

Virginia State Bar 85th Annual Report

Annual Report
for the period
July 1, 2022 –
June 30, 2023



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ADMINISTRATIVE / GOVERNING REPORTS

Report of the Executive Director/Chief Operating Officer

Cameron M. Rountree

Membership

As of mid-July 2023, the Virginia State Bar's (VSB's) active membership stood at 33,464. Associate membership added 13,153 additional lawyers, and there were 982 judges. These figures represented new baseline numbers of lawyers in the VSB.

Officers for 2022-2023

President: Stephanie E. Grana
President-elect: Chidi I. James
Immediate Past President: Jay B. Myerson
Executive Director/COO: Cameron M. Rountree

Officers for 2023-2024

Chidi I. James became the president of the Virginia State Bar on July 1, 2023. He is a trial lawyer with the law firm of Blankingship and Keith in Fairfax. He is a past president of the Northern Virginia Black Attorneys Association, a former Vice-Chair of the VSB's Standing Committee on Lawyer Discipline, a former member of the VSB's Fifth District Disciplinary Committee, a former faculty member of the VSB Harry L. Carrico Professionalism Course, and a Board member of the Virginia Trial Lawyers Association. A more complete bio may be found on [the firm's website](#). He is the first African American man, and first post-9/11 era military veteran, to be president of the VSB.

Michael M. York of the law firm Wehner & York in Reston was unopposed in filing a nominating petition with the VSB executive director on or before March 15, 2023. Therefore, in accordance with the Bylaws of the VSB, Part I, Article III, Sec. 3, he was elected at the June 2023 Annual Meeting as the next president-elect of the VSB (2023-2024). Before practicing law, Mike was a Pulitzer Prize winning journalist.

Stephanie E. Grana became the immediate past president of the VSB on July 1, 2023. Stephanie is a trial lawyer with the law firm of Cantor Grana Buckner Bucci in Richmond. She is past president of the Virginia Trial Lawyers Association, the Lewis F. Powell, Jr. American Inn of Court, and the Metro Richmond Women's Bar Association. She also serves on the Boyd Graves Conference and on other boards. A more complete bio may be found on [the firm's website](#).

Executive Committee members 2022-2023:

At-large members:

Eugene N. Butler
D. J. Hansen
Bruce H. Russell
Patricia E. Smith
Susan B. Tarley
Lisa A. Wilson

Ex officio members:

Luis A. Perez-Pietri—Conference of Local and Specialty Bar Associations Chair
Alicia R. Johnson—Diversity Conference Chair
Gary C. Hancock—Senior Lawyers Conference Chair
Craig E. Ellis—Young Lawyers Conference President

New and re-elected Council members (terms run from July 1, 2023, to June 30, 2026):

1st Damian J. (“D. J.”) Hansen
2nd Jeremiah A. (“Jake”) Denton IV
2nd Bretta M. Z. Lewis
4th Caswell W. Richardson
7th Patrick C. Murphrey
9th Susan B. Tarley
10th Edgar M. (“E. M.”) Wright, Jr.
11th Dale W. Pittman
13th Jonathan M. Petty
14th William J. (“Will”) Egen
14th Joel R. McClellan
15th Allen F. Bareford
18th Sebastian M. Norton
19th Susan M. Butler
19th Chidinma U. Harley
19th Paul H. Melnick
19th Luis A. Perez
19th Gina L. Schaecher
19th Gobind S. Sethi
20th Marie E. Washington
24th Hope R. Townes
25th David B. (“Brian”) Richardson

Resigning and term-limited Council members:

2nd Ryan Ferguson
4th Neil Lowenstein
7th Benjamin Mason
11th Shaun Huband
13th Neil Talegaonkar
14th Craig Davis
18th Stacey Rose Harris
19th Jay Myerson
19th Brian Drummond
19th Sandra Havrilak
19th Susan Pesner
20th Susan Pierce
24th Eugene Butler
25th Bill Wilson

Supreme Court of Virginia Developments

The Hon. Wesley G. Russell, Jr., of the Virginia Court of Appeals, was elected by the General Assembly to serve as a justice of the Supreme Court of Virginia and began his 12-year term on July 1, 2022. Justice Russell was a deputy attorney general for the Commonwealth and a partner at the law firm of McSweeney, Crump, Childress & Temple PC before joining the Virginia Court of Appeals in 2015. He attended the University of Virginia before receiving his law degree from George Mason University School of Law. He previously served on the Board of Governors of the VSB’s Section on the Education of Lawyers

The Hon. Thomas P. Mann, of the Fairfax Circuit Court, was elected by the General Assembly to serve as a justice of the Supreme Court of Virginia and began his 12-year term on August 1, 2022. Justice Mann joined the Fairfax Court in 2016 after first serving as a judge for the 19th Judicial District’s Juvenile and Domestic Relations District Court. He graduated from New York University and received his law degree from American University College of Law. He previously served on the faculty of the VSB’s Professionalism Course.

General Assembly Developments

Virginia Senator Scott A. Surovell advanced a bill ([SB 1494](#)) in February 2023 that would have altered the process for a revoked lawyer to petition for license reinstatement. The existing process outlined in [Part 6, Section IV, Paragraph 13-25.E](#), provided that a revoked lawyer (Petitioner) must have filed a petition with the Clerk of the Disciplinary System who then would set the matter to be heard by the Disciplinary Board for a recommendation to the Supreme Court for ultimate disposition. The bill would have provided a Petitioner with an opportunity to present the case for reinstatement to a three-judge circuit court in lieu of the Disciplinary Board. Further, if the Petitioner's license was not reinstated, he/she could appeal the three-judge decision to the Court of Appeals of Virginia and, if still unsatisfied, to the Supreme Court. The bill, as amended, can be found [on the Court's website](#). Further, the bill would have also introduced a right of appeal to the Court of Appeals of Virginia in all lawyer discipline cases. The VSB did not seek to take an official position on the bill, and it passed the Senate by a vote 25-14-1. (YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Petersen, Rouse, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell--25. NAYS--Chase, Cosgrove, DeSteph, Dunnivant, Hackworth, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Suetterlein, Vogel--14. ABSTAIN--Morrisey--1.) Ultimately, however, on the last day of the General Assembly session, the bill failed to advance and was [left in the House Courts of Justice Committee](#).

VSB Staff Developments

Software: The VSB underwent three significant software upgrades this year. The first to go-live was the Cardinal Human Capital Management project, a time/attendance and payroll software upgrade implemented by the Commonwealth. This was largely transparent to the membership, but a significant change for staff.

More directly relevant for VSB members were the software implementations for our membership database and our case management system. At the beginning of 2020, the VSB began reviewing proposals to replace the VSB website—which dated to 2006. One vendor, Advanced Solutions International (ASI), provided a proposal that also included an option for a membership database upgrade through its software called “iMIS”. Since approximately 2004, the VSB has used a custom-built, on premises, SQL server database called “IBIS” to store data on all 50,000+ VSB members. IBIS had outlived its useful service life and needed to be replaced. At the end of 2020, the VSB engaged ASI to conduct a business process/requirements review to identify a future database solution and decided to replace IBIS with ASI's iMIS Cloud Enterprise (that is correct, IBIS was replaced with iMIS). There were significant delays and setbacks with the iMIS implementation that postponed its go-live date from early-spring 2022 to 2023. Part of the iMIS upgrade incorporated a new website for the VSB with increased integration with the membership database.

Finally, as of early 2022, the VSB engaged software company Litify to upgrade the disciplinary system case management system that is currently processed by IBIS. The implementation for Litify's software remained substantially on schedule and we anticipated a go-live date for Litify at the end of July 2023.

Staffing: The VSB experienced significant staff turnover in 2022 at least partly due to record low unemployment and evolving preferences for telework in the aftermath of the COVID-19 pandemic. Further, there were notable changes in leadership and retirements of senior and long tenured employees. By appointment of the Supreme Court of Virginia, Cameron Rountree assumed the permanent role as executive director/chief operating officer on September 8, 2023, after Karen A. Gould, who had served as executive director/chief operating officer since January 1, 2008, retired. Similarly, Emily Hedrick was promoted to the position of Ethics Counsel after Jim McCauley, VSB Ethics Counsel for decades, and a VSB staff member for over 30 years, retired in October 2022. Likewise, Susan Johnson, a VSB Senior Accountant, retired after 40 years of service in February 2023. At the end of January 2023, new Deputy Executive Director, Janet Van Cuyk, joined the VSB from the Virginia Judges and Lawyers Assistance Program where she served as assistant director.

Even as staff turnover stabilized, and nearly all vacancies were filled by December 2022, the tumult began anew in January 2023. Nevertheless, other key vacancies were filled including, our Director of Information Technology (Nick Kuriger), Assistant Bar Counsel (Tenley Seli, Rich Johnson, and Joe Caturano), Financial

Analyst (Kat Price-Scott), three new Regulatory Compliance Analysts (Ganna Aboutabl, Michaela Smith, and Kate Weaver), Information Technology Specialists (Aidan Stengel, Tiondra Thomas, and Nicholas Benke), and Human Resources Generalist (Deanna Marchand). A complete list of salaried employee changes and a revised organizational chart follows:

Salaried Employment Changes in FY2023:

Kortney Jordan (legal assistant) hired 07/10/2022.
Joyce Johnson (legal assistant) retired 07/31/2022.
Brenda Holmes (procurement officer/HR specialist) separated 07/24/2022.
CherLisa Levister hired to replace Brenda 09/10/2022.
Brent Saunders (assistant bar counsel) separated 08/16/2022.
Tenley Carroll Seli hired to replace Brent 10/25/2022.
Cheryl Kast (investigator) separated 08/18/2022.
Jennifer Collins hired to replace Cheryl 10/10/2022.
Saunders Johnson (regulatory compliance specialist) separated 09/06/2022.
Katherine “Kat” Price-Scott hired to replace Saunders 11/25/2022.
Laurel Wilkerson (intake analyst) hired 09/10/2022.
Selina Deale (director of information technology) separated 09/09/2022.
Nicholas “Nick” Kuriger hired to replace Selina 12/19/2022.
Alastair Blanks (senior systems engineer) separated 09/10/2022.
Charles Troy promoted to replace Alastair 11/10/2022.
Karen Gould (executive director) retired 09/30/2022.
Cameron Rountree promoted to replace Karen 09/08/2022.
Janet Van Cuyk hired to replace Cameron 1/30/2023.
CherLisa Levister (HR generalist) separated 10/04/2022.
Deanna Marchand hired to replace CherLisa 11/10/2022.
Aidan Stengel (information technology analyst) rehired 10/17/2022.
James “Jim” McCauley (ethics counsel) retired 10/31/2022.
Emily Hedrick promoted to replace Jim 11/01/2022.
Krista Mathis Samuels hired to replace Emily 10/10/2022.
David “Dave” Jackson (investigator) retired 11/24/2022.
Amanda Miller hired to replace Dave 08/25/2022.
Stephany Tropiano (regulatory compliance analyst) separated 12/16/2022.
Ganna Aboutabl hired to replace Stephany 12/25/2022.
Leon Soria (assistant clerk) separated 01/09/2023.
Jacquelynn “Jackie” Pierce hired to replace Leon 04/10/2023.
Kathryn “Kate” Weaver (regulatory compliance analyst) hired 01/10/2023.
Mikaela Smith (regulatory compliance analyst) hired 01/10/2023.
Patricia “Trish” O’Boyle (assistant bar counsel) retired 01/17/2023.
Richard “Rich” Johnson hired to replace Trish 02/25/2023.
Anand Singh (legal assistant) separated 01/20/2023.
Catherine May hired to replace Anand 02/21/2023.
James “Jamie” Mathes (senior software developer/ISO) separated 01/27/2023.
Tiondra Thomas (information technology analyst – security) hired 1/30/2023.
Nicholas Benke (information technology analyst) hired 01/30/2023.
Kimberley Overman (receptionist) hired 02/01/2023.
Darren Harris (senior software engineer/assistant director of IT) separated 02/03/2023.
Laura Booberg (assistant bar counsel) separated 02/09/2023.
Joseph “Joe” Caturano hired to replace Laura 03/10/2023.
Susan Johnson (accountant) retired 04/30/2023.
Catherine Huband promoted to replace Susan 02/10/2023.
Kat Price-Scott promoted to replace Catherine 02/10/2023.

Ashley Washington hired to replace Kat 04/01/2023.
Mark McHugh (investigator) separated 05/10/2023.
William “Bill” Sterling (investigator) retired 05/31/2023.
Robert Graves hired to replace Bill 02/25/2023.
David “Dave” Fennessey (investigator) retired 05/31/2023.
Matthew “Matt” Foley hired to replace Dave 04/12/2023.

Positions filled as of June 30, 2023: 90

Budgeted FTE for FY23:93
Budgeted FTE for FY24:96.5

Office: The VSB’s lease at the Bank of America (BOA) building (1111 E. Main Street) in Richmond was set to expire in September 2024. Staff postponed beginning office renewal or relocation discussions until a permanent ED was appointed. This occurred in September 2022, and since then the consensus desire of senior VSB staff was to remain in proximity to the Supreme Court and Capitol. Relatedly, as a matter of public record, it is anticipated that the Supreme Court will begin construction on a new facility on Main Street that will serve both the Supreme Court and the Court of Appeals. As reported in [Axios Richmond](#) in January 2023, “the [new Court] structure would replace the Pocahontas Building, demolishing and rebuilding the more modern east wing while renovating and incorporating the west wing.” Demolition is anticipated for the spring of 2024 with the building opening in 2028. If the VSB extends the BOA lease through 2031, we would receive tenant improvement allowances to convert underutilized space into a hearing/multi-purpose room as well as add four new offices by converting storage space and adding modest additional rentable square footage.

Rule Changes and LEOs

Despite being a year of significant transition, there were several Rule changes and LEOs presented.

Part Six, Section IV, Paragraph 20: On March 16, 2022, the Supreme Court of Virginia amended the rule concerning the maintenance of trust accounts. Effective July 1, 2022, attorneys in private practice are required to maintain client funds in identifiable interest-bearing trust (IOLTA) accounts. The interest on these accounts will be paid to Legal Services Corporation of Virginia to “...be used for funding 1) civil legal services to the poor in Virginia, 2) LSCV’s administrative expenses, and 3) the creation and augmentation of a reserve fund for the same purposes.” Effective July 1, 2023, enforcement of the amendments to Paragraph 20 began.

Part 1A, Rule 1A:9: On January 6, 2023, the Supreme Court amended Part 1A, regarding Virginia Legal Aid Counsel, the Rule that allows non-Virginia lawyers to apply for a certificate as a Virginia Legal Aid Counsel to practice in Virginia when employed by a Virginia Licensed Legal Aid Society.

Part 6, Sec. IV, Paragraph 3: On January 18, 2023, the Supreme Court of Virginia adopted amendments to Part Six, Section IV, Paragraph 3(c) regarding Judicial class members, effective March 18, 2023. The rule addressed concerns that the existing rule was both underinclusive — by excluding certain judges, and overinclusive — by including occupations that do not require a law license.

Part 6, Sec. IV, Paragraph 13-25: On March 1, 2023, the Supreme Court of Virginia adopted amendments to Part Six, Section IV, Paragraph 13-25(C) regarding Board Proceedings for Reinstatement, effective April 30, 2023. The change permits lawyers who have resigned their licenses to be readmitted by either passing the Bar examination or meeting all eligibility requirements for admission without examination under Rule 1A:1.

Part 6, Sec. IV, Paragraph 13: On May 9, 2023, the Supreme Court of Virginia amended Paragraph 13, regarding the clarification of the term “shall,” effective immediately. In an August 16, 2018, Memorandum to the Boyd-Graves Conference, the Committee on Using “Shall” in Legislative Drafting concluded that “shall is susceptible to significant ambiguity and the better practice in legislative drafting would be to eliminate shall

altogether and to use the more precise term intended – such as must, may, will, should, is, or is entitled to.” In November 2020, the Supreme Court of Virginia amended the Rules of Supreme Court of Virginia, Parts 1-5A and 7-11, to clarify the meaning of “shall.”

LEO 1898: On September 19, 2022, the Supreme Court of Virginia adopted Legal Ethics Opinion 1898, regarding the use of Cryptocurrency, effective immediately. The opinion concluded that a lawyer may accept client property including cryptocurrency offered as an advance payment for the lawyer’s services, provided the lawyer’s fee is reasonable under Rule 1.5, and this business transaction with the client meets the requirements of Rule 1.8(a), namely, that the transaction is fair and reasonable to the client, the transaction and terms are fully disclosed in writing in a manner the client understands, the client is advised of the opportunity to consult with independent counsel, and the client’s consent is confirmed in writing. When cryptocurrency is being held by the lawyer as an advance fee, the requirements of Rule 1.15 regarding safekeeping client property apply and require that the lawyer take reasonable steps to secure the client’s property against loss, theft, damage, or destruction.

LEO 1897: On September 19, 2022, the Supreme Court of Virginia adopted Legal Ethics Opinion 1897, regarding replying all to an email when the opposing party is copied, effective immediately. The opinion addressed whether a lawyer who receives an email from opposing counsel, with the opposing party copied in the “to” or “cc” field, violates Rule 4.2 when “replying all” to the email. The committee concluded that this conduct does not violate Rule 4.2 because the sending lawyer has given implied consent to the communication with her client by including the client on the email. A lawyer who does not wish to give such consent should separately communicate with the client, such as by forwarding the email to the client.

