

Virginia State Bar Programs

Monday, June 14

9:00 – 9:05 AM

Opening Remarks

9:15 – 10:15 AM

100 Years After the Passage of the 19th Amendment Granting Women's Suffrage: How Far Have We Come and How Far Do We Still Have to Go?

Recognizing the 100th Anniversary of the passage of the 19th Amendment granting women's suffrage, we will discuss how far gender equality has come through review of seminal cases, and further discuss the challenges that remain, including in our discussion the litigation filed by Mark Herring, Attorney General of Virginia, in federal court (along with the Attorney General Offices of Illinois and Nevada) seeking to have a finding by the Court that the Equal Rights Amendment has been ratified.

Sponsors: Diversity Conference, VWAA, Virginia State Bar Corporate Counsel Section.

10 MINUTE BREAK

10:25 – 11:25 AM (2 programs)

The Evolution of Military Divorce

This program traces how military divorce has evolved into its own type of divorce based on changes in the law since the enactment of the Uniformed Services Former Spouses' Protection Act (USFSPA), 10 U.S.C. § 1408 et. sec. in 1982. Specifically, 3 US Supreme Court cases, *Hillman v. Maretta*, 569 U.S. 483, 133 S. Ct. 1943; 186 L. Ed. 2d 43 (2013), *Mansell v. Mansell*, 490 U.S. 581, 109 S.Ct. 2023, 104 L.Ed.2d 675 (1989), and *Howell v. Howell*, 581 U.S. ____, 137 S.Ct. 1400, 197 L.Ed.2d 781 (2017), and one new Federal Statute, the National Defense Authorization Act for Fiscal Year 2017 (NDAA 17), Pub. L. No. 114-328, Div A, Title VI, Subtitle D, Part II, § 641(b), Stat 2164 (Dec. 23, 2016) have made Military Divorce different from ordinary divorces.

Sponsor: Military Law Section

Artificial Intelligence in Healthcare: Fact, Fiction and Opportunity

The panel will examine the application of artificial (augmented) intelligence in healthcare now and in the future, separate fact from fiction, and consider some of the many legal issues that attend those applications.

Sponsor: Health Law Section

10 MINUTE BREAK

11:35 AM – 12:35 PM (2 programs)

Death and Divorce: Avoiding Landmines and Adding Value at the Intersection of Family Law and Estate Planning

This session will teach both sides how to sidestep traps and creatively plan in the marital and the estate contexts. Learn what estate planning instruments need immediate attention to avoid pitfalls in the event of death and incapacity during divorce proceedings. Hear from a preeminent family law lawyer on drafting sound marital agreements, avoiding misalignment of language in separation agreements and wills, and traps with life insurance and college funding plans. Consider the creative use of trusts in the context of divorce settlement agreements and explore what recourse your client may have when a former spouse dies and failed to comply with the terms of a premarital or separation agreement.

Sponsors: Family Law, Trusts and Estates and General Practice Sections

Mastering Your First (or Next) Evidentiary Hearing in the Digital Age

A case-study including Top Ten Do's and Don'ts with Regard to Preparing Witnesses and Cross Examination in a Web Environment

Sponsors: Environmental Law, Administrative Law, and Litigation Sections

25 MINUTE BREAK (LUNCH)

1:00 – 2:00 PM

Convicting the Innocent

A cascade of small errors and missed opportunities can lead to a catastrophic failure of the justice system and the wrongful conviction of an innocent person. The only sure way to correct a wrongful conviction is to prevent it from occurring. Hear statistical evidence, lessons learned, a case study of an exoneration achieved before sentencing, and the personal experience of a Virginia exoneree.

Sponsor: Criminal Law Section

10 MINUTE BREAK

2:10 – 3:10 PM (2 programs)

Mandatory Monthly Trust Accounting - Balance is Key

Rule 1:15(d)(3) requires, in addition to the other trust accounting requirements, that reconciliations must be made on a monthly basis and approved by an attorney with the firm. It is a professional requirement, this CLE helps you ensure that you are doing it correctly.

Nailing Voir Dire, Special Verdicts and Instructions in Construction Jury Trials

The session will cover recommended strategies for framing the most effective voir dire, constructing special verdict forms to influence the trial outcome and win on appeal and best practices for crafting jury instructions in State and Federal Courts. The presentation will also address avoiding a verdict by seeking judgment as a matter of law or a motion to strike and enter judgment. These critical trial elements are often left to the days leading up to trial when they should be analyzed early and often in the case.

Sponsor: Litigation and Construction Law Sections

10 MINUTE BREAK

3:20 – 4:20 PM

The Ethics of Law Firm Cybersecurity in a Work-From-Home World

Law firm cybersecurity and the ethics that surround that topic have evolved since COVID-19 changed the way in which we practiced law. This webinar will give you current stats related to cybersecurity since the pandemic began, discuss in depth the ethics rules involved in cybersecurity in a work-from-home environment and offer practical and budget-friendly tips for making this new environment secure.

In 2019, we were lecturing about the security of law firm networks – now we also must consider the security of home networks – and often, the use of home machines which are not protected by the law firm network. Ethic rules require lawyers to take competent and reasonable measures to secure their confidential data. What measures are reasonable during a pandemic? How can law firms use policies, procedures and technology to shore up their defenses? Feel free to ask questions of our veteran cybersecurity experts!

4:30 – 5:30 BINGO

Tuesday, June 15

9:00 – 9:05 AM

State of the Bar Address

10 MINUTE BREAK

9:15 – 10:15 AM

Ethics in the New Normal of Lawyering

10 MINUTE BREAK

10:25 – 11:25 AM

Mentoring During and After the COVID Era: How to Set Up a Program and Make It Work

“Mentoring” as a concept is as old as the practice of law itself, but while we have a loose patchwork of programs around the Commonwealth, we look forward to discussing some new and creative ideas and lessons learned from the COVID-19 pandemic, including the following: (1) an effective mentoring program can be extremely helpful in sharing information and in overcoming isolation, depression and a host of other mental health and professional challenges presented by lockdowns and cancellations; and (2) the mass emergence of video-conferencing technologies makes it easier to connect “virtually” than ever before. This CLE will focus on the value of mentoring, non-traditional mentoring ideas, the important role of mentoring in both educating lawyers but also improving lawyer competence and well-being and the additional implication and application of the Rules of Professional Conduct. This includes the issues of competence, conflicts, client confidentiality, candor, independent judgment, responsibility of supervisory lawyers and a lawyer’s duty to report. Sponsors: Education of Lawyers Section, Senior Lawyers Conference, Diversity Conference, Young Lawyers Conference, Family Law Section

10 MINUTE BREAK

11:35 – 1:05 PM

You Say Cannabis, I Say Marijuana, Where Do We Start? A Lawyer's 101 Introduction to Legal Possession and Sale

Is marijuana going to be legal in Virginia? If so, lawyers better prepare because the bill is underway. Learn about the specifics of the proposed legislation, including juveniles and social equity provisions and ethical considerations. Legalization can have consequences so we will talk about federal implications, including under immigration law. If you are looking forward to a new client base, we discuss the business basics of advising the grower to the dispensary. Ethics CLE credits included!

25 MINUTE BREAK (Lunch)

1:30 – 2:30 PM

Attorney General Debate

Sponsor: Young Lawyers Conference

The YLC will sponsor a debate between the candidates for Attorney General in November 2021 election.