’s.

Francis asked him, “What do you do with this when you leave? Do you pack it up and ship it back? I’m like, ‘Man, that must be expensive.’”

Wasn’t that a bit, well, conniving?

“I was marketing,” Francis said, with a smile that communicated over the telephone. “I was recruiting pro bono attorneys’ help and any in-kind donations we could get.”

Turns out Francis has a degree in telecommunications management and marketing from Howard University. But after launching into an advertising career she discovered she didn’t feel comfortable in the role.

“I almost felt like I was exploiting people,” she said. “Where I’m most useful is in the helping field. I like to empower those who don’t otherwise have a voice.”

Kelaher didn’t hold out for long. He told Francis, “How about when we leave you take this stuff with you?”

That is how Potomac Legal Aid came into possession of the most recent editions of:

- The *Virginia Code*.
- State and federal Virginia Court Rules and Procedures.
- Pattern Discovery Tort Actions, Motor Vehicles and Deposition Checklists.
- 2005 Virginia Practice for Real Estate, Products Liability and Family Law.
- The American Trial Lawyers Association’s depositions and trial notebooks.
- Computer disks for several of the publications.

Most of those resources ended up at Potomac Legal Aid’s Arlington office. But a couple of volumes went home with Nancy J. Glickman of Blue Ridge Legal Services in Harrisonburg, who packed up the books and made arrangements to get them to Potomac. Glickman gave one of the her books to another program.

“Lou’s donation served three programs, not just one,” Francis said.

The package probably retails for three to four thousand dollars, Kelaher said.

“These are things these folks can use every day. I know they struggle,” he said.



Kelaher used to practice in South Carolina, where he represented—for free—all the lay guardians *ad litem* in his county. “I did a lot of pro bono work,” he said. “It’s just a lot of folks that need a lot of help.”

Kelaher said he plans to bring even more to next year’s Expo, with the intent to give it away, with his company’s blessing.

So former adwoman Nikki Francis scored big for her program by wielding her marketing skills and wearing her public service heart on her sleeve.

Postscript:

Francis is in law school—the evening program at George Mason University.

She’s willing to put up with what she calls “all the boring theoretical stuff” in school as long as she can apply her training by day at Potomac Legal Aid and get that “esquire” behind her name.

Why? “Lawyers are the profession almost fully enfranchised in this country, because they understand the system,” she said.



# CALL FOR NOMINATIONS



## 2006 Oliver White Hill Law Student Pro Bono Award

The Oliver White Hill Law Student Pro Bono Award was inaugurated by the Virginia State Bar in February 2002. Established to honor extraordinary law student achievement in the areas of pro bono publico and under-compensated public service work in Virginia, the Hill Law Student Award is administered by the bar's Special Committee on Access to Legal Services.

Presentation of the award is reserved for extraordinary achievements of outstanding students. The Access Committee will annually review nominations to determine if there should be a designee. The committee presented the initial law student award at the 2002 Pro Bono Conference during the Lewis F. Powell, Jr., Pro Bono Award Ceremony.

**The deadline for receipt of nominations by the bar is 5:00 P.M., Friday, January 13, 2006.** The Access Committee invites submissions from law school deans, law school professors and others, including non-bar members and organizations, who are sufficiently familiar with candidates whose work meets or exceeds the criteria found at [www.vsb.org/awards.html](http://www.vsb.org/awards.html).

There is no nomination form to complete. Please forward narratives and references, identifying the candidate and the candidate's law school, and explain how the nominee meets award criteria. **All entries, including endorsements and other supporting material, are due by 5 P.M., Friday, January 13, 2006,** to Maureen Petrini, Director of VSB Access to Legal Services. Electronic submissions may be e-mailed to [petrini@vsb.org](mailto:petrini@vsb.org) or faxed to Mrs. Petrini at (804) 775-0582. Mailed submissions must be received by the deadline at the bar's main address, 707 East Main Street, Suite 1500, Richmond, Virginia 23219-2800. Please inquire by telephone, (804) 775-0522, if you have not received acknowledgment of receipt of a nomination within five days.

## CALL FOR NOMINATIONS

### 2006 LEWIS F. POWELL, JR., PRO BONO AWARD

The Lewis F. Powell, Jr., Pro Bono Award was established by the Special Committee on Access to Legal Services of the Virginia State Bar to honor those attorneys and attorney groups that have made outstanding pro bono contributions. The Access Committee annually reviews all nominations and decides upon the recipient. **All entries, including endorsements and other supporting material, are due by 5 P.M., Friday, January 13, 2006.** The award, a framed, limited edition print of the painting "Patrick Henry Arguing the Parson's Cause," will be presented at a ceremony in the Spring of 2006.

#### CRITERIA

The recipient of the award must meet one or more of the following criteria:

- ◆ Demonstrated dedication to the development and delivery of pro bono legal services in the Commonwealth of Virginia;
- ◆ Contributed significantly toward the development of innovative approaches to the delivery of volunteer legal services;
- ◆ Participated in an activity that resulted in satisfying previously unmet needs for legal services or in extending services to underserved segments of the population;
- ◆ Successfully handled pro bono cases that favorably affected the provision of other services to the poor in Virginia;
- ◆ Successfully supported legislation that contributed substantially to providing legal services to the poor; or
- ◆ Devoted significant time to furthering the delivery of legal services to the poor in Virginia by handling pro bono matters or providing training or recruiting volunteer attorneys for pro bono programs.

**The nominee must be a member of the Virginia State Bar or an organization or group comprised of such persons.** Persons whose livelihood is derived from delivering legal services to the poor are not eligible. Please submit your nomination, describing how the nominee meets the above criteria, in writing to the Virginia State Bar Access to Legal Services Committee, c/o Maureen Petrini, 707 East Main Street, Suite 1500, Richmond, Virginia 23219 by **Friday, January 13, 2006.** (There is no official entry form to complete.) Please be sure to include your name, the name and address of the nominee and phone numbers with your nomination. For more information, please contact **Maureen Petrini, Access to Legal Services Director, (804) 775-0522.** For past recipients see [www.vsb.org/awards.html](http://www.vsb.org/awards.html).