LEO 1899: On January 6, 2023, the Supreme Court of Virginia adopted Legal Ethics Opinion 1899, Use of Conversion Clause in Flat Fee Agreements, effective immediately. The opinion generally addressed the use of a conversion clause that specifies what fee is earned when a lawyer represents a client on a flat (or fixed) fee arrangement and the representation is prematurely terminated by the client without cause. In the opinion, the Committee concluded that a lawyer’s fee agreement with a client may include a “conversion clause” if the client terminates the representation prematurely and without cause. However, a conversion provision must be reasonable and adequately explained to the client. The opinion identified the ways in which a conversion clause can be beneficial to both the client and the lawyer by providing certainty about the client’s obligations and the fee earned by the lawyer.

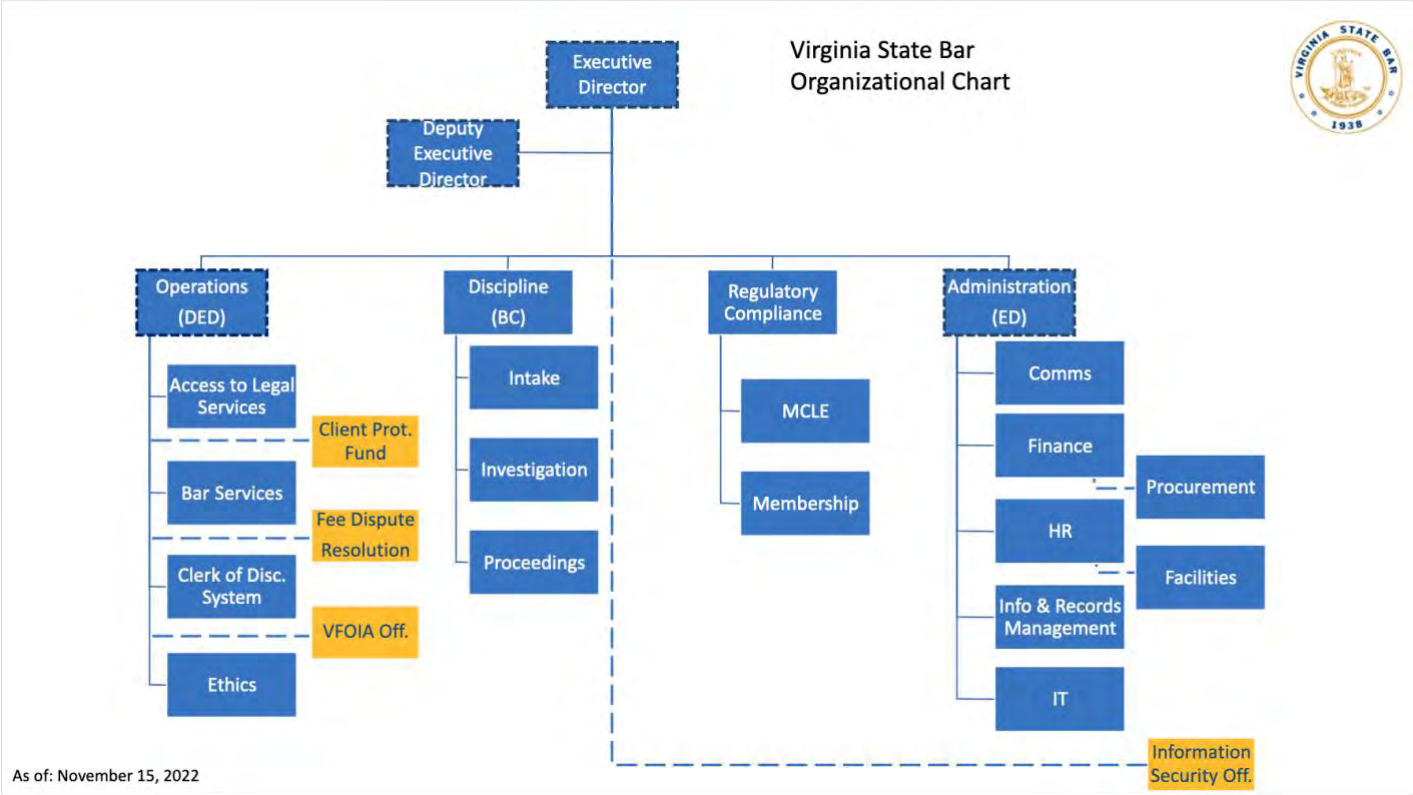
LEO 1893: On April 12, 2023, the Supreme Court of Virginia adopted Legal Ethics Opinion 1893, Representing child with parent as “next friend”, effective immediately. This proposed opinion addresses possible conflicts of interest when a parent, guardian, or other “next friend” engages a lawyer to represent a minor child in a personal injury case against a tortfeasor, when the parent or guardian may also have a lien for past and future expenses for medical treatment of the child. The opinion concluded that generally there is no conflict of interest because the interests of the parent and the child are usually aligned and the parent’s relationship with the child raises a presumption that the parent is acting in the child’s best interests. The opinion also gave guidance on the types of conflicts that could arise – when the “next friend” is directing the lawyer’s representation in an unreasonable way that is detrimental to the best interests of the child, or there are inadequate assets to compensate both the parent and the child. If there is a conflict between the parent’s and child’s interests, the child cannot waive any conflict because of their lack of legal capacity, and the lawyer cannot reasonably accept consent of the parent on behalf of the child. In that case, the lawyer may seek appointment of a guardian ad litem to protect the child’s interests, may seek judicial approval of a proposed settlement, or may petition a court to appoint a substitute “next friend.”

VSB Bylaws: On June 15, 2023, the VSB Council approved revised amendments to the bylaws concerning the scope of the executive committee’s powers pertaining to the performance review of the executive director as well as the deputy executive director and bar counsel. The revised bylaws were published on the website under [Rules and Regulations](#).

¹ Last year’s active membership was recorded as 31,638, thus this year’s figure would purport to represent a material

increase. Please note, however, that the VSB invested in a significant membership database upgrade (the first in nearly 20 years) that resulted in a review of how lawyers were classified as members. Accordingly, this increase is more likely a result of that review rather than a genuine increase in active members.

Virginia State Bar Organizational Chart



Report of the President

Stephanie E. Grana

Being elected the 84th President of the Virginia State Bar was a highlight of my legal career and provided me with opportunities to meet new people, to attend events in almost every corner of Virginia, and to hopefully contribute to the magnificent history of law in the Commonwealth.

My goal, from the moment I gave my inaugural address at the Annual Meeting on June 16, 2022, was to work to make the VSB more relevant and inclusive to our members, including the lawyers and the public we serve, by highlighting all that the VSB and the local bar associations do across the Commonwealth. And similarly, to encourage every lawyer to find a role, no matter how seemingly small, in the VSB or a local bar association.

As president, I pursued the changes I hoped to bring to the VSB with an active and passionate fulfillment of my bar responsibilities. These included:

- Emphasizing the VSB commitment to diversity, equity, and inclusion in the legal profession by attending and speaking at the Diversity Conference in Williamsburg – along with Chair Alicia Roberts Johnson, Courtney M. Frazier, Candace Blydenburgh, The Honorable Doris H. Causey, and VSB staff liaison, Sylvia Daniel.
- Introducing the keynote speaker, the Honorable John M. Tran, and attending the VSB Young Lawyers Conference Annual Celebration of Women and Minorities in the Legal Profession Bench-Bar Dinner in Fredericksburg, along with YLC President Craig Ellis, Dinner Co-Chairs Sarah Kathryn Stahling and Randolph Critzer, Jr., and VSB staff liaison Mallory Ralston.
- Attending the 40th Annual Disciplinary Conference and various meetings of the Committee on Lawyer Discipline (COLD) that oversees the VSB disciplinary process, along with Chair Braxton Hill, Vice Chair Melissa Robinson, and VSB Liaisons, Renu Brennan, and Ed Dillon.
- Highlighting advancements and pitfalls of legal technology at the 9th Annual VSB Tech Show, along with Sharon Nelson, John Simek, Michael Maschke, and Chris Fortier, and VSB liaison, Paulette Davidson.
- Welcoming newly admitted lawyers to Virginia by speaking at the Admission & Orientation ceremonies at the Greater Richmond Convention Center along with the Honorable Chief Justice S. Bernard Goodwyn, the deans of the Virginia law schools, Chair Etahjayne Harris, YLC President Craig Ellis, and VSB staff liaison Mallory Ralston.
- Educating newly admitted and lawyers relocating to Virginia about ethics and professionalism at the VSB Harry L. Carrico Professionalism courses in Richmond, Alexandria, Norfolk, and Roanoke, along with Judge David Lannetti, VSB staff liaison Maureen Stengel, and a host of amazing volunteer faculty members.
- Taking part in many Better Annual Meeting (BAM) committee meetings and planning discussions, along with Chair Sharon Nelson and VSB Staff liaisons Maureen Stengel and Dolly Shaffner.
- Supporting the importance of lawyer well-being by continuing the work of the VSB Special Committee on Lawyer Well-Being led by VSB Past President Len Heath, Graham Bryant, Hetal Mehta Challa, Macel Janischka, Jay Meyerson, and VSB staff liaisons Crista Gantz and Janet Van Cuyk.
- Promoting the Virginia Lawyer Referral Service (VLRS) with the disbursement of hundreds of informational flyers and applications to lawyers across the Commonwealth to emphasize: “We get the calls. You get the clients,” along with Chair Jack Harris and VSB Staff liaisons: Toni B. Dunson, Sheree Patterson, and Lydia Maddox.
- Catching up on the inner-workings of the VSB during staff meetings, including being present for the retirement of Executive Director Karen Gould (15 years) and Ethics Counsel Jim McCauley (33 years), the recognition of staff honored for their years of service: Susan Johnson (40 years), Dolly Shaffner, Mike Powell (30 years), and Sheree Patterson (20 years), as well as promotions and new hires, along with Executive Director Cameron Rountree, Deputy ED Janet Van Cuyk, Human Resources Director Randy Webne, Davida Davis, Jane Fletcher, and many other employees.

- Participating in the many programs of the VSB Conference of Local and Specialty Bar Associations (CLSBA) including the Small-Firm Conference and Regional Bench-Bar Forum in Abingdon, the Solo & Small-Firm Practitioner Forums in Winchester and Abingdon, and the Bar Leaders Institute in Richmond, as well as a CLSBA Conference meeting in my home with homemade paella, along with Luis Perez, Roy Creasy, Dillina Stickley, Bruce Russell, Llezelle Dugger, Dave Tiller, Rex Flynn, Chris Mougín-Boal, Allison Anders, Lindsey Komisin, Rachel Wolfe, Nick Gehrig, and VSB staff liaison Paulette Davidson.
- Accepting invitations to attend and speak to local bar associations at their meetings and luncheons:
 - Richmond Bar Association – Presidents R. Braxton Hill, IV and Julie M. Cillo.
 - Roanoke Bar Association – Presidents Macel Janoschka and Lori Jones Bentley, and President-Elect Christen C. Church.
 - Norfolk/Portsmouth Bar Association – Presidents John F. Sawyer and Kristan B. Burch, along with programs chair Margaret A. Kelly.
 - Alleghany-Bath-Highland Bar Association: Senior Law Day, along with Bill Wilson, ABH President Taylor M. Baker, Jeanne Helper, Ann Gardner, Bill Parks, and Kristen McConnell in Clifton Forge.
 - Virginia Beach Bar Association “Prom” – President Ryan Ferguson and Ed Booth.
 - Women Lawyers Section of the Charlottesville Albemarle Bar Association – Heather Carlton, Beth Norton, and Ann Marie Park.
 - Virginia Women Attorneys Association / Loudon County Chapter – President Elizabeth M. Ross and Chris Mougín-Boal.
- Accepting invitations to attend and speak at voluntary bar association meetings:
 - VBA Annual Meeting – Presidents Victor Cardwell and Ben Leigh (with whom I was pictured and included in the University of Richmond Law magazine as “Double Spiders”).
 - 64th Annual VTLA Conference – Presidents Bridget Long and Vaden Warren.
 - MRWBA luncheons – President Sherry Fox and President-Elect Mary W. Hunt.
 - 2023 West Virginia State Bar Annual Meeting and CLE Program - White Sulphur Springs, West Virginia – President Ben Mishoe.
- Representing the VSB with honor at investitures of judges to various courts in Virginia:
 - Judge Rondelle D. Herman – Henrico Circuit Court.
 - Judges Stacy E. Lee and Marissa D. Mitchell – Henrico J&DR Court.
 - Joint Retirement Ceremony and Presentation of Portraits for Judge James S. Yoffy – Henrico Circuit Court, Judge Thomas O. Bondurant Jr. – Henrico General District Court, Judge Denis F. Soden, Henrico J&DR Court, and Judge Stuart L. Williams Jr. – Henrico J&DR Court.
 - Judge Richard Barton Campbell – Richmond Circuit Court.
 - Judge Roderick C. Young – United States District Court for the Eastern District of Virginia (Richmond).
 - Judge Toby J. Heytens – United States Court of Appeals for the Fourth Circuit (Charlottesville).
 - Justice Wesley G. Russell Jr. – Supreme Court of Virginia.
 - Justice Thomas P. Mann – Supreme Court of Virginia.
 - Judge Doris Henderson Causey – Court of Appeals of Virginia.
 - Judge Elizabeth Wilson Hanes – United States District Court for the Eastern District of Virginia (Norfolk).
 - The presentation of the portrait of The Honorable William C. Mims - Supreme Court of Virginia.
 - The presentation of the portrait of The Honorable Elizabeth McClanahan - Supreme Court of Virginia.
- Celebrating Law Day and supporting the Fairfax Law Foundation while enjoying free hot dogs and sausages at the 21st Annual Law Day Weiner Roast (Fairfax), along with Past VSB President Ed Weiner and his wife, Maura. Law Day reminds us that it is our responsibility to embrace and uphold the Rule of Law and the right to trial by jury. As long as we continue to do that, our future is bright.

- Meeting with Ben Spencer, Dean of the William & Mary Law School, and judging law students at the 52nd Annual William B. Spong Jr. Invitational Moot Court tournament in Williamsburg, along with Executive Director Cameron Rountree.
- Attending various meetings of the Standing Committee on Access to Legal Services, along with Chair Joanna Suyes and YLC liaison Kris McClellan.
- Helping to prioritize pro bono and legal aid attorneys at the 42nd Annual Statewide Conference for Virginia's Legal Aid Community sponsored by the Virginia Poverty Law Center AND commending those who performed hours of service and outreach at the 2022 Pro Bono Awards Dinner and Ceremony in Virginia Beach and the upcoming 30th Anniversary Dinner in June, along with Access to Legal Services Committee Chair Joanna Suyes, Vice-Chair Adonica Baine, VSB staff liaison Cris Gantz, keynote speaker the Honorable Stephen R. McCullough, and award recipients: Chip Nunley, Bary Hausrath, and the Freddie Mac Legal Division.
- Attending National Bar meetings:
- ALPS Bar Leaders Retreat in Missoula, Montana, along with other Presidents and President-Elects from Alaska, Idaho, Maine, Montana, Nevada, North Dakota, South Carolina, South Dakota, Utah, Vermont, Virgin Islands, Washington, and West Virginia. Maneuvering a white-water raft and floating down the Clark Fork River with President-Elect Chidi James are memories of a lifetime.
- ABA annual summer and mid-year meetings in Chicago and New Orleans, along with Chidi James, Kevin Martingayle, the Honorable Doris H. Causey, Rich Garriott, and Ben Leigh.
- National Conference of Bar Presidents (NCBP) in Chicago.
- Southern Conference of Bar Presidents (SCBP) in Austin.
- Celebrating law and diversity at the South Hampton Roads Bar Association's 100th Anniversary Gala honoring the life and legacy of William T. Mason Jr., Esquire, and Professor Emeritus in Virginia Beach, along with Centennial President W. Marcus Scriven, Shemeka Hankins, Michael Pierce, Stephen Teague, and keynote speaker the Honorable Cleo E. Powell.
- Being present to welcome the Fellows Class of 2023 to the Virginia Law Foundation in Williamsburg, along with VLF President the Honorable Jane Marum Roush, President-Elect Colleen M. Quinn, and keynote speaker the Honorable S. Bernard Goodwyn.
- Learning from the VSB Section, Conference, & Committee Chairs at the Fall meeting regarding the work to be done by their various committees, along with Executive Director Cameron Rountree and VSB staff: Crystal Hendrick and Caryn Persinger.
- Networking with judges "off the bench" at the Judicial Conference of Virginia in Roanoke, learning how lawyers can assist in the completion of Judicial Performance Evaluations (JPE), along with Kristi Wright, and participating in the VSB Bench-Bar Relations Committee meetings.
- Having a blast at the 11th Annual Past Presidents' Dinner in Richmond along with many active, encouraging, and supportive VSB Past Presidents.
- Chairing meetings of the Executive Committee, Budget and Finance, and Council in Charlottesville, Richmond, and Virginia Beach, with the assistance of immediate past president Jay Myerson, President-Elect Chidi James, Executive Director Cameron Rountree, and VSB Staff liaisons: Crystal Hendrick, Renu Brennan, and many others.
- Participation in the Executive Director Search Task Force necessitated by the retirement of Karen Gould that resulted in the hiring of Cameron Rountree (and eventually, Deputy Executive Director Janet Van Cuyk), along with Chair Phillip V. Anderson, Vice-Chair Lisa A. Wilson, Sue Baker, Irv Blank, Marni Byrum, Shemeka Hankins, Len Heath, Chidi James, Brett Marston, Luis Perez, and Melissa York.
- Answering various questions and inquiries from members of the VSB, with the assistance of VSB staff from various departments.

Practicing law while serving as the president of the Virginia State Bar is a daunting task and no one deserves more thanks than the entire team at my office and my very wonderful paralegal, Katie Obermiller.

Also, thanks all around to: VSB staff members, Caryn Persinger and her Comms Team, Kaylin, Aaron, and Dee, who edited my columns, took my photos, and covered my year. The VSB front desk staff who routed my many calls (Nancy, Natalie, and Kim), Past Presidents of the VSB—particularly Jay, Marni, Doris, Sharon, Ed, and Kevin, soon-to-be VSB Presidents Chidi James and Mike York, my Executive Committee: Chidi James, Jay Myerson, Eugene N. Butler, DJ Hansen, Patty Smith, Sue Tarley, Lisa Wilson, Mike York, Craig Ellis, Gary Hancock, Alicia Roberts Johnson, Luis Perez, the current and recently elected Bar Council members, and to Virginia Lawyer Editor Dee Norman for the awesome Grana/Bemberis family photo that graced the cover of the August 2022 Virginia Lawyer and is now framed art in our home. As has been true for me always, I accomplish what I do only with the love, help, and support of my husband and fellow attorney, Scott Bemberis, and our awesome and remarkable family.

And as it was an honor to serve as the VSB's 2022-23 president, it is also my pleasure to pass the baton to President Chidi I. James and to continue to serve as the Bar's Immediate Past President.

Report of the Treasurer

**VIRGINIA STATE BAR
CASH WITH THE TREASURER OF VIRGINIA AS OF JUNE 30, 2023**

Cash with the Treasurer of Virginia as of June 30, 2022:	7,942,460.04
Revenue:	
Membership Dues	10,615,524.00
Clients' Protection Fund Assessment & Restitution	165,935.51
Professional Corporations	130,550.00
Section Dues	379,013.00
Virginia Lawyer and Virginia Lawyer Register	51,037.50
Virginia Lawyer Referral Service	515,970.66
Mandatory Continuing Legal Education	1,477,371.50
Professionalism Course	175,050.00
Cost Taxing & Bonds	104,324.87
Seminars and Miscellaneous	135,429.05
RESA Registration	22,822.85
Administration and Finance Account	93,660.00
Grant Revenue	5,000.00
Total Operating Revenue	13,871,688.94
Expenditures:	
Salaries, Wages and Benefits	10,044,113.21
Receivers	98,714.88
Office Rent	640,694.37
Furniture and Equipment	23,987.78
Supplies, Stationery and Forms	28,982.93
Printing and Copying	182,284.14
Postage	181,982.99
Communication Technology	82,435.64
Staff Travel	75,098.84
Computer	1,432,674.35
Council, Committees and Board	356,280.18
Professionalism Course	123,768.90
Sections & Conferences	420,911.59
Attorney General's Office Fees	(558.14)
Chief Justice's Programs and Projects	53,325.14
Other Operating Expenditures	654,711.24
Grant Expenditures	17,696.91
Total Operating Expenditures	14,417,104.95
Other Disbursements and Transfers:	
Administration and Finance Account Transfers	95,425.00
Clients' Protection Fund Transfers	165,905.51
Cash Transfer	130.00
Total Other Disbursements and Transfers	261,460.51
Cash with the Treasurer of Virginia as of June 30, 2023:	7,135,583.52

Report of the Office of Bar Counsel

Renu M. Brennan, Bar Counsel

I. DISCIPLINARY STATISTICS – FY 2023 (July 1, 2022, to June 30, 2023)

The number of active Virginia lawyers was 31,842. The bar received 3,081 bar complaints. Complaints decreased 1% compared to July 1, 2021, through June 30, 2022.

Roughly 70% of the complaints were screened out early in the review process, and approximately 15% were dismissed after informal investigation by Intake Counsel. Bar Counsel, the Subcommittees, the Disciplinary Board, and Three-Judge Panels dismissed 308 cases. One hundred sixteen (116) lawyers received private (45) and public (71)¹ discipline. Of the 71 lawyers publicly disciplined, 37 lawyers received public reprimands or admonitions; 20 lawyers' licenses were suspended; and 14 lawyers' licenses were revoked.

Recent disciplinary actions can be accessed on the [VSB website](#).

Dismissals and Sanctions Statistics Information for FY 23

Number of cases dismissed in house by Bar Counsel	207
Number of cases dismissed by Subcommittee/District Committee	96
Number of cases dismissed by Board	4
Number of cases dismissed by Circuit Court	1
Number of lawyers who received private discipline – Admonition	27 (28) ²
Number of lawyers who received private discipline – Reprimand	18 (19)
Number of lawyers who received public discipline - Admonition	2 (2)
Number of lawyers who received public discipline – Reprimand	35 (46)
Number of lawyers who received public discipline - Suspension	20 (25)
Number of lawyers who received public discipline - Consent to Revocation	8 (10)
Number of lawyers who received public discipline – Revocation	6 (6)

¹ The Virginia State Bar Clerk's Office provided these totals and the information in the Dismissals and Sanctions Statistics Chart. The Clerk's totals do not include decisions pending appeal or cases which have not been administratively closed.

² Number of respondents (number of cases).

Public/Private Discipline for FY 23

Public Discipline – 70 ³	Private Discipline – 46
Trust Accounting/Safekeeping of Property – 16	Competence/Diligence – 25
Competence/Diligence – 13	Trust Accounting/Safe Keeping of Property – 8
Dishonesty – 8	Deliberately Wrongful Conduct – 3
Reciprocal – 6	Fairness to Opposing Party & Counsel – 3
Conflict of Interest – 4	Conflict of Interest – 2
Fees – 4	Duties to Prospective Client – 2
UPL – 4	Fees – 1
Deliberately Wrongful Conduct – 4	UPL – 1
Fairness to Opposing Party & Counsel – 2	Decline or Term Rep – 1
Criminal Conduct – 2	
Terms Violation – 1	
Failure to Supervise – 1	
Confidentiality of Information – 1	
Judicial Officials – 1	
Trial Publicity – 1	
Communication with Persons Rep'd by Counsel – 1	
Meritorious Claims and Contentions – 1	

Changes to Disciplinary Procedure, Part Six, Section IV Paragraph 13 of the Rules of the Supreme Court, Rules of Professional Conduct, and Legal Ethics Opinions

Disciplinary Procedure

On March 1, 2023, effective April 30, 2023, the Supreme Court of Virginia (Court) amended [Paragraph 13-25.C.](#), Readmission after Resignation, as follows:

C. Readmission After Resignation. If after resigning from the Bar, a former Attorney wishes to resume practicing law in the Commonwealth of Virginia, the former Attorney must apply to the Board of Bar Examiners, satisfy the character and fitness requirements, and either pass the Bar examination or meet all eligibility requirements for admission without examination under Rule 1A:1. Before being readmitted to the Bar, the former Attorney must also satisfy any membership obligations that were delinquent when the former Attorney resigned.

³ The Office of Bar Counsel provided these totals which reflect the number of respondents in each category.

Effective May 9, 2023, the Court approved the Committee on Lawyer Discipline’s proposed amendments clarifying “shall” in [Paragraph 13](#). The revisions implement the “ABC Rule” at Paragraph 13 at the request of the Virginia Rules Advisory Committee.

Rules of Professional Conduct and Legal Ethics Opinions

Effective September 19, 2022, the Court approved [LEO 1897](#) regarding replying all to an email when the opposing party is copied (Rule 4.2).

Effective September 19, 2022, the Court approved [LEO 1898](#) regarding cryptocurrency.

Effective January 6, 2023, the Court approved [LEO 1899](#) regarding use of conversion clause when flat fee representation is prematurely terminated without cause.

Effective April 12, 2023, the Court approved [LEO 1893](#) regarding representing child and “next friend” as plaintiffs in personal injury case.

II. Appeals Decided by the Court

By [Opinion](#) issued August 11, 2022, the Court affirmed the Disciplinary Board’s Memorandum Order suspending Darren Scott Haley’s license for 18 months.

By [Opinion](#) issued May 4, 2023, the Court affirmed a Three-Judge Panel’s findings that Joseph Taylor Brown violated Rule 1.7(a)(2), Conflict of Interest, by engaging in sexual relations with his divorce client during the representation.

By [Opinion](#) issued June 1, 2023, the Court affirmed a Three-Judge Panel’s findings that Bradley Glenn Pollack violated Rule 1.15, Safekeeping Property, and Rule 1.16, Declining or Terminating Representation and the Panel’s sanction of a six-month suspension. By Order entered August 15, 2023, the Court also denied Pollack’s petition for rehearing. After the mandate issues, the Court will remand the matter to the Panel to set the effective date of Pollack’s six-month suspension.

III. Appeals Decided by the Fourth Circuit

On December 28, 2022, the Fourth Circuit disbarred Rhett Daniel pursuant to Fed. R. App. P. 46, its reciprocal procedure. See [In re: Rhett Daniel, No. 19-9512](#) (4th Cir. 2022).

IV. Operations

The VSB launched a new website in April 2023, which temporarily disrupted the on-line complaint procedure. The Office of Bar Counsel also implemented a new case management system in late July 2023.

REPORTS OF THE STANDING COMMITTEE

Access to Legal Services

Joanna Suyes, Chair

Vice chair: Adonica Baine

Members: Tara Casey, Brandy Disbennett-Albrecht, Llezelle Dugger, Teirra Everette, Jennifer Fulmer, Kristopher McClellan, Dale Pittman, Scott Reid, Henry Su, Donna Baker, Eugene Butler, and Joshua Peterson
VSB staff: Crista L. Gantz, VSB Access to Legal Services Director

The Committee on Access to Legal Services (Access Committee) continues to serve the needs of Virginia lawyers and the public by advancing access to legal services.

The Committee met in Richmond on August 30, 2022; in Virginia Beach on October 20, 2022; virtually on January 31, 2023; and in Richmond on April 19, 2023.

The Committee undertakes its work to advance access to legal services through several subcommittees. This year, the Awards subcommittee met on April 11, 2023. The Outreach & Education subcommittee met on December 8, 2022.

We hosted our annual Pro Bono Conference on October 19, 2022, which included four CLE sessions and joint plenary sessions in partnership with the VPLC Statewide Legal Aid Conference. The Committee hosted several other training sessions throughout the year in partnership with VSB sections, conferences, legal aids, and bar associations.

The pandemic thwarted our efforts to present awards in person in 2020, so we honored both 2020 and 2022 award recipients at the Conference. The Access Committee gave out four awards: the 2020 Lewis F. Powell Jr. Pro Bono Award to Clifford “Chip” Clapp and Bary Hausrath, the 2020 Frankie Muse Freeman Organizational Pro Bono Award to Freddie Mac Legal Department, and the 2022 Lewis F. Powell Jr. Pro Bono Award to Chip Nunley. The awards presented in-person on June 15th at the Virginia State Bar Access to Legal Services 30th Anniversary Dinner in Virginia Beach as part of the VSB’s Annual Meeting were: the 2023 Legal Aid Award was presented to Tamara Moore, the 2023 Oliver White Hill Law Student Pro Bono Award was presented to Elizabeth Faris, and the 2022 Frankie Muse Freeman Organization Pro Bono Award went to Dominion Energy. Also recognized were attorneys who successfully completed the VSB GetTo30! Pro Bono Challenge. These individuals devoted at least 30 hours of pro bono service and/or contributed at least \$270 to legal service organizations from July 1, 2022, to March 31, 2023.

Virginia Free Legal Answers continues to be a reliable source of quality pro bono advice and counsel for Virginians with civil legal issues. Attorneys and clients can utilize the portal from their home or office, a much-needed resource for those unable or uncomfortable with in-person legal services. The Committee is proud of these accomplishments and looks forward to advancing access to legal services through this important pro bono service even further in the upcoming bar year.

The Access Committee is grateful for the work of dedicated public servants who have devoted their professional lives to the equal justice cause. We also thank the Virginia attorneys who take on pro bono work or make financial contributions to legal aid and pro bono organizations during this time of unprecedented need. We are proud of the significant contributions from Virginia attorneys.

Departing members: Jennifer Fulmer, Eugene Butler, and Karl Doss. The Committee wishes to extend its heartfelt gratitude and a tip of the hat to departing members. Their service was very valuable, and they will be missed both as colleagues and fellow Committee members.

New Members (2023-24): Timothy Freilich; Alexandra Goodpaster, and Robert Poggenklass

Officers (2023-24): Joanna L. Suyes, Chair; Adonica Baine, Vice Chair

Budget and Finance

Marni E. Byrum, Chair

The Standing Committee on Budget and Finance met January 12, 2023, to review and approve the proposed FY 2024 operating budget, commencing July 1, 2023.

On February 25, 2023, the Council considered and approved, an operating budget of \$16.8 million for FY 2024. Chief Justice S. Bernard Goodwyn communicated the Supreme Court's approval of the FY 2024 proposed budget on April 5, 2023, to Cameron M. Rountree, Executive Director and Chief Operating Officer.

The approved FY 2024 budget estimates \$16.8 million in expenditures. This is an increase of approximately \$1.17 million over the FY 2023 budget. The increase is primarily due to an increase in salaries and benefits related to a 5 percent salary increase for state employees and \$264,000 earmarked for office renovations.

The Standing Committee on Budget and Finance continues to evaluate the appropriate levels of reserves and dues for the Bar.

Lawyer Discipline

R. Braxton Hill IV, Chair

The Committee on Lawyer Discipline¹¹ (COLD), 10 lawyers and two non-lawyer volunteers, worked this year with the Office of Bar Counsel and Clerk of the Disciplinary System on two sets of amendments to Paragraph 13. COLD also worked on district committee training and the Disciplinary Conference, the annual training of all district committee and board volunteers. The Committee also continued to monitor the efficiency of the system, and whether Bar Counsel is moving cases as set forth in COLD’s aspirational deadlines, by its in-person review and discussion of cases at its four meetings and by its review of detailed monthly reports from Bar Counsel. These reports include current data and comparative data from past years.

COLD met in person in September 2022, January 2023, and April 2023. COLD met remotely in May 2023. COLD and the Rules Subcommittee completed work begun in Fiscal Year 2022, implementing the “ABC Rule” at Paragraph 13 at the request of the Virginia Rules Advisory Committee. COLD worked with Bar Counsel to replace shall with the more precise term intended – such as must, may, will, should, or is. On February 25, 2023, VSB Council approved the full amendment to Paragraph 13. By Order entered and effective May 9, 2023, the Supreme Court of Virginia (“Court”) approved the amendment.

At its April and May meetings, COLD and the Rules Subcommittee vetted and approved amendments to add specific mechanisms for respondents to request three-judge panels for all attorney disciplinary proceedings. VSB Council approved these amendments on June 15, 2023. The petition was filed with the Court for consideration in its August session.

The Oversight Subcommittee continued its monthly reviews of random closed files and additional files referred for review by the Clerk’s Office and the Office of Bar Counsel. COLD and the Oversight Subcommittee studied the criteria and standards regarding the Oversight review process and considered adding a category of review of respondents with multiple dismissals of complaints, which will be considered by COLD in the upcoming fiscal year.

¹¹The Committee on Lawyer Discipline (COLD) is established under Part II, Article III, Section 2 of the Bylaws of the Virginia State Bar and Council and is granted, under Part Six, Section IV, Paragraph 13, Rules of the Supreme Court of Virginia, subparagraph 13-5, “all powers and duties of [the VSB] Council, with respect to the Disciplinary System,” except the power to appoint District Committee members and subject to direction and control of Council.

Legal Ethics

Michael M. York, Chair

The Standing Committee on Legal Ethics meets regularly to consider attorneys' formal requests for advisory opinions seeking guidance on legal ethics and the unauthorized practice of law as well as to analyze and debate proposals to amend the Rules of Professional Conduct and the Unauthorized Practice Rules.

The committee has 9 members: Michael York (chair), V. Kathleen Dougherty (vice chair), Teresa Goody Guillén, Michael HuYoung, Naveed Kalantar, K. Brett Marston, Jeffery Mitchell, Michael Robinson, and Nia Vidal. VSB staff liaisons are Emily Hedrick, Dorian Dalton, and Krista Mathis Samuels. Longtime staff liaison Jim McCauley retired from the VSB on November 1, 2022.

The committee's activities this year included:

- LEOs 1897 (Replying All to an Email When the Opposing Party is Copied) and 1898 (Accepting Cryptocurrency as an Advance Fee for Legal Services) were approved by the Supreme Court on September 19, 2022, effective immediately;
- LEO 1899 (Use of Conversion Clause in Flat Fee Agreements) was approved by the Supreme Court on January 6, 2023, effective immediately;
- UPL Opinion 219 (Non-lawyer Entity Representation in Practice Before State Agency) was approved by VSB Council on June 15, 2023, and the opinion is pending review by the Supreme Court; this opinion was based on an opinion request from a VSB member.
- Drafting and adoption of LEO 1893 (Representing Child with Parent as "Next Friend"), approved by the Supreme Court on April 12, 2023, effective immediately;
- Released LEO 1900 (Duty to Disclose Death of the Client) for public comment;
- Released proposed Rule 8.4(f), prohibiting agreements not to file bar complaints, for public comment;
- Withdrew UPL Opinions 160 and 178 as they have been superseded by Rule 1A:5 (Corporate Counsel)

The committee also received one new request for a UPL opinion and three LEO requests; all were resolved by directing the inquirer to existing rules and opinions or identified as legal questions beyond the committee's purview.

The ethics hotline received 5,917 inquiries this year.

Mr. York and Ms. Dougherty will continue as chair and vice chair for the upcoming fiscal year. There is no change to the committee membership.

Professionalism

Hon. David W. Lannetti, Chair

The Standing Committee on Professionalism is charged with the execution, administration, and ongoing oversight of the mandatory Harry L. Carrico Professionalism Course, which all newly admitted active members of the Virginia State Bar (“VSB”) are required to attend. The purpose of the course is to encourage attorneys to uphold and elevate the standards of honor, integrity, and courtesy in the legal profession. Since the inception of the program in 1988, over 44,000 new admittees have attended one of the 223 courses offered.

The Committee has not seen any significant impact from the extended compliance period instituted following the COVID pandemic. VSB staff members continue to notify members of their compliance time and schedule individuals for appropriate courses. The new database introduced in April 2023 has presented some challenges to tracking compliance data, and staff members are working to resolve all data issues.

During the past year, courses were held in Roanoke, Alexandria (2), Norfolk, and Richmond (2). There were approximately 963 combined attendees who attended these courses. The Committee was happy to welcome the Honorable Elizabeth W. Hanes, the Honorable Rossie D. Alston, Jr., the Honorable Thomas P. Mann, the Honorable Doris Henderson Causey, the Honorable Jacqueline S. McClenney, and the Honorable Charles N. Dorsey as luncheon speakers at the courses. Six courses are planned for the 2023-2024 course year.

The Committee coordinated a faculty training session on October 19, 2022, and met on April 25, 2023, to select new faculty members. The Committee selected 26 new faculty members who will be invited to serve for a three-year term and attend a faculty training session this fall. The Committee is pleased that Chief Justice S. Bernard Goodwyn will again invite the nominees to serve as new faculty members.

The Honorable David W. Lannetti has agreed to continue serving as Committee chair and course moderator for the 2023–2024 year.

REPORTS OF THE BOARDS

Clients' Protection Fund

Phillip V. Anderson, Chair

The Clients' Protection Fund (CPF) was established in 1976 to make monetary awards to petitioners who suffered financial losses because of the dishonest conduct of Virginia lawyers. The fund is managed by a 14-member board (Board) appointed by the Virginia State Bar (VSB) Council (Council). The Board is comprised of 13 lawyers and one layperson. Board members investigate all claims for payments from the fund. The Board decides whether to approve or deny each claim.

The total amount paid during fiscal year (FY) 2023 was \$272,996 for 32 claims. The Board denied 9 petitions, and 19 petitions were rejected for not meeting the CPF rule requirements. As of June 30, 2023, there were 34 pending claims.

The total amount paid for the operating expenses of the CPF for FY was \$11,554. In addition, the fund paid \$5,044 for receivership cases initiated by the VSB. The fund began the FY 2023 with a cash balance of \$10,955,223. The current \$5 CPF assessment on all active attorneys added \$162,470. Accumulated interest income for FY totaled \$104,605. The fund received restitution from the attorney general's collections, debt set-off, and individual restitutions in the amount of \$3,436 net of fees for collection services. As of June 30, 2023, the cash balance in the fund was \$10,936,140.

The Board experienced a surge in FY 2023, with more claims than any year since 2006, when it consistently received about 85 claims per year. The upswing in claims was primarily due to claims relating to a deceased family law attorney; relating to an impaired family law attorney; and involving unearned fees charged by a disbarred estate planning lawyer who for years charged clients prepaid fees for handling their estates after they died. The claims involving these three individuals tended to be quite large, \$10,000 to \$20,000, so the Board's payouts also climbed, in addition to the number of claims.

The Board also received a large number of receiverships regarding deceased and disbarred attorneys (more deceased than disbarred). It remains to be seen whether these receiverships will reduce the number of claims submitted to the CPF next FY or whether the CPF will need to pay claims despite the receiverships' attempts to locate and distribute funds that might belong to clients.

The Board continues to work on efforts to increase awareness and educate the public regarding the Fund. We will be hosting the 2024 National Client Protection Organization, Inc.'s (NCPO's) Annual Workshop in Virginia Beach on September 19-20, 2024.

The Board is to be commended for the many hours spent investigating and deliberating claims and for the work of its various committees including the public awareness and strategic planning committees.

Departing Members: Phillip V. Anderson and Eugene M. Elliott, Jr. The Board wishes to extend its appreciation to these volunteers. Their service was very valuable, and they will be missed.

New Board Member (2023-2024 Fiscal Year): Lori Jones Bentley

Officers for the 2024 FY:

Brian Dean Lytle, Chair

Joseph M. Bowen, Vice Chair

CPF Board members for the 2023 FY included Chair, Phillip V. Anderson; Vice Chair, Brian D. Lytle; James L. Banks, Jr.; Joseph M. Bowen; Yvonne S. Gibney; Steven R. Grant; Sandra L. Havrilak; Charles F. Hilton; Jonathan R. Hyslop; Peter M. Mellette; Eugene M. Elliott, Jr.; Richard B. Orsino; Melissa W. Robinson; and Nancy L. Bloom.

I would like to thank the VSB's CPF staff, Vivian Byrd, and Jane Fletcher, who carry out the Board's daily administrative operations, and all of the CPF Board members for their voluntary contributions of both time and knowledge.

Mandatory Continuing Legal Education

Mark S. Brennan, Chair

The Mandatory Continuing Legal Education Board (Board) was established by the Supreme Court of Virginia in 1985 to administer the Mandatory Continuing Legal Education regulatory program (MCLE) in the interest of public protection. The Board is authorized to adopt regulations and provide general oversight of the program.

The MCLE Board consists of twelve members appointed for three-year terms by the Virginia Supreme Court. MCLE Board members for the 2023 fiscal year included Mark S. Brennan of Richmond (Chair), Michael D. Pierce (Vice-Chair) of Richmond, Henry L. Chambers Jr. of Richmond, Carolyn P. Desai of Warrenton, Matthew D. Green of Richmond, Deanna H. Hathaway of Richmond, Johnny A. Martin of Bristol, Shukita L. Massey of Newport News, Alison R. Mullins of Alexandria, William H. Old of Williamsburg, and Joanna L. Suyes of Richmond. Cameron M. Rountree, Executive Director of the Virginia State Bar, serves as an ex officio member of the Board, Justice Stephen R. McCullough serves as the Supreme Court's liaison to the Board, and DaVida M. Davis, Director of Regulatory Compliance for the Virginia State Bar, serves as the staff liaison to the Board.

The MCLE Board met seven times during FY2023 to consider course applications, attorney requests for extensions and waivers, and other matters integrally related to the administration of the MCLE program in Virginia. Meetings were held virtually and in person. Over the last reporting cycle, the MCLE staff and **Board considered 23,164 course approvals and 36 waiver/extension requests.**

Despite the hurdles of virtual business meetings, the Board continued to evaluate and focus on larger programmatic and policy matters.

The leadership of the MCLE Board for the upcoming fiscal year will be William H. Old as Chair and Alison Mullins will serve as Vice Chair.

I would like to thank the staff of the Virginia State Bar's Regulatory Compliance Department who carry out the Board's daily administrative operations as well as the MCLE Board members for their voluntary contributions of both time and knowledge.

REPORTS OF THE SPECIAL COMMITTEES

Bench-Bar Relations

D. Bradley Marshall, Chair

The mission of the Bench-Bar Relations Committee (BBRC) is to support and improve the administration of justice, enhance service to the community, and increase professionalism within the legal system by exploring emerging issues of concern or interest affecting the Bench and the Bar.

This year the BBRC was composed of 17 members, including,

Officers: D. Bradley Marshall, Esq., Chair; Nupur Sidhu Bal, Esq., Vice Chair

Judicial Members: Hon. Cleo E. Powell; the Hon. Marla Decker; Hon. Lawrence R. Leonard; Hon. Mary Jane Hall; Hon. Steven C. McCallum

Attorney Members: Anneshia Michel Miller Grant, Esq.; Charlene Louise Hinton, Esq.; Michael E.

Hollingsworth, Jr., Esq.; Kelly B. Martin, Esq.; Bruce H. Russell, II, Esq.; Emily C. Russell, Esq.; Bob Walker, Esq.; and Edward Laurence Weiner, Esq.

Ex officio members: Stephanie Grana, Esq.; VSB President, Chidi James, Esq.; VSB President-elect; Jay B. Myerson, Esq. VSB Immediate Past President

The BBRC held the following meetings this year:

September 21, 2022 - in person

March 15, 2023 - virtual

Significant activities the BBRC undertook from July 2022-Jun2023 included:

- BBRC promoted rule of law initiatives; expanded distribution of VSB informational publications; suggested ways to execute the mission statement; monitored developments on legislation; explored issues regarding judicial safety; and collaborated with the Young Lawyers Conference on bench-bar relationship initiatives.
- The proposed amendments to Part 6, Section IV, Paragraph 3 of the Rules of Court defining judicial class membership, an initiative BBRC began in 2022, were unanimously approved by Council and approved by the Supreme Court of Virginia.
- BBRC collaborated with the Conference of Local and Specialty Bar Associations to host the Annual Bar Leaders Institute in March 2023.
- BBRC hosted the first “Coffee with the Judges” at the VSB Annual Meeting on June 17, 2023. More than 25 judges, from all levels of state courts and the U.S. District Court, attended this casual event to promote informal conversation, the sharing of ideas, and networking with members of the Bar.

It was an honor to not only serve on this important committee but especially to serve as Chair. Every member contributes significantly to the committee’s work, especially the judges; and we always have robust and thoughtful discussions. We are very proud of our accomplishments this year, especially ushering in the amendments to the Rules of Court concerning judicial class membership, our collaboration with the Conference on Local and Specialty Bar Associations and the Young Lawyers Conference, and what we hope will be the first of many “Coffee with the Judges” at the VSB Annual meeting. I would like to personally thank Stephanie Grana and Jay Meyerson for appointing me as Chair of this important committee the last two years, and I look forward to serving the VSB in other ways moving forward.

Leadership of the BBRC for the upcoming year will change. At the end of my term as Chair, I will rotate off the committee and Nupur Bal will become Chair. A Vice Chair will be voted on by the Committee during our first meeting. There are new members to welcome for next year, but I would like to thank BBRC members Charlene Hinton and Edward L. Weiner whose second terms have expired.

Finally, I would like to conclude by thanking Cameron Rountree, as well as Janet, who joined us in 2023, and Sylvia, the VSB staff liaison.

Lawyer Insurance

David Hudgins, Chair

Since 2000, ALPS Property & Casualty Insurance Company has served as the VSB's endorsed professional liability insurance carrier. The Lawyer Insurance Committee (LIC) continues its monitoring of ALPS' financial stability, ALPS' work to aid Virginia lawyers become better practitioners on the risk management front and oversee the VSB Members' Insurance Center's efforts to help VSB lawyers obtain and manage personal (health, life, and disability) lines of insurance.

The LIC met 4 times in FY2022-2023:

September 27, 2022, at the Belle Haven Country Club in Alexandria
November 15, 2022, at the VSB office in Richmond
February 16, 2023, held virtually via MS Teams
May 18, 2023, at the VSB office in Richmond

VSB Members' Insurance Center

After many years leading the VSB Members' Insurance Center, Bob Spicknall retired, and the program is now led by Debbie Stocks. Debbie is a Senior Client Executive for OneDigital and the Manager of VSB's Members Insurance Center. Debbie, along with Jennifer Stevens, continue outreach to enroll small law firms in group health insurance plans that have far surpassed individual coverage in popularity. The trend continues because group health insurance is a better purchase with stronger benefits and great provider networks than individual health insurance can provide. At the conclusion of the year, Debbie presented recommendations to change the third-party administrator and offer new products including critical care insurance. The Committee expects to take up these proposals at the beginning of next year.

ALPS and Lawyer Malpractice Insurance

ALPS operates on a calendar-year (CY) basis. As of December 31, 2022, ALPS insured 1,997 Virginia firms out of 10,780 firms nationwide, and 3,931 Virginia lawyers of 21,205 lawyers insured by ALPS nationwide. Gross written premium in Virginia was \$10,120,034; net written premium was \$7,337,502. The ALPS VA book performed strongly in FY2022-2023 with respect to key insurance benchmarks such as combined ratio and claims frequency. ALPS posted assets of \$157,441,129 with policyholder surplus of \$53,148,445. One-hundred and seven claims were reported in Virginia in CY 2022, compared to 88 claims reported in 2021.

ALPS' AM Best Financial Strength Rating was upgraded in FY2022-2023 from A- (Excellent) to A (Excellent), a notable development for an insurance carrier. AM Best is generally regarded as the preeminent rating agency of insurance companies nationwide.

Risk Management Report for Calendar Year 2022

Pursuant to our endorsement agreement, ALPS sets aside 3% of Virginia gross written premium to invest in activities designed to aid Virginia lawyers become better practitioners, reduce claims risk and otherwise be aware of growing malpractice traps. ALPS maintains risk management funds in its accounts pursuant to the endorsement agreement. In CY2022, ALPS set aside and expended, in full, in consultation with our Committee, nearly \$275,000 in funds.

FY 2022-2023 Risk Management Priorities

The LIC actively works with ALPS in a healthy collaboration to establish risk management priorities annually.

This year, risk management priorities fell into the following areas:

- *Annual VSB / ALPS Ethics and Professionalism Tour.* The largest tour of its kind, offering 3 free ethics

credits to all Virginia lawyers annually, generally held in September or October in advance of the CLE reporting deadline. Sessions held through the Commonwealth in-person and ALPS added a virtual offering during the pandemic which has additionally attendance. Attracted 1,800 Virginia lawyers for in-person CLE events in September 2022.

- *Webinars.* ALPS generally offers 4-6 webinars to Virginia lawyers on trending ethics, professionalism, law practice management and wellness topics. In CY2022, ALPS had 2,276 Virginia registrants for webinars (including virtual Fall tour participants), of with 976 were ALPS insureds and 1,721 being non-insureds.
- *On-Demand Library.* At present, ALPS maintains approximately 20 programs in its on-demand Virginia CLE library, ranging in length from 60 minutes to 3 hours. ALPS had 141 Virginia registrants complete on-demand programs in CY2022.
- *Operational Support for the Virginia Judges and Lawyers Assistance Program.* For over 20 years, ALPS has provided \$30k annually to support this important Virginia program helping lawyers and judges in need at their most vulnerable point.
- *Risk Management Prevention Hotline.* ALPS contracts with Virginia attorney John Brandt to offer VSB members a free, confidential service in the event lawyers would like to discussion questions about a potential claim scenario, preventative action to avoid a claim, best practices in law practice systems, etc.
- *Speakers for Risk Management CLE Topics Sponsored by Local Bars, County Bars, Specialty Bars, VSB Sections and other Affinity Bars.* Bars throughout the Commonwealth are actively encouraged to reach out to ALPS for content and speakers on subjects in the risk management field. ALPS will identify speakers, pay speakers, and otherwise help such Bars offer this content at no cost to the organization and as a service to members.
- *Local Bar Grant Program.* ALPS administers a Local Bar Grant Program whereby local Bars can apply to ALPS for funding on initiatives with a nexus to risk management content. This may include inclusion of risk management content at conferences, mentorship programs, wellness programs, etc. Appreciated service of ALPS and the VSB.
- *Marketing Risk Management Offerings.* ALPS sets aside approximately 10 percent of the budget to ensure all its quality offerings are known and ultimately utilized by VSB members.

Special Committee on Lawyer Well-Being

Leonard C. Heath Jr., Chair

In 2022, VSB President Stephanie Grana created the Special Committee on Lawyer Well-Being— a third, smaller special committee as compared to the 2018-19 and 2021-2022 committees of the same name— with a narrow mission to provide suggestions to the Virginia State Bar Professionalism Committee to update the written materials for the Harry L. Carrico Professionalism Course by including information and resources relevant to attorney well-being. President Grana’s goal was to incorporate the recommendations contained in the report titled “A Profession at Risk,” which was issued in 2018 by the Committee on Lawyer Well-Being of the Supreme Court of Virginia. Among the numerous recommendations made by that committee was that the Virginia State Bar “[m]ake well-being more prominent in the induction of new lawyers to the profession.” In furtherance of this goal, that committee proposed “adding a lawyer well-being segment to the mandatory professionalism course in consultation with course coordinators and [Lawyer’s Helping Lawyers].”

Four individuals, including veterans of the first two special committees, were selected to carry out the work.

Leonard C. Heath, Jr., Esq., Chair

Heath, Old & Verser , P.L.C.
Newport News, VA

Graham K. Bryant, Esq., Editor

Office of the Attorney General of Virginia
Richmond, VA

Hetal Challa, Esq.

Wellness Coordinator
Office of the Executive Secretary
Supreme Court of Virginia

Macel H. Janoschka, Esq.

First Truth Law
Smith Mountain Lake, VA

Crista Gantz, Esq.

VSB Staff Liaison
Richmond, VA

The Committee held several meetings this year to accomplish its discrete goals. Meetings were held on December 12, 2022, February 6, 2023, and April 5, 2023. The work product of the Committee consisted of revisions to the Harry L. Carrico Professionalism Course materials in furtherance of the goals of the 2018 Committee on Lawyer Well-Being of The Supreme Court of Virginia to incorporate lawyer well-being into the course. The Committee’s revisions impacted the following Professionalism Course materials.

1. Revisions to the Guidelines for Speakers
2. Revisions to the Professionalism Course Teacher Manual (five documents)
3. Revisions to Professionalism Coursebook (two documents)

The suggested revisions were transmitted to President Grana on April 21, 2023, and presented to the Professionalism Committee on April 23, 2023. The Committee approved the revisions on April 23, 2023, and incorporated them into the official Professionalism Course materials for courses beginning in December 2023.

The Committee thanks the Professionalism Committee for the opportunity to suggest revisions consistent with the goals of the 2018 Committee on Lawyer Well-Being of The Supreme Court of Virginia. The Committee also thanks everyone who has taken up the mantle of wellness and well-being in the legal profession.

Lawyer Referral

Jack Harris, Chair

The Virginia Lawyer Referral Service (VLRS) celebrated its 46th year of service as the consumer arm of the Virginia State Bar (VSB). The VLRS began operating on January 1, 1977.

The VLRS was established by the VSB to enhance and to support one of its core missions: “to advance the availability and quality of legal services provided to the people of Virginia.”

In the fiscal year 2022-2023, the VLRS answered 18,559 telephone calls, responded to 449 emails and, 89 written correspondences, and provided 1,567 online requests. VLRS staff assisted 5,905 of those consumers with prescreened and prepaid referrals to its active lawyer panel members, resulting in \$515,970 in revenue for the Bar. The VSB Special Committee on Lawyer Referral thanks the 214 VLRS lawyer panel members (past and present) for their service to the Bar and their communities. The VLRS welcomed 40 first-time lawyer panel members this fiscal year and three returning panel members that have not been a panelist for more than two years.

The Special Committee on Lawyer Referral met on November 16, 2022, and April 27, 2023. Committee Chair Jack L. Harris and Committee Members Joseph M. Bowen, Tonia J. Drewery, Amy M. Harber, Mary K. Hayburn, Eden B. Heilman, Angela T. Isabell, and Lena S. Munasifi welcomed newest committee member Deanna H. Hathaway and look forward to her future service. The Committee thanks exiting committee member Todd A. Pilot for his many years of committee participation.

The VLRS goals for FY23:

- Expanded panel membership promotion by highlighting the benefits of panel membership and supporting the VSB mission.
- Supporting the VLRS panelists with additional services.
- The goals were met by:
- Waivers and permanently cancelling the VLRS panel membership dues beginning in February, resulting in former panelists returning to the service and bringing in new panelists.
- Offering current and joining panelists two free VSB Section memberships.
- Providing one hour of free CLE ethics credit through the program ‘Legal Fees and VLRS ‘Best Practices’ on March 29, 2023.
- VSB President Stephanie Grana and VLRS staff promoting the benefits of the VLRS panel membership at VSB-sponsored events throughout the Commonwealth.

In coordination with the VSB Conference of Locality and Specialty Bar Associations (CLSBA) and Bar Services, the VLRS staff attended Solo and Small-Firm Practitioner Forums in Winchester (September 2022) and in Abingdon (May 2023), the Bar Leaders Institute (BLI) in Richmond (March 2023), and the Old Dominion Bar Association Conference in Virginia Beach (May 2023). Staff also attended the VSB Techshow in Richmond (April 2023), YLC A&O Ceremony in Richmond (December 2022 and June 2023), and the VSB Annual Meeting in Virginia Beach (June 2023). The VLRS continued panel membership promotion with written materials at the YLC Leadership Institute in Richmond (September 2022); 39th Annual Advanced Family Law Seminar in Richmond (April 2023); VSB Professionalism Courses in Richmond (September 2022 and December 2022), in Alexandria (September 2022 and March 2023); and in Norfolk (May 2023); and the VSB Diversity Conference in Williamsburg (April 2023). The Committee thanks VSB President Stephanie Grana for her support in highlighting the VLRS panel membership benefits at every event she attended.

VLRS Marketing Campaigns

With the assistance of the VSB Communication Department, the VLRS ran semi-monthly ads in Virginia Lawyer: “Join VLRS and Get VSB Section Memberships for FREE” (August 2022), “People need lawyers across the state...” (October 2022 and April 2023), “Bilingual Virginia Lawyers Needed” (February 2023), “We take the calls, you get the clients – Membership Benefits.” (June 2023), and “The Virginia Lawyer Referral Service Needs You!”, a column by Committee Chair Jack Harris (February 2023). The VLRS also posted ads in VSB conference and section newsletters—Criminal Law News (October 2022, December 2022, and May 2023), Taxation Law Section News (October 2022), Litigation Section News (Summer 2022), Bankruptcy Law Section News (Spring 2023), Military Law Section News (Spring 2022), Trust and Estates Newsletter (Spring 2023), and Senior Lawyers Conference (Spring 2023) — in addition to the Virginia Lawyers Weekly VSB Annual Meeting double June 2023 issues that generated much needed attention for the VLRS.

For consumer awareness, the VLRS distributed 2500 bookmarks and utilized the social media platforms of Reddit, Twitter, and LinkedIn with service and informational ads and posts.

Resolution of Fee Disputes

Edward S. Whitlock III, Chair

The Virginia State Bar resolution of fee dispute program (RFD) was created as a voluntary program to help attorneys and clients resolve disputes over fees and costs paid, charged, or claimed for legal services provided by a member of the Virginia State Bar (VSB) through mediation or arbitration.

The RFD program benefits VSB members and the public by reducing needless litigation, spurious bar complaints, and Clients' Protection Fund petitions.

The RFD program volunteers include 11 circuit chairs, 116 arbitrators, and 38 mediators.

The VSB RFD received 104 requests for information during fiscal year 2022-2023, which is down by 42 from last year.

Geographical breakdown of requests:

30 percent were for attorneys practicing in eastern Virginia.

43 percent were for attorneys practicing in NOVA.

21 percent were for attorneys practicing in central Virginia; and

6 percent were for attorneys practicing in southside/southwest Virginia.

The VSB Intake office referred 109 cases to the RFD program, which is 58 more than the number referred the previous year.

The leadership of the Special Committee on the Resolution of Fee Disputes for the upcoming year is Edward Whitlock, chair; Alexandra Davis; Marialuisa Gallozzi; Jacquelyn Gerlach; Leonard Heath; Johneal White; Daniel Yates; John Mable; and Marian Wiggins.

The program could not operate without the countless hours of work by our volunteers who are well supported by the dedication of our professional bar staff.

Technology and Future Practice of Law

Brandon S. Osterbind, Chair

The mission of the Special Committee on Technology and the Future Practice of Law is to educate and advise the Bar in areas where law and technology intersect, and to study and report on important developments that will affect the future of the legal profession.

The committee currently has 14 members: Brandon Osterbind (chair), Reid Trautz (vice chair), Lisa Brook, Jon Praed, Darius Davenport, Christopher Fortier, Jonathan Gallo, Andrew Grindrod, Brittany Johnson, Sachin Kheterpal, Seth Lindberg, Kellam Parks, Christopher Suarez, Elizabeth Yusi, as well as YLC liaison Stephen Pierce, and Emily Hedrick (VSB staff liaison). The chair thanks Darius Davenport, Chris Fortier, Jon Gallo, and Kellam Parks for their service, and welcomes new members Louis Antonacci, Anthony Bessette, Meredith Carpenter, and Austin Palmore.

The committee continued its efforts to continuously update CLE materials related to technology and the practice of law to share with bar associations and present to bar groups upon request; submit articles for publication in the Virginia Lawyer; monitor any efforts to establish a statewide e-filing initiative; create a cybersecurity guide for VSB members; and create a guide on court technology policies and access to technology in courtrooms throughout the state. Looking ahead to next year, the committee looks forward to establishing a closer relationship with the VSB Techshow and assisting in the planning process for the 2024 Techshow.

Reid Trautz will serve as committee chair for the upcoming fiscal year.

REPORTS OF THE CONFERENCES

Conference of Local and Specialty Bar Associations

Luis A. Perez, Chair

The Conference of Local and Specialty Bar Associations (CLSBA) continues to serve the needs of Virginia lawyers by maintaining a mutually beneficial relationship between the VSB and the local and specialty bar associations in the Commonwealth. It sponsors a Bar Leaders Institute each year to help new local and specialty bar officers plan their bar year and assists them with ethical issues, various programs and internal management policies and procedures; sponsors free Solo & Small-Firm Practitioner Forums open to all VSB members; sponsors the following awards: Awards of Merit, Local Bar Leader of the Year, Specialty Bar Leader of the Year, and Bar Association of the Year; maintains an information database; and makes executive committee and staff members available for technical assistance or presentations to local and specialty bars. The conference publishes The Connection online newsletter with information of interest to bar leaders. The CLSBA also edits, prints and distributes the *So You're 18* handbooks, and created the soyoure18.com website, both of which are used by many groups to inform young adults of their rights and responsibilities upon turning 18.

The CLSBA currently has 138 member bars. There are 3 bar associations in Virginia that are not members of the CLSBA. The CLSBA's annual budget for the past fiscal year was \$25,900 and has a remaining balance of \$495. The annual budget for last fiscal year's Solo & Small-Firm Practitioner Forums was \$40,000 and has a remaining balance of \$23,070.

The CLSBA held the following events this year:

The Bar Leaders Institute was presented on Friday, March 10, 2023, at Lewis Ginter Botanical Garden. The Honorable Doris Henderson Causey was our keynote speaker. Topics for the day included Practicing Law is Tough - Warning Signs, Support, Education; Perspectives of Bar Leadership from Across the Commonwealth; Judicial Performance Evaluations; Re-engaging After Covid; Qualities of a Good Bar Leader; Bar Projects Showcase; Resources for Bar Leaders; and Ethics Challenges - Post-Covid and Beyond. We would like to thank the BLI subcommittee that put together another phenomenal program – Chris Mougín-Boal, Llezelle Dugger, Lindsay Strachan, Roy Creasy, Patrick Murphrey, and Luis Perez.

The CLSBA presented two hybrid **Solo & Small-Firm Practitioner Forums** this year, as well as three Solo webinars. We started in Winchester on September 20, 2022, and ended in Abingdon on May 26, 2023. Many thanks to the Virginia Supreme Court for their continued support of these programs.

Attendance for the programs were as follows:

Live Solo webinars: 586 attendees

Live Solo in Winchester: 92 in-person/409 online

Live Solo in Abingdon: 52 in person/162 online

The CLSBA Annual Meeting and Breakfast was held on Friday, June 16, 2023, at the Hilton Garden Inn, Virginia Beach. The 2023-2024 CLSBA Executive Committee was elected, Bruce H. Russell II received the Local Bar Leader of the Year Award, Sherry A. Fox received the Specialty Bar Leader of the Year Award, the Asian Pacific American Bar Association of Virginia was named the Bar Association of the Year, The Alexandria Bar Association received the Award for Excellence in Wellness and Well-Being in the Legal Profession, and several bar associations were recognized for their projects with Awards of Merit. The CLSBA also recognized Sharon Nelson and John Simek for their many years of support for the Solo & Small-Firm Practitioner Forums, offering their expertise free of charge.

The *So You're 18* pamphlets continue being presented as part of driver's licensing ceremonies in the Juvenile & Domestic Relations District Courts in many venues across the state. They are also distributed through local bars, schools, detention centers, voter registrars, social services agencies, and other interested groups. Blueprints for a panel discussion also are available to local and statewide bar associations.

The CLSBA continued its pursuit of offering Law Office Management Programming to solo and small firm attorneys.

The leadership of the CLSBA for the upcoming year is Dillina Stickley, chair; Chris Mouglin-Boal, chair-elect; Nicholas Gehrig, secretary; Rachel Wolfe, treasurer; Luis Perez, immediate past chair; Allison Anders; Veronica Brown-Moseley; Roy Creasy; Llezelle Dugger; Rex Flynn; Brian Mangano; Patrick Murphrey; Levi Norton; and Lindsey Strachan.

The CLSBA continually seeks to improve its efforts to better serve the needs of Virginia's local, statewide and specialty bar associations, to identify best practices and inform bar leaders of developments and trends on issues of importance to association leadership.

On behalf of the Executive Committee of the CLSBA, the local and specialty bar associations, and the many lawyers who attended the events sponsored by the CLSBA this year I extend our heartfelt thanks to Paulette Davidson for her professionalism, attention to detail, guidance, patience, and ability to target and coordinate volunteers with just the perfect blend of talents and skills to implement high quality programming.

Diversity Conference

Alicia R. Johnson, Chair

Officers for the 2022-2023 Fiscal Year:

Alicia R. Johnson, *Chair*

Candace A. Blydenburgh, *Chair-Elect*

Julie McClellan, *Secretary*

Zaida C. Thompson, *Treasurer*

David D. Masterman, *Immediate Past Chair*

Number of members of the Diversity Conference: 971

Special Activities/Programs/Achievements during the 2022-2023 Fiscal Year:

2023 Law School Mentor/Mentee Initiative – VSB Annual Meeting

The Diversity Conference invited law students from each Virginia law school to attend the 2023 VSB Annual Meeting in Virginia Beach, and 11 attended. Under this Initiative, Deans of each of the respective law schools in Virginia are invited to select two of their outstanding students whom they feel reflect their schools' respective diversity goals and excellence in studies. Each of the law students was then paired with a practicing attorney from the Diversity Conference who served as mentor to the student at the Annual Meeting. The students were invited to participate in all Annual Meeting events. The Law Student Mentees attended many of the showcase CLE sessions, the presentation of the Dunnville Diversity Achievement Award, other plenary programming, sports activities, law school alumni breakfasts and various networking opportunities with their mentors. After attending the Diversity Conference Reception on Thursday afternoon, the mentees also attended the Business Meeting of the Diversity Conference on Friday afternoon.

Showcase CLE “2023 VSB Annual Meeting”

The Conference's continuing legal education seminar titled, “The Business and Law of Diversity, Equity and Inclusion and the 21st Century U.S. Supreme Court.” This CLE examined recent U.S. Supreme Court opinions rendered (and to be rendered) and discussed their impact on DEI and if there is a schism between the goals of the profession and the highest court in the land.

Speakers for this program included Moderators: the Hon. John A. Gibney and Carlos M. Brown. The speakers were: Brandon Hasbrouck and Monica T. Monday.

Diversity Conference Welcome Reception

On Thursday, June 15, 2023, the Diversity Conference hosted a welcome reception at the Virginia State Bar Annual Meeting open to all meeting attendees. The event was a huge success, and the attendance exceeded all expectations. This was a great opportunity for law students in the Conference's Mentor/Mentee Program to meet and socialize with members of the bar, VSB council members, Judges, and bar leaders and for the attendees to learn more about the Diversity Conference's mission and programs.

2022-2023 Clarence M. Dunnville, Jr. Achievement Award

The Honorable Cleo Elaine Powell, justice of the Supreme Court of Virginia, was awarded the Clarence M. Dunnville Jr. Achievement Award, sponsored by the Diversity Conference of the Virginia State Bar. The award honors a lawyer who exemplifies “...the conference's goal of fostering, encouraging, and facilitating diversity and inclusion in the bar, the judiciary, and the legal profession.”

Justice Powell embodies the perseverance and dedication to diversity, and the legal profession that we honor when recognizing those who paved the way for others to follow. Despite her demanding career, Justice Powell is never too busy to mentor students, speak at bar events for new judges or educational events for

lawyers, serve as a mentor to young lawyers, or spearhead the Rule of Law Day Program which teaches students about the rule of law and legal profession. She stands alone in Virginia history as the only African American woman to climb from the district court to the Supreme Court of Virginia, and she has done so through her unwavering integrity, dedication, and intellect.

2022-2023 Oliver Hill/Samuel Tucker Pre-Law Institute

The Oliver Hill/Samuel Tucker Pre-Law Institute (HTI) will be held the week of July 9-14, 2023, at the University of Richmond. Named for legendary civil rights attorneys Oliver Hill and Samuel Tucker, HTI reaches future lawyers at an early age (high school) to provide them with exposure and opportunity to explore the legal profession, at no cost to the participants. The Pre-Law Institute hosts talented minority high school students, mainly from Virginia, providing them with an enriching week-long program exposing them to the field of law. HTI events include: a mock trial competition, a visit to the Virginia Supreme Court and special talk with Justice Cleo Powell, a networking reception, etiquette dinner, and college admissions panel. Applications were sent to Virginia high schools and relevant listservs in early spring. The Diversity Conference thanks and appreciate the tremendous efforts of HTI co-directors Jazmine Allen, Esq. and Courtney Frazier, Esq.

Diversity Conference First Annual Forum on Diversity and Inclusion in the Law Third Annual Forum on Diversity

The Conference held its Third Annual Forum at the Williamsburg Lodge in Williamsburg, Virginia on April 21, 2023, entitled “Diversity in the Legal Profession.” The Forum provided participants with a robust slate of panelists which focused on the following topics:

- Implicit Bias and How it Affects the Practice of Law
- Best Practices and Encouraging a Culture of Diversity—Improving Diversity in the Legal Profession Through Hiring and Retention
- Investing in ESG
- Racial Reconciliation, Civil Rights and Jury Abuse in Virginia

The Annual Forum also served as an opportunity for participants to receive 6 free CLE credits and the Conference proudly had over 150 lawyers registered. The Diversity Conference Board of Governors was also honored to have our very own VSB President, Stephanie Grana and VSB President-Elect Chidi James serve as panelist. The Conference was equally thankful for the participation from our Executive Director, Cameron Rountree, and for all of the assistance provided by the VSB staff in executing a wonderful program.

Virginia Lawyer Magazine February 2023 issue

The Diversity Conference was featured in the February 2023 edition of the Virginia Lawyer.

Public Relations

The latest publication of the Diversity Conference e-newsletter, *Invictus*, has been published on invictusva.com and a link to the publication is also located on the Diversity Conference page of the Virginia State Bar website. The *Invictus* website also has numerous articles organized by date. Please follow and visit the Diversity Conference on Twitter and Facebook: <http://twitter.com/vsbdc>, and <https://www.facebook.com/dcvsb/>.

With special thanks to member Gus Bequai and Chris Fortier, the Diversity Conference continues issuing the conference e-newsletter, *Invictus*.

Diversity Conference Board of Governors FY 2022-2023

The Diversity Conference Board of Governors voted unanimously to approve the following slate of nominated candidates to serve as officers for the 2023-2024 year. These candidates were approved by unanimous vote at the Diversity Conference’s Annual Meeting held at the Annual Meeting in Virginia Beach

at the Hilton hotel on Friday, June 16, 2023.

Officers:

Candace Blydenburgh, *Chair*
Zaida Thompson, *Chair-Elect*
Courtney Frazier, *Treasurer*
Julie McClellan, *Secretary*
Alicia R. Johnson, *Immediate Past Chair*

Board Members (serving a second term)

(serving a 3-year term):

Debra Powers
Wayne Scriven
Brian Wesley

Outgoing Board Member:

Luis Perez

Senior Lawyers Conference

Gary C. Hancock, Chair

As of June 14, 2023, the Senior Lawyers Conference (SLC) had 24,522 members, consisting of all VSB members 55 and older and in good standing.

The SLC officers for the 2022-23 fiscal year are: Gary Hancock, Chair; W. Carter Younger, Vice-Chair; Thomas Bell, Secretary; Barbara Anderson, Treasurer; and Peter Burnett, Immediate Past Chair (ex officio).

The SLC's annual recognition brunch was held at the VSB's annual meeting on June 17, 2023, for VSB members who have reached their 50th year of membership. We had a total of 364 members who reached this momentous milestone. We had a total of 19 members attending in person (with guest there were 60 people in attendance).

The SLC maintains and publishes the Senior Virginians Handbook. The 2021 edition is available in print and for download online. The 2021 Spanish language edition is also available in print and online. The editorial staff will initiate revisions to both language editions online throughout the year as necessary changes become necessary. Veronica Williams, Board Member will oversee and is the new liaison for the Senior Virginia Handbook. Requests for copies of the Senior Virginian's Handbook have been robust. The primary method of distribution is at Senior Law Days, but are available to individual lawyers, libraries, hospitals, senior centers, and as a download from the Senior Lawyers Conference's page on the Virginia State Bar website.

Former SLC Board of Governors Chair Bruce Robinson provides leadership and support for bar communities desiring to hold a half day free seminar Senior Law Day Programs (including free copies of the Senior Virginian's Handbook for each attendee) for senior Virginians and their advocates. A template and guide for the program is available on the SLC attorney resources page, and we provide advice on proven presentation strategies. Frank Brown has dedicated significant time and service in producing the *SLC Newsletter* and oversees the SLC's content in the *Virginia Lawyer* magazine.

The Conference continues to encourage pro bono work by senior lawyers, through both the Special Committee on Access to Legal Services and Board members' personal efforts. Andrea Bridgeman is now heading our pro-bono efforts as our liaison.

The SLC Pro Bono working group has met and discussed several ways to engage Conference members. These include:

Promoting TIES, Transition into Emeritus Status, to encourage retiring VSB members to provide pro bono service and continue to participate with the Bar (articles in the Senior Lawyers Newsletter and The Virginia Lawyer-12/22 issue, telephone outreach to all current Emeritus VSB members).

Sponsoring/creating webinars about planning for seniors and legal protections for the vulnerable and infirm—proactive legal advocacy for senior lawyers and their clients!

Support for the Senior Helpline, a project of the State Department of Aging and Rehabilitative Services and the Virginia Poverty Law Center, which is coming back on-line after a hiatus; the Helpline provides remote advice and counsel to clients without income restrictions and will need pro bono volunteers to support specific substantive areas. Some ideas being discussed include:

- Creating shorter, low-literacy brochures for callers on several of the topics covered in the Senior Lawyers Handbook.
- Getting a bench of committed SLC volunteers (possibly emeritus attorneys) to cover helpline calls, possibly focused on one or two legal categories.
- Creating a program to recruit and train attorneys to work directly with Afghan immigrants has

- proved challenging.
- Creating a list of those willing to mentor pro bono attorneys (presumably without direct client contact). A model might be the Triage Project, a venture of the Greater Richmond Bar Foundation and Central Virginia Legal Services.

Under the leadership of our Mentoring Subcommittee, Peter Burnett, and Carter Younger, we have made reported considerable progress toward completing the professionalism and civility video. A final draft video is now completed, and the video is excellent and received universal praise from our Board of Governors at our recent meeting. It will be approximately one-hour long and will feature a number of distinguished interviewees, including Virginia's Chief Justice. We are exploring options for awarding CLE credit associated with the video.

Discussions are underway about how best to distribute and grow interest in the video when it is completed in order to maximize the impact of the video. Peter and Carter are exploring marketing strategies to ensure maximum distribution and coverage for the video.

The Senior Lawyers Conference undertook preliminary revisions of its by-laws at the Annual Meeting and will continue review in the coming year.

We thank Judge Manuel A. Capsalis from Fairfield and Mary Lynn Tate from Abingdon for their dedicated service as they rotate off our Board of Governors. We also thank Sylvia Daniel of the VSB staff for her continuing assistance and support of the Senior Lawyers Conference, and we welcome Nancy Donner as the new incoming liaison for the Board of Governors. The SLC officers for the 2023-24 fiscal year are: W. Carter Younger, Chair, Thomas G. Bell, Jr., Vice-Chair; Barbara S. Anderson, Secretary; Richard A. Gray, Treasurer; and Gary C. Hancock, Immediate Past Chair (ex officio).

New board members for 2023-24 are Leonard L. Brown, William "Bill" Phillips, Phillip V. Anderson, and Jon D. Huddleston.

Young Lawyers Conference

Craig E. Ellis, President

The Young Lawyers Conference (YLC) consists of active and associate Virginia State Bar lawyers in good standing, age 36 and under, and those admitted to their initial bar for fewer than three years. No additional dues are charged for membership in the YLC. The YLC serves as a voice of Virginia's young lawyers for the Virginia State Bar and the American Bar Association. Through its projects, events, and standing committees, the conference provides opportunities for young lawyers to participate in governing the Virginia State Bar, serve the profession and the public, and enhance the public awareness of the legal profession.

The Young Lawyers Conference currently has 7,800 members. The annual budget for the past fiscal year was \$99,500.00 and has a remaining balance of \$23,971.29. (This figure excludes any income during the past Bar year to offset the costs of programs)

This year, the Young Lawyers Conference hosted the following programs:

July 2022

11-13: Oliver Hill/Samuel Tucker Pre-Law Institute at University of Richmond. (Abbreviated program this year; coordinated by the Diversity Conference with support from the YLC)

September 2022

6: YLC co-sponsored a webinar with Eastern and Western Federal Judicial Districts of Virginia and others: Combating Domestic Violence; The "POWER" of a Helping Hand.
16-17: YLC Leadership Institute in Richmond

October 2022

13: Bench-Bar Celebration Dinner for Women and Minority Judges at University of Mary Washington in Fredericksburg, VA
28-29: YLC Board Meeting in Harrisonburg, VA

November 2022

11: YLC all-virtual Board Meeting to approve proposed budget for FY24

December 2022

7: A&O Ceremony in Richmond, VA
9-10: YLC Board Meeting in Alexandria, VA

February 2023

3-5: YLC Delegate, Melissa M. Little, attended the ABA Midyear Meeting in New Orleans
3 & 10: YLC partnered with VSB Criminal Law Section to award five Criminal Law Fellowships to VA young lawyers for the Criminal Law Seminars in Charlottesville and Williamsburg
8: The YLC, the VSB Access to Legal Services Committee, and the NACC co-sponsored a webinar CLE on Representing Parents in Child Dependency Cases. This was part one of a three-part series.
17-18: YLC Board Meeting in Lynchburg, VA

April 2023

13: Pro Bono CLE to teach attorneys how to use Virginia Free Legal Answers
14: YLC Bench-Bar Conference: free, webinar CLE
22: Minority Pre-Law Conference at William & Mary Law School
28-29: YLC Board Meeting in Norfolk, VA

May 2023

17: Virginia Free Legal Answers Pro Bono Clinic, hosted by YLC.

19: YLC Professional Development Conference: free, webinar CLE

24: Lunch & Learn About Lobbying: 3rd District non-CLE program hosted in Richmond and co-sponsored by Eckert Seamans and Hunton Andrews Kurth

25: Mental Health & Trauma in Lawyering: CLE hosted in Richmond and co-sponsored by McGuireWoods

June 2023

7: A&O Ceremony hosted at the Greater Richmond Convention Center

14-17: VSB 2023 Annual Meeting

YLC events included the Run in the Sun 5k, YLC Members Luncheon, YLC Members Reception, and sponsored CLE: Judicial Squares. Alicia M. Penn announced as recipient of the R. Edwin Burnette, Jr. Young Lawyer of the Year Award.

15: Summer Interns & New Lawyers Networking Reception – 10th District Event in Abingdon

Docket Call released new articles periodically throughout the year.

The leadership of the Young Lawyers Conference for the upcoming year includes the following officers and board members:

Craig E. Ellis, *President*

Ben A. Shute, *President-Elect*

Breanna N. West, *Secretary*

Kris R. McClellan, *Immediate Past President*

Dante J. Wright, *1st District Board Member*

India L. Richardson, *2nd District Board Member*

Courtney M. Frazier, *3rd District Board Member*

Maricris L. Prendingue, *4th District Board Member*

Benjamin C. Charlton, *5th District Board Member*

J. Rob Elliott, *6th District Board Member*

Kale J. Vorndran, *7th District Board Member*

Andrew S. Gerrish, *8th District Board Member*

Melanie L. Kendrick, *9th District Board Member*

James L. Crandall, *10th District Board Member*

Amanda H. Rudolph, *At-Large Representative*

Sarah Kathryn Stahling, *At-Large Representative*

Jasmine R. McKinney, *At-Large Representative*

Christy A. Compagnone, *At-Large Representative*

Simone Williams, *At-Large Representative*

I would like to thank the YLC volunteers, Program Chairs, District Representatives, Section Liaisons, and Board members for their service, commitment, and leadership during this first post-COVID year. As a result of their work, the YLC was able to return to in person meetings while applying new methods of content delivery honed during the pandemic. The result was not simply a return to our old ways but a resurgence leading to new and innovative programming. This would not have been possible without the constant support of our VSB Liaison, Mallory. Under her guidance, YLC volunteers were able to tackle new regulatory challenges and learn how best to deliver programs when faced with in-person, virtual and hybrid options. YLC volunteer leaders also continue to grow and adapt their programs for the changing needs of young lawyers, and to respond to the ever-present demand for increased access to legal services.

I am proud of the work that the YLC members have accomplished and continue to accomplish to advance the legal profession, uphold the rule of law, promote true diversity, and serve the public in the Commonwealth of Virginia.

REPORTS OF THE SECTIONS

Administrative Law Section

Frederick D. Ochsenhirt, Chair

The Administrative Law Section continues to serve the needs of Virginia lawyers by focusing on the practices and interests of administrative law and regulatory industries.

The Administrative Law Section currently has 667 members. The annual budget for the past fiscal year was \$7,840.00 and has a remaining balance of \$6,546.00 as of April 30, 2023.

An Administrative Law Spring CLE program was held on June 8th at the Richmond offices of Hunton Andrews Kurth. Approximately 85 people attended and received 4 hours of free CLE credit and a networking reception was held afterwards at Hunton Andrews Kurth.

The leadership of the Administrative Law Section for the upcoming year is Eric J. Wallace as Chair, Hon. C. Mitch Burton Jr. as Vice Chair, and Timothy G. L. McCormick as Secretary.

The Section is finalizing details to reboot the National Regulatory Conference in 2024.

I wish our new leadership all the best. I remain thankful to everyone who served on the Board this year for another successful year serving our membership.

Antitrust Law Section

Jeffery A. Ogar, Chair

The Antitrust section was formed to sponsor projects and programs of special interest and relevance to the members of the Section and the Virginia State Bar in the field of antitrust and franchise law, and to further and promote public understanding of antitrust, franchise, and trade regulations. The Antitrust Law Section currently has 202 members. The annual budget for the past fiscal year was \$1200. No funds were expended.

The VSB staff has been working with section members to constitute a new board for the section. The officers for FY 2022-2023 were Chair, Jeffrey A. Ogar and Vice Chair, Brian E. Scarpelli and both will continue in 2023-2024.

The board submitted a CLE for the 2023 VSB Annual Meeting but were not selected to present.

The new board members hope to grow section leadership and programming in the coming year.

Bankruptcy Law Section

Kelly M. Barnhart, Chair

The Bankruptcy Law Section continues to serve the needs of Virginia lawyers by enhancing the communication and exchange of ideas and information involving bankruptcy issues.

The Bankruptcy Law Section currently has 632 members. The annual budget for the past fiscal year was \$10,624.00 and has a remaining balance of \$2,927.97.

The Board met almost every month during the year through virtual Zoom meetings and had one informal meeting of the Board during the Annual Mid-Atlantic seminar. On March 10, 2023, the Bankruptcy Section along with the VACLE put on its *Annual Bankruptcy Practice Seminar 2023* at the VA Education Center in Glen Allen with a networking lunch and a virtual option to attend via Zoom. The section put out the *Bankruptcy Law Newsletter* – Fall edition on October 13, 2022, Winter Edition in early 2023 and the Spring Edition went out at the end of May 2023. The section was able to meet in person on April 15, 2023, at The Local in Charlottesville, where they held their Annual Dinner/Meeting. The section ended their year with a sponsorship to the Bankruptcy Conference held at Roanoke College on June 16, 2023, by the Western District of Virginia. The 2023 VSB Annual Meeting Section lunch was held on the same day in Virginia Beach where the 2023-2024 board was voted on.

The leadership of the Bankruptcy Law Section for the upcoming year includes the following board members and officers:

Andrea C. Davison, *Chair*
Janice R. Hansen, *Vice Chair*
Nancy R. Schlichting, *Secretary*
Kelly M. Barnhart, *Imm. Past Chair*
Veronica D. Brown-Moseley, *Newsletter Editor*

Paula S. Beran
Michael E. Hastings
Stephan W. Milo
Dana S. Power
Brandy M. Rapp
Jennifer J. West
David W. Gaffey

It has been an honor and privilege to serve as this Section's Chair the past year and to have had the opportunity to work with such great people who give their time and energy to helping with our Section. A big thank you to the entire VSB Staff, with a special "shout out" to Kim Karnes, our liaison, who helped make sure all Section matters ran smoothly this year. A big thanks to Asha Holloman and Tanya Morris at Virginia CLE. I would also like to thank Dylan Trache, my predecessor, for his help and service to the Section throughout the year, and answering my many questions, and to the Board for their dedicated service.

Business Law Section

William A.M. Burke, Chair

The Business Law Section continues to serve the needs of Virginia lawyers by providing programming and collaboration for those members who practice or have interest in substantive areas relevant to business law practice.

During the 2021-2022 bar year, the Business Law Section had 1,943 members and an annual budget of \$12,800.

The section board was pleased to bring back the Business Law Seminar as an in-person event. The 48th Annual Advanced Business Law Conference was held September 16 & 17, 2022 at the Hilton Hotel in downtown Richmond. VACLE was a co-sponsor. Topics included White Collar Criminal Issues for the Business Lawyer, Federal Corporate Transparency Act Update, Commercial Contract Disputes Clauses, Avoiding and Handling Business Owner Deadlocks, Disputes and “Divorces”, and Ethics for Business Lawyers. The course qualified for 8 hours of CLE credit including 2.0 hours of ethics credit.

Board members for the 2023-2024 year will be John M. Huddle, Chair; new board member Joseph B. Allen, Secretary; Steven L. Brinker, Treasurer; William A.N. Burke, Immediate Past Chair, and continuing board members, Steven J. Keeler, and Matthew A. Clary, III. Daniel E. Howell will also join the board.

Construction Law and Public Contracts Section

Alison R. Mullins, Chair

The Construction Law and Public Contracts Section continues to serve the needs of Virginia lawyers by providing a forum for its members to share research, experiences, and ideas. Section members receive a discounted registration fee for its annual Fall seminar in Charlottesville, which fulfills the complete annual requirement for Virginia continuing legal education credit. Members also receive the Construction Law and Public Contracts News, the Section's semiannual newsletter, and the Construction Law Handbook, an online compilation of construction and public contracts-related case summaries updated annually. The Section also sponsors two annual seminars, the Construction Law and Public Contracts Seminar in Charlottesville, and the Federal Government Contracts seminar in Fairfax.

The Construction Law and Public Contracts Section currently has 794 members. The annual budget for the past fiscal year was \$11,664 and has a remaining balance of \$5,103.

The Construction Law and Public Contracts Section held the following events this year:

43rd Annual Construction Law and Public Contracts Seminar

This seminar was held at Boar's Head in Charlottesville on November 4 and 5, 2022. There were 108 attendees at the live seminar, 7 on the phone and 57 on the webcast plus 33 faculty members, moderator, and planners. The committee for this program included Tara Chadbourn, Josh Johnson, Jesse Keen, Alison Mullins, and Jon Straw.

7th Annual Federal Government Contracting Seminar

This seminar was presented on September 13, 2022, at the Hilton Fairfax. There were 18 attendees at the live seminar, 8 phone attendees and 96 webcast attendees, plus 12 faculty members, moderator, and planners. The committee for this program included Jim Harvey, Dan Rounds, and Randy Wintory.

The Section continues to provide valuable written materials to its membership. The Section published its Summer edition of its newsletter under the editorship of Joe Guarino, Chandra Lantz, Arnie Mason, and Dan Eggleston. The Section updated its Construction Law Handbook to include recent Virginia state and federal court decisions affecting our members' practices under the leadership of Mark Burgin, Quinton Callahan, Joe Guarino, Sarah Kathryn Stalling, and Jon Straw. And a special shout-out goes to Kaylin Bowen of the VSB Communications Department who took on the task of converting the handbook into a more user-friendly version.

The leadership of the Construction Law and Public Contracts Section for the upcoming year is: Jonathan Straw, Chair; Spencer Wiegard, Vice Chair; Lauren McLaughlin, Secretary; Arnie Mason, Treasurer; Alison Mullins, Immediate Past Chair; Mark Burgin; Quinton Callahan; Tara Chadbourn; Jesse Gordon; Joseph Guarino; James Harvey; Joshua Johnson; Chandra Lantz; Sarah Kathryn Stalling; Jonathan Wright; Hon. Scott Geddes, Ex-Officio Judicial; and Hon. David Lannetti, Ex-Officio.

It has been my privilege to serve as this Section's Chair the past year, and to have had the opportunity to work with so many fine people across the Commonwealth who contribute their time and effort to ensure our Section's continued success. I would like to heartily thank the Construction Law and Public Contracts Section Board of Governors for their tireless work on behalf of our Section. Also, many thanks to Asha Holloman, Tanya Morris, and their team members at Virginia CLE, without whom the Section's in-person and virtual CLE programs would not have been possible. Finally, I wanted to extend a special thank you to our VSB liaison, Paulette Davidson, who helps keep the Section running smoothly.

Corporate Counsel Section

Stephanie J. Gilliard, Chair

The Corporate Counsel Section continues to serve the needs of Virginia lawyers by sponsoring events and facilitating the exchange of information and ideas among in-house attorneys.

The Corporate Counsel Section currently has 1,684 members. The annual budget for the past fiscal year was \$25,040.00 and has a remaining balance of \$14,457.49 (as of April 2023).

The Corporate Counsel Section held six board meetings this year; four were held via video conference, one was offered in a hybrid format with the in-person option in Richmond, and one was held as part of the Virginia State Bar's 2023 Annual Meeting in Virginia Beach. The section coordinated the following programs this year:

- The section continued to offer Corporate Counsel Panels at each of the Virginia law schools.
- The Board awarded two Corporate Counsel Awards this year, to law students sitting for the July 2022 and February 2023 Bar exams. Austin Palmore, from Washington & Lee University School of Law and Elizabeth Hardy from Howard University School of Law received the awards for their respective exam periods. This is a monetary award in the amount of \$3,000.00 given to a recent law school grad who intends to sit for the Virginia Bar Exam and take an in-house position. The award is intended to help the recipient offset costs of the bar exam, study materials, first year bar dues, etc. This will continue to be offered for both the February and July bar exams each year.
- The Corporate Counsel Section released one newsletter this year. (Spring 2023)
- The section also co-sponsored a free hybrid CLE program on April 12, offering 1.5 hours of CLE credit. The program: Corporate Governance Challenges Today: Stakeholders, Oversight Duties, and More, featured speakers Ellen Fitzsimmons and Edward J. "Ned" Kelly, III. The course shared updates in corporation law and corporate governance. Hunton Andrews Kurth co-sponsored and hosted the CLE at their offices in Richmond.
- The section teamed up with the ACC National Capital Region to host a networking event at Brambly Park in Scott's Addition in Richmond on May 31.
- Finally, the section hosted a luncheon at the VSB's Annual Meeting on June 16, 2023, to which section members were invited to participate in year-end business.

The Board of Governors of the Corporate Counsel Section for the upcoming year includes the following members and officers:

Donald "Frank" Lynch, III, *Chair*
George L. Washington, Jr., *Vice Chair*
Taylor A. Brown, *Secretary*
Stephanie J. Gilliard, *Immediate Past Chair*
Ross L. Hays
Naoina C. Gartee

Lisa C. White
Taylor Brown
Blake Hegeman
Peter Hilton
Bill Norris

Finally, I would like to conclude by thanking the entire Board for their support and dedication to the Section. Each member contributed significantly, and the Board's successful year is a direct result of everyone's hard

work and commitment to Section members. I am looking forward to remaining on the Board in my capacity as immediate past chair to further collaborate on moving the Section forward. Allow me also to congratulate the new officers for 2023-2024, Frank Lynch, George L. Washington, Jr., and Taylor Brown, who I know will all provide excellent leadership!

Criminal Law Section

Jacqueline M. Reiner, Chair

It has been an honor to serve as chair of the Virginia State Bar's Section on Criminal Law for the 2022-2023 bar year. The section continues to serve the needs for Virginia lawyers by bringing together both defense and prosecution attorneys to produce programming for Virginia lawyers and to share knowledge of the profession.

With a membership of 2,470 members, including 370 judicial members, the section remains the second largest section of the Virginia State Bar. Its operating budget for 2022-2023 was \$41,600.

Newsletter editor Professor Ron Bacigal, of the University of Richmond, published three issues of Criminal Law News during the year and assisted with the annual seminar.

This past year the section enjoyed tremendous success in outreach to and recruitment of talented attorneys of all levels of experience in an effort to expand federal, circuit, and appellate court appointed lists.

The section enjoyed a phenomenal 53rd Annual Criminal Law Seminar in both Williamsburg and Charlottesville and awarded our prestigious Harry L. Carrico Professionalism Award to The Honorable Robert E. Payne, Senior District Court Judge for the Eastern District of Virginia.

For the first time, the Criminal Law Section offered five scholarships to the Young Lawyers Conference for the Annual Seminar. The application included a statement of interest and verification of public service practice. The YLC liaison vetted the applications and proposed 5 recipients who the Board approved. The selection criteria placed some emphasis in the selection process on financial need and practice location/access to live CLEs. Tuition to one of the two seminars was waived and if the recipient lived more than 30 miles away then mileage and hotel fees were also covered. The section also offered mentorship opportunities following the seminar. The young lawyers were excited to be part of the event, our Board was excited to host them, and the cost to our section was minimal. The section also subsequently sent a message to the other VSB section chairs asking that if they host an event of this nature to please consider offering the same opportunity in their field to our YLC colleagues.

This year the section sponsored two CLEs at the VA Beach Annual Meeting. M. Tyson Daniel spoke on behalf of our section at "Budding" Cannabis Law from Four Perspectives: A "Joint" Presentation from the Litigation, Criminal, Health, and Real Property Sections of the VSB. Jennifer Gebler presented on behalf of our section at Protective Orders - Defense and Pleas, which was co-sponsored with the Family Law Section. Both were well received and unique in both the collaborations and the topics.

As part of its ongoing partnership with Virginia law schools, the Section awarded stipends of \$4,000 in June 2023 to the public law schools (George Mason, UVA, and William & Mary) to fund student internships in the field of criminal justice for the summer of 2024.

Leadership for the 2023-2024 year will be: George A. Neskis, Chair; Joseph D. Platania, Vice-Chair; Alison G. Powers, Secretary and Jacqueline M. Reiner, Immediate Past Chair. Ron Bacigal will continue as newsletter editor. New Board members will be Aaron L. Cook and James C. Turk, Jr.

On behalf of the board, I extend our sincere appreciation to S. Eugene Fishel, IV, past chair and Attorney General's Office representative whose board term ended on June 30th, 2023.

Education of Lawyers in Virginia

David H. Spratt, Chair

The Section on the Education of Lawyers continues to serve the needs of Virginia lawyers by bringing together law school deans and professors, members of the judiciary and practicing lawyers in a collaborative effort to provide programs that improve every phase of legal education in Virginia.

The Section currently has 260 members. The annual budget for the 2022-2023 fiscal year was \$5,144.00. The Section ended this fiscal year with a negative balance of \$412.77. The Section's 2023-2024 Budget will begin with a \$6,464.00 balance.

The Section met via video conference in September and November of 2022 and in January and March of 2023 to conduct standard business and develop ways to better-serve section members.

The Section's 2022-2023 programs and accomplishments were as follows:

- The Section released two newsletters this year: Fall 2022 and Spring 2023 with contributions regularly submitted by Virginia's law schools.
- The Professionalism for Law Students program presented to each of the Virginia law schools, with only one of the programs being hosted virtually.
- The Legal Writing Workshop was hosted by this section and Virginia CLE on May 5 at the Bobzien-Gaither Education Center in Glen Allen, Virginia. The seminar covered basic grammar and writing strategies and offered 7.5 hours of live CLE credit, including 1.0 hour of ethics.
- The Section hosted a CLE program, approved for 1.5 hours of live CLE credit, at the VSB's 2023 Annual Meeting in Virginia Beach: "Butting Heads: Negotiation Tactics and Ethical Boundaries for Lawyers". Speakers: Prof. Eric A. DeGroff, John M. Kaptan, Prof. Kathleen A. McKee, and moderator David H. Spratt.
- Anita O. Poston, a senior partner at Vandeventer Black LLP, was selected as the 2023 recipient of the William R. Rakes Leadership in Education Award. Mr. Rakes presented the award to Ms. Poston during a reception underwritten by Gentry Locke at the 2023 VSB Annual Meeting in Virginia Beach.

The Section held its annual meeting in June 2023 at the VSB Annual Meeting. Section members were invited to participate in the year-end business that included voting in the 2023-2024 board of governors.

The leadership of the Section on the Education of Lawyers for the upcoming year includes the following board members:

Kristine L.H. Smith, *Chair*

Vacancy, *Vice Chair*

Vacancy, *Secretary*

Prof. David H. Spratt, *Imm. Past Chair*

Leslie A.T. Haley, *Newsletter Editor*

Hon. Linda L. Bryant

Prof. Henry L. Chambers, Jr.

Prof. Katherine G. Mims Crocker

Thomas A. Edmonds

Michael J. Finney

Prof. Laura A. Heymann

Hon. David W. Lannetti

R. Lee Livingston

Hon. Cleo E. Powell

Hon. Wesley G. Russell, Jr.

Thomas R. Scott, Jr.

Hon. Michael F. Urbanski

Dean B. Keith Faulkner

Dean Risa L. Goluboff

Dean Bradley J. Lingo

Dean Wendy Collins Perdue

Dean Kenneth C. Randall

Dean A. Benjamin Spencer

Dean Morse H. Tan

Dean Melanie D. Wilson

Vacancy, Board of Governors

Vacancy, Board of Governors

I truly enjoyed serving as Chair of the Section this past year. Both of the Section's programs were well-attended and received, and hopefully, we can continue this success in the coming years. Next year's Legal Writing Workshop will return to Washington, D.C. The negotiation program lends itself to a continuing series of programs – there was some interest in having a similar program dealing with mediation at the next annual meeting. The Section will continue to discuss a new Conclave to provide an opportunity for dialogue between law schools, the VSB, and practitioners.

We could not have survived – this year or at any time – without Mallory Ralston, our VSB liaison-extraordinaire, and the rest of the VSB Staff. Mallory is the workhorse behind the Section, and we are eternally grateful for her irreplaceable and unsurpassed contributions.

I know the Section and its new leadership will continue to thrive. Thank you to the VSB for allowing me to promote legal education in Virginia and elsewhere.

Environmental Law Section

Joe Romero, Chair

The Environmental Law Section had another outstanding year serving the needs of Virginia lawyers by providing opportunities for continuing education, sponsoring projects and programs related to environmental law in Virginia, and keeping section members up to date with recent environmental law changes so they can better serve the public.

The Environmental Law Section currently has 425 members. The annual budget for the past fiscal year was \$5,696.00 and has a remaining balance of \$4,929.93.

The Environmental Law Section Board of Governors held five meetings via video conference and one in-person meeting to further the rejuvenation of the section in 2022-2023. Three committees continued to provide beneficial services throughout the year: a CLE committee, a Newsletter committee, and a Public Service committee.

The Newsletter committee continues to produce a monthly issue of *The Oyster*. This news update filters many different sources that share environmental law updates such as the DEQ, EPA, the Courts, etc. and shares pearls with section members monthly, via email.

The section offered a free webinar CLE program to VSB members in July 2023. The topic was an update on and a look at what's coming from the DEQ regarding Virginia's Erosion and Stormwater Management Program.

The Public Service committee hosted a "Coffee with the Secretary" event in April 2023, where Secretary of Natural and Historic Resources, Travis A. Voyles, met virtually with a group of interested students from Virginia's law schools. He shared his career trajectory and answered questions posed by the engaged participants.

The Section held its annual meeting in May 2023 in Richmond. Section members were invited to participate in the year-end business that included voting in the 2023-2024 board of governors.

The Environmental Law Section continued to offer timely and substantive updates on legal developments impacting all of our members. We were delighted that our CLEs reached such a broad audience, and we hope that the new bar year will provide greater opportunities for us to meet in person as we strive to learn from our peers in the industry. "The Oyster" continues to be well received, thanks to the contributors.

The only disappointment, from the Chair's perspective, is that we continue to have such a healthy bank balance at the conclusion of the Bar year. This is due in large part to all the volunteer efforts of the Section's board and the VSB staff in pulling together our CLEs, "The Oyster," and our networking sessions.

The Board explored different uses of the funds that would benefit the Section, with several options carried forward for further study. We anticipate this analysis to continue into the new Board year as the Section develops a sustainable and beneficial path for use of the Section's resources. The Section would also appreciate any suggestions of any worthwhile endeavors the VSB would like to see the Section undertake.

I especially want to thank the Virginia State Bar for enabling the Section to be of service to all our members.

The leadership of the Environmental Law Section for the upcoming year includes:

TBD, *Chair*

Lindsey N. Rhoten, *Vice Chair*

TBD, *Secretary*

Joe Romero, *Imm. Past Chair*

Marvi R. Ali

Alexander G. Cattermole

Ellen B. Egen

Peyton Nicole Farley

Kathleen M. Hennessey

Jerald R. Hess

Rachel M. James

Hon. Roy M. McKenney

Michael W. McLaughlin

Gray S. Montrose

Cliona M. Robb

Family Law Section

Robert E. Henley III, Chair

The most visible duty of the Board is to produce the fall Family Law Seminar and the spring Advanced Family Law Seminar in conjunction with Virginia CLE. The Advanced Family Law CLE took place at the Jefferson Hotel in Richmond in April. 175 attorneys attended in person, along with 250 who attended by webcast.

Craig Sampson delivered his annual case law update, and Dan Gray presented the 2023 Legislative Update. Larry Diehl addressed the new appellate rules and procedure. Elizabeth Gray and Virginia Haizlip discussed the intersection of family law and elder law with many valuable recommendations. Brian Hirsch presented and provided an outline on burdensome issues in equitable distribution, particularly the shifting burden of proof along with a panel comprised of Judge Daniel Ortiz, Judge William Watson, and Cassandra Chin. Barry Waldman and Barbara Mardigian discussed the pertinent issues of lawyer self-care and resources for troubled colleagues.

The Lifetime Achievement award was presented to Ilona Grenadier, and the Service Award was presented to Cassandra Chin. The law student winners of the Second Annual Family Law Writing Competition were recognized and received their certificates and cash awards. Logan Easley of Regent University won third place, Ashley Stricklen of Appalachian School of Law won second and Amia Salisbury of Liberty University won first place. Please encourage law students whom you know or who clerk for your firms to submit articles next year.

We will present a CLE at the June VSB meeting on the intersection of Family Law and Criminal Law in Protective Orders in conjunction with the Criminal Law Section of the State Bar. Judge Kevin Duffan, Judge Vanessa Jones, Clayton Worthington, and Jennifer Gebler will present.

Consistent with our ongoing effort to encourage attendance in person, I am pleased to report that Virginia CLE has agreed to expand the fall Family Law Seminar so that it will include a live presentation in Hampton Roads, as well as in Richmond and Northern Virginia.

I wish to thank the members of the Board of Governors for their service, enthusiasm, and organizational skills. Gina Amick will take over as Chair on July 1st, and Craig Sampson will become Vice Chair. Our liaison, Dolly Shaffner, continues to provide valuable guidance and help with planning.

It has been my privilege to serve as Chair of the Board of Governors of the Family Law Section for the 2022-2023 term.

The Family Law Section currently has 1,971 members. The annual budget for the past fiscal year was \$40,224.00 and has a remaining balance of \$443.86 as of June 30, 2023.

General Practice Section

Esther S. McGuinn, Chair

The General Practice Section continues to serve the needs of attorneys in the general practice of law and has done so since 1986. We continue to conduct legal education seminars and other activities to enhance the skills of Virginia lawyers.

This year, the General Practice Section continued to offer live webinars in lieu of in-person events.

Virginia Residential Landlord-Tenant Law – (130 attendees) - Marty Wegbreit of Central Virginia Legal Aid Society
Federal Wealth Transfer Tax Basics (163 attendees) – Jake Snow and Peter Davies from the Davies and Davies Law Firm.

The leadership of the General Practice Section for the upcoming year is: Thomas W. Nesbitt, chair; Hunter R. Wells, vice chair; Jeffrey C. Flax, secretary; Esther S. McGuinn, immediate past chair; Christopher C. Johnson, John C. Johnson; Ronald A. Page, Jr.; Matthew J. Zwerdling; Grayson S. Johnson;; Hon. John Tandy Cook, ex-officio judicial; Hon. Bonnie C. Davis, ex-officio judicial; and Hon. Bryan C. Dunkum, ex-officio judicial.

As of June 30, 2022, the section had 864 members. The budget for Fiscal Year 2022-2023 was \$14,937 and there is a remaining budget of \$6,930.

The General Practice Section would like to express our sincerest appreciation to our section liaison, Paulette Davidson as we look forward to next year.

Health Law Section

Thomas E. Miller, Chair

The Health Law Section continues to serve the needs of Virginia lawyers by promoting pro bono publico objectives of the Virginia State Bar within the field of health law, to foster interest, activity and research in health law and affairs, to furnish the public with an understanding of its rights and obligations, to enhance friendship and understanding among lawyers having interest in health law, and to cooperate with other bar organizations in such areas of law.

Additionally, the purposes of this Section are to sponsor programs and seminars on health law; develop and provide to members bibliographies of materials on health law, lists of experts and consultants; to provide a forum where Section members can share in research; and to publish a health law newsletter.

The Health Law Section had 664 members as of June 30, 2023. The annual budget for the past fiscal year was \$9,984, and there is a remaining budget of \$7,595.

The section co-sponsored a 1.5-hour CLE during the VSB Annual Meeting on the topic of “Budding” Cannabis Law from Four Perspectives: A “Joint” Presentation from the Litigation, Criminal, Health, and Real Property sections of the VSB. Speakers were Tyson Daniel, Scott Johnson, Stewart Pollock, and Agustin Rodriguez.

The leadership of the Health Law Section for the upcoming year is:

Amy B. Mogetz, *Chair*;

Karla L. Palmer, *Vice Chair*;

Robert H. Gibbs, Jr., *Secretary*;

Thomas E. Miller, *Immediate Past Chair*;

Kimberly S. Day; Dean E. Lhospital;

Heather W. Miller; and Michael R. Newby.

Intellectual Property Section

Aaron L. Parker, Chair

The Intellectual Property Section continues to serve the needs of Virginia lawyers by providing continuing legal education and striving to create opportunities for its members.

The Intellectual Property Section had 1,432 members this year. The annual budget for the past fiscal year was \$23,360.00 and has a remaining balance of \$15,378.59.

The Intellectual Property Section has been inactive this year except for sponsoring the Annual IP Writing Competition that was awarded to two William & Mary students. The first-place winner was Reza Kameli, and the second-place winner was Joe DeMarco.

The new board members hope to grow section leadership and programming in the coming year. The Intellectual Property Section for the upcoming year includes the following board members and officers:

Charles B. Molster, *Chair*
Philip A. Riley, *Vice Chair*
Amy G. Pruett, *Secretary*
Robert D. Michaux, *Chair Elect*
Aaron L. Parker, *Imm. Past Chair*

John A. Morrisett
Martha A. Weis
Andrea Z. Warmbier
Coke M. Stewart
Shawna M. Yashar

International Practice Section

Geoffrey M. Goodale, Chair

The International Practice Section continues to serve the needs of Virginia lawyers by encountering matters that are international in nature or which have transnational implications, and their clients require proactive expertise to meet the dramatic opportunities and challenges of this dynamic and complex business and regulatory environment.

The International Practice Section had 411 members. The annual budget for the past fiscal year was \$3,232.00 and has a remaining balance of \$2,996.65.

The International Practice Section held eight board meetings via conference calls this past year. The section offered its members a free CLE on April 11, 2023, titled “International Arbitration: 2022 Year in Review.” On June 28, the board held a virtual Annual Meeting, to which section members were invited to participate and to elect the 2022-2023 Board of Governors.

The leadership of the International Practice Section for the upcoming year includes the following board members and officers:

Megan A. Barnhill, Chair
Melissa S. Gorsline, Vice Chair
Jennifer K. Mammen, Secretary
Brian H. Pandya, Treasurer

John M. Huddle
Caroline S. Littleton
Geoffrey M. Goodale
Bradley A. Haneberg

Litigation Section

Brian S. Wheeler, Chair

The Litigation Section continues to serve the needs of Virginia lawyers by providing a forum for the discussion of matters affecting the way in which litigation is conducted in the Commonwealth of Virginia, to sponsor projects and programs of educational value or special interest and relevance to the members of the Section; and to promote efforts aimed at improving the efficient, affordable, ethical, and just resolution of societal disputes.

The Litigation Section's membership as of June 30, 2023, was 3,493 making this the largest section of the Virginia State Bar. Our budget for 2022-23 was \$35,712 and there is a remaining balance of \$15,230. The Litigation Section held four board meetings this year to coordinate its programs. The board had its dinner/meeting at Steinhilber's in Virginia Beach on June 15, 2023, where the new board of governors was approved.

The section co-sponsored a 1.5-hour CLE during the VSB Annual Meeting on the topic of *"Budding" Cannabis Law from Four Perspectives: A "Joint" Presentation from the Litigation, Criminal, Health, and Real Property sections of the VSB*. Speakers were Tyson Daniel, Scott Johnson, Stewart Pollock, and Agustin Rodriguez.

The section offered its members a free CLE on October 13, 2022, 12-1:30 p.m. at Lewis Ginter Botanical Garden. The topic was *Discovery Disputes: How to Avoid Them, Narrow Them, and (if necessary) Litigate Them*. Speakers were the Honorable John Anderson, the Honorable Randy I. Bellows, the Honorable Claude V. Worrell Jr., and the panel was moderated by Macel H. Janoschka. There were 44 attendees.

The Rule of Law programs at local schools resumed this year. These programs are led by the Honorable Cleo E. Powell. The section earmarks \$5,000 to assist every year.

The Litigation Section provided \$5,000 to assist the Senior Lawyers Conference with producing a video titled *Civility and Professionalism in a Successful Litigation Practice*.

The leadership of the Litigation Section for the upcoming year is: Brian S. Wheeler, chair; Carl R. Schwertz, vice chair; Jonathan P. Lienhard, secretary; Robert E. Byrne, Jr., immediate past chair; Andrew P. Connors, newsletter editor; E. Kyle McNew, appellate committee chair; Darius K.A. Davenport; Michael J. Finney; Stephen A. Grim; Macel H. Janoschka; Roy M. Jesse; Brian J. Schneider; Hon. James P. Fisher, ex-officio judicial; Hon. Jane M. Reynolds, ex-officio judicial; and W. Carter Younger, SLC Liaison.

Local Government Law

J. Vaden Hunt, Chair

The Local Government Section continues to serve Virginia lawyers by providing a forum to share resources for public and private practitioners of local government law.

The Section currently has 806 members. The annual budget for the past fiscal year was \$10,672.00 and has a remaining balance of \$4,162.47. The Section's 2023-2024 Budget will begin with a \$10,800.00 balance.

The Section held four board meetings this year and released Fall 2022 and Winter 2023 issues of its newsletter, *The Journal*. The Section hosted three free CLE webinars this past year:

August 16, 2022: **Update to Open Meetings Laws Under The Virginia Freedom of Information Act**

Panelists: Cynthia Bailey, Esq., Deputy Fairfax County Attorney
Louis Nuzzo, Esq., Assistant Fairfax County Attorney
Sarah Annear, Esq., Assistant Fairfax County Attorney
Alan Gernhardt, Esq., Executive Director, VFOIA Advisory Council

1.5 CLE credit hours

382 attended.

October 20, 2022: **Election Law Update**

Panelists: John C. Blair, Esq., Staunton City Attorney
Martin R. Desjardins, Esq., Assistant Fairfax County Attorney

1.5 CLE credit hours

371 attended.

March 8, 2023: **The First Question: Who is Your Client?**

Panelist: Thomas E. Spahn, Esq., Counsel, McGuireWoods LLP

2.0 CLE credit hours, including 2.0 ethics hours.

350 attended.

The Webinar Committee is planning additional webinars for the coming months.

The Section continues to offer a Fellowship to a law school student who works for a local government office during the summer months. The Section received several applications this year. One applicant stood out, and the Section awarded the budgeted amount of \$4,000.00. This year's recipient was Kristie Thompson of the University of Richmond School of Law.

The Section hosted its annual meeting on May 24, 2023, at the Virginia State Bar offices in Richmond. This method seems to be more practical for both board and section members to attend, since the section does not usually sponsor a CLE at the VSB's Annual Meeting. All section members were invited to attend this meeting and participate in end-of-year business.

The leadership of the Section for the upcoming year consists of the following board members and officers.

Michael W.S. Lockaby, *Chair*
Brian J. Lubkeman, *Vice Chair*
Wahaj Memon, *Secretary*
J. Vaden Hunt, *Imm. Past Chair*
Susan W. Custer, *Newsletter Editor*
Wade T. Anderson
Ellen F. Bergren

Kathleen A. Dooley
Megan E. Kelly
Carol W. McCoskrie
Blaire H. O'Brien
(1) Board Member Vacancy

Thank you for the opportunity to serve as Chair of the Local Government Section for the 2022-2023 year. I am grateful that the Virginia State Bar supports our efforts to provide advanced educational and informational opportunities to the local government section of the Bar. I have greatly enjoyed working with the committed and talented attorneys who bring their skills and dedication to the incredibly varied practice of local government law.

Military Law Section

Kathryn D. Freiburger, Chair

The Military Law Section continues to serve the needs of Virginia lawyers by providing continuing education programs and publishing and distributing an educational newsletter to its members. The Military Law Section serves attorneys who practice in areas likely to be impacted by laws unique to the military and its members.

The Military Law Section currently has 277 members. The annual budget for the past fiscal year was \$3,984 and the section has a remaining balance of \$19,511.

The Military Law Section held five board meetings this past Bar year to coordinate its programs. This year the board planned the Annual Military Law Symposium itself rather than with VaCLE so that they could offer attendance at a lower cost. The Symposium was held at the Virginia War Memorial in Richmond on June 2, 2023. A virtual attendance option was also available. No submissions for the Military Law Pro Bono Award were submitted this year. Because the date of the Symposium was so close to the VSB Annual Meeting, the board elected to hold their section's Annual Meeting during the Symposium at lunch. Section members were invited to participate and to elect the 2023-2024 Board of Governors.

Many thanks go out to the Board members as well as those who contributed their time and efforts to help maintain our Section's viability, performance, and service to our military community. Thanks also go to the other members of our Section who provided unwavering support during this past year.

The leadership of the Military Law Section for the upcoming year is James S. McNider III, Chair; Wilson T. Mustian, Vice Chair & Newsletter Editor; Brandy M. Disbennett, Secretary; Kathryn D. Freiburger, Immediate Past Chair; John A. Chudoba; Jason C. Foster; Thomas K. Liu; Scott M. Perry; and Richard J. Prevost.

Real Property Section

Karen L. Cohen, Chair

It has been a great honor for me to serve as Chair of the Real Property Section, to follow a long line of outstanding former chairs, and to lead the Section for the 2022-2023 year, along with my terrific colleagues, Vice Chair Sarah Louppe Petcher and Secretary-Treasurer Robert E. Hawthorne, Jr.

I am proud of the Section's accomplishments this past year. I know that with the enthusiasm of the Section's leaders and the momentum from this year's successes, 2023-2024 holds great promise. I am confident that the initiatives we began this year will continue to enrich our members' experiences as real property lawyers in Virginia.

Membership & Budget

The section currently has 2,062 members. The annual budget for 2022-2023 was \$36,900 with a balance of \$6,082.10 as of April 30, 2023. The Board voted to raise Section dues from \$25 to \$35, to increase its available budget for a number of new initiatives and programs, discussed below.

The Living Library Project

Led by Rick Chess and Larry McElwaine, we began an initiative to create a mentorship program for new attorneys, and out of that effort, the idea evolved to create a video library on real estate law topics that any member – whether new to real estate law or an experienced attorney who is simply curious about a new practice area – could access to learn from seasoned practitioners.

We have dubbed this project “The Living Library” and to date, two videos have been professionally made and edited on Real Estate Litigation and Title Insurance, featuring John Altmiller and Michael Derdeyn.

Our Living Library Subcommittee has been extremely active in the production effort and plans to release the videos every other month beginning in September, with additional videos planned for various topics, including Easements, Land Use and Foreclosure.

The Fee Tail

Another highlight of this past year was the introduction of our new quarterly(-ish) electronic publication, *The Fee Tail*. *The Fee Tail* is a short email update of recent developments in case law or legislation pertinent to the practice of real estate law in the Commonwealth. Within days of several major Virginia Supreme Court decisions, *The Fee Tail* landed in Section Members' email inboxes to keep our members up to date and informed. We received very positive feedback from our members on this new publication.

The Fee Simple

The Section continued its tradition of publishing its journal, *The Fee Simple*, twice a year. In the Fall Issue, we paid special tribute to Felicia Burton's 25 years of remarkable service to the Section as an assistant to the Editor of *The Fee Simple* – as the cover of that issue notes, she was the “wind beneath its wings” for two-and-a-half decades.

In the Spring Issue, we honored the Section's Traver Scholar Award recipient, John David Epperly, Jr. The award is named for Courtland L. Traver, whose outstanding legal ability and willingness to share his knowledge and experience was an inspiration to others. Throughout John David's career, from private practice at McGuireWoods to Virginia State Counsel for Fidelity National Title Group (retiring this past September), John David made significant contributions to the Real Property Section, generously sharing his knowledge with others as a Section member since the late '80s; as Chair of the Section from 2000 to 2001; and as a frequent presenter at seminars on a variety of real estate topics. The Section congratulates John David, and thanks him for all he has done for the Real Property Section.

Heirs Property Education & Training

Our Section has made advances in addressing a real property topic that often goes overlooked in law school and professional education – heirs’ property and the loss of intergenerational wealth in vulnerable communities that continues to result from a lack of understanding of heir’s property issues by landowners and lawyers.

The Real Property Section sponsored a program on heirs’ property in 2020 (just before the pandemic). Since then, there has been a growing interest among the real property bar in addressing the inequities and injustices that have arisen from this feature of property ownership.

Several Section members have been working to develop a lawyer training program on how to provide professionally and culturally competent representation to families with heir’s property issues. As I noted in the Fall Issue of *The Fee Simple*, we are in a unique position to “answer the call” from our colleague, Karla Carter, who wrote that “[t]he sad history of land loss in low-wealth communities in this country is one that has persisted long enough, and a new narrative is being written, one in which lawyers and judges seek justice for all and where low-wealth communities are able to preserve their family legacies through estate planning and other needed legal services.”

An important part of “answering the call” is ensuring that future generations of lawyers are prepared to do the same – and that requires truthful education about the past. To that end, Karla Carter and I, along with UVA law and history professors, and other expert panelists, presented on heirs’ property at UVA Law School.

One of our goals as a Section is to encourage more young lawyers to choose a career in real property law. One way to do that is to connect with law students to broaden their view of real estate law, making them aware that property law is intertwined with many issues that are meaningful to them. The presentation at UVA was very successful in accomplishing this goal and therefore, we intend to continue these educational efforts at other law schools in Virginia.

Quarterly Board of Governors Meetings

We held our regular Fall Meeting of the Board of Governors and Area Representatives on September 9 at the new Virginia Law Foundation-Virginia CLE facility at the Bobzien-Gaither Education Center in Glen Allen. Our Winter meeting was held in March in Williamsburg in connection with the VA CLE Advanced Real Estate Seminar, and our Spring meeting also was held in Williamsburg.

At the Annual Meeting in June in Virginia Beach, we elected our new slate of officers and filled three vacant Board of Governors seats in accordance with our bylaws. For the 2023-2024 year, the Section’s officers are: Sarah Louppe Petcher, Chair; Robert Hawthorne, Jr., Vice-Chair; and Rick Chess, Secretary-Treasurer. Three Section Members were elected for the vacancies on the Board of Governors: Cynthia Nahorney; Benjamin Winn; and Vanessa Carter.

It has been my pleasure to serve as Section Chair this past year. I am enthusiastic and optimistic about the year ahead for our Section – not only for the continued camaraderie and professional support that has always been a hallmark of this group – but for the many opportunities we have to learn, to teach, to grow, to serve, and to better our profession and the lives of those in need of our professional services.

Taxation Law Section

Christopher Wright, Chair

After a year of transition, the Taxation Law Section continues to encourage improvement and efficient administration of the tax law of the state and promotes the exchange of ideas between practitioners and administrators.

The Virginia State Bar's Taxation Law Practice Section had 742 members this year. The annual budget for the 2022-2023 fiscal year was \$8,760.00 and a remaining balance of \$5,017.54.

The Taxation Law Section held seven board meetings this past Bar year virtually. The section also cosponsored the annual William and Mary Tax Conference.

The section offered its members a free CLE on August 30, 2022, 12-1:30 p.m. This was a live webinar titled *Virginia Historic Tax Credits 101*, which was an introduction to using the **Virginia Historic Rehabilitation Credit** in connection with real estate rehabilitation projects.

The Taxation Law Section got their newsletter back up and running with the Winter Edition of the *Taxation Law Reporter* on February 9, 2022.

The leadership of the Taxation Law Section for the upcoming year is:

Tiffany Burton, *Chair*

Scott Seymour, *Vice Chair*

Jake Snow, *Secretary*

Chris Wright, *Immediate Past Chair*

Stephen Grim

Richard Howard-Smith

Aaron Moshiashwili

Brandon Mourges

Timothy Todd

Henrik Haeckel

Mark Lansing

Chenxi Lu.

Trusts & Estates Section

Vanessa M. Stillman, Chair

The Trusts & Estates Section continues to serve the needs of Virginia lawyers by sponsoring educational programs and seminars on trusts and estates law; developing and providing to members bibliographies of materials on trusts and estates law, lists of experts, consultants, research, and standards associations; and providing a forum where section members can share research, source materials, and experiences.

The Trusts & Estates Section currently has 2,201 members. The annual budget for the past fiscal year was \$ 15,360.00 and has a remaining balance of \$2,784.11.

In October, the Trusts and Estates Section co-sponsored the 41st Annual Trusts & Estates Seminar with Virginia CLE. The Seminar was held in one location with hybrid attendance also available. It addressed important updates on federal and Virginia tax developments, cases, and legislation. It included topics on An Estate Planner's Perspective of Recent Tax Developments; Virginia Developments in Estate Planning and Administration, Ethics and Estate Planning for Cryptocurrency.

The Trusts and Estates Sections published two newsletters in fiscal year 2022–23. Our Summer 2022 issue featured articles like “The ABCs of GST” which reviewed the estate/gift tax and generation-skipping transfer (GST) tax consequences of lifetime gifts and explained the basic principles of reporting lifetime gifts that are or may be subject to the GST tax.

Our second article “Estate Planning Techniques for Increasing Interest Rates” addressed techniques that can be employed successfully in a high interest rate environment. The third article, “Virginia Supreme Court: Arbitration clauses in Trusts are Not Enforceable Against Beneficiaries” reviewed the Virginia Supreme Court's decision in Boyle v. Anderson. Finally, our last article was “What Do I Do with This Stamp or Coin Collection? Advice for Beneficiaries and Collectors” which provided practical tips on advising clients regarding inherited collectibles with a focus on stamp collections.

We appreciate the hard work and dedication of Emily A. Martin as our newsletter editor and Peter Holstead Davies as our assistant newsletter editor.

The officers of the Trusts and Estates Section for the 2023–24 bar year are: Kevin L. Stemple as Chair, Brooke C. Tansill as Vice Chair, and Emily A. Martin as Secretary. I thank them for their ongoing service to our Section and wish them luck in the upcoming year. I also wish to thank Dolly Shaffner at the VSB for all of her invaluable support, and for keeping us organized and on track during a busy year.