

**REPORT OF THE EXECUTIVE DIRECTOR/
CHIEF OPERATING OFFICER**

The membership of the Virginia State Bar continued steady growth in the fiscal year ended June 30, 2006. Total in-good-standing membership increased to 39,670, an increase of 1,122 members, or 2.25 percent over the previous year. A new Supreme Court of Virginia rule relating to special limited admission of corporate counsel who are bar members in good standing in another U.S. jurisdiction, but not admitted in Virginia, was implemented in 2005. By June 30, 2006, 1,056 individuals had been issued certificates or registered under the rule.

	2005–2006	2004–2005
Active	25,659	25,212
Corporate Counsel Admittees	660	603
Corporate Counsel Registrants	396	391
Associate	10,342	9,886
Judicial	1,032	1,003
Retired/Disabled	1,581	1,453
	<u>39,670</u>	<u>38,548</u>

Officers, Bar Activities during 2005–2006 and New Executive Committee and Council Members

Karen A. Gould of Richmond became president of the Virginia State Bar at its annual meeting on June 16, 2006. She was sworn in by Justice Elizabeth B. Lacy of the Supreme Court of Virginia. Howard W. Martin Jr., president-elect, was unopposed in the 2005 election for that office to serve during 2006–2007.

Phillip V. Anderson of Roanoke completed his year as president. The bar continued to develop and refine during the year several new initiatives of Chief Justice Leroy R. Hassell Sr. Following adoption late last year of a Supreme Court rule that specifically authorizes the bar to provide an online legal research member benefit, the bar reissued its request for proposals early in the 2005–2006 bar year. A contract was successfully negotiated with Fastcase Inc., and a secure log-on site was developed on the VSB Web site to enable all members of the bar to access the benefit. The service went online in late February 2006. To date, about a quarter of the bar’s membership has registered to use the service.

The bar worked with the Supreme Court on a second highly successful Indigent Defense Training Seminar—once again held in Richmond and by videoconference in Abingdon. The seminar featured nationally prominent experts on a wide range of criminal law topics. A total of 429 lawyers attended the April 7, 2006, program in Richmond, while another 100 lawyers participated in Abingdon.

The bar continued to work with a committee chaired by Supreme Court Justice Cynthia D. Kinser to plan and conduct law practice management seminars for small-firm and solo practitioners. During the 2005–2006 bar year, programs were conducted in Harrisonburg, Williamsburg and Danville, with a total of approximately 700 lawyers attending in these three locations.

The Task Force on Multijurisdictional Practice continued its work during the year, completing a proposed rewrite of the Supreme Court of Virginia’s *pro hac vice* rule, as well as proposed amendments to Rules of Professional Conduct 5.5 and 8.5. These matters were pending at the Court at the conclusion of the bar year.

At the request of the Supreme Court of Virginia, and under a study resolution passed during the 2006 Session by the House of Delegates of the Virginia General Assembly, a client protection subcommittee of the bar’s Special Committee on Lawyer Malpractice Insurance studied whether the public is sufficiently protected by the Court’s present rule that requires lawyers simply to disclose to the bar each year on their dues statement whether or not they have malpractice insurance. The bar was asked specifically to look at whether all lawyers engaged in private practice representing clients drawn from the general public should be required to either have malpractice coverage or make payments into an uninsured lawyer fund. The subcommittee gathered a great deal of information and has considered several different models under which increased public protection might be achieved, and a report from the subcommittee was provided, for information purposes only, to the VSB Council at its June 2006 meeting. The report has also been forwarded to the Supreme Court of Virginia to ascertain what further steps the Court would like to see the bar take in this important area.

In response to a letter from Chief Justice Hassell and President Anderson, more than four hundred Virginia lawyers volunteered to provide pro bono legal advice to Gulf Coast hurricane evacuees who relocated to Virginia.

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The young lawyers groups of the VSB and The Virginia Bar Association trained the volunteers, and the Virginia Lawyer Referral Service fielded requests for help. Virginia lawyers also personally contributed \$72,000 towards restoration of the justice system in the affected areas, in response to a letter from Mr. Anderson and VBA President James V. Meath. Half of the money was sent to state bar-sponsored projects in Louisiana, and half to Mississippi.

The Supreme Court appointed a commission, "Virginia's Courts in the Twenty-First Century: To Benefit All, To Exclude None." Anne M. Whittemore chairs the commission, which will study and recommend improvements in the state's judicial system. Mr. Anderson, Immediate Past President David P. Bobzien and former Bar Counsel Barbara Ann Williams serve on commission task forces or subcommittees.

In the aftermath of a receivership during which it was discovered that a lawyer had misappropriated funds from a number of different clients, President Anderson and the bar initiated discussions with the Virginia Association of Commonwealth's Attorneys that led to a meeting of association officers with the Standing Committee on Lawyer Discipline. Out of these discussions a closer and better working relationship was developed between the bar and commonwealth's attorneys around Virginia.

Mr. Martin will serve *ex officio* on the Executive Committee next year as president-elect. Irving M. Blank, Jon D. Huddleston and Judith N. Rosenblatt were elected by the council as new members of the 2006–2007 Executive Committee, replacing Mr. Martin, William E. Bradshaw and Leisa K. Ciaffone. Manuel A. Capsalis, Edward L. Chambers Jr. and Alda L. White were reelected to one-year terms.

The following new members were elected to the VSB Council for three-year terms beginning July 1, 2006:

Mary G. Commander	4 th Judicial Circuit
Patrick B. McDermott	8 th Judicial Circuit
W. Richard Hairfield	12 th Judicial Circuit
Hugh T. Antrim	13 th Judicial Circuit
W. David Harless	13 th Judicial Circuit
Helen E. Phillips	16 th Judicial Circuit
Mark D. Seidelson	17 th Judicial Circuit
Jean K. Niebauer	18 th Judicial Circuit
Joseph E. Wolfe	30 th Judicial Circuit

The following new member was elected to the council, filling a new position occasioned by growth in her circuit, for a three-year term beginning July 1, 2006:

Andrea L. Bridgeman	19 th Judicial Circuit
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The following incumbents were reelected to the council for three-year terms beginning July 1, 2006:

Irving M. Blank	13 th Judicial Circuit
Bruce M. Marshall	13 th Judicial Circuit
John D. Sharer	13 th Judicial Circuit
Daniel L. Rosenthal	14 th Judicial Circuit
Rhysa G. South	14 th Judicial Circuit
Raymond B. Benzinger	17 th Judicial Circuit
John K. Zwerling	18 th Judicial Circuit
Jan L. Brodie	19 th Judicial Circuit
Richard J. Colten	19 th Judicial Circuit
Carol J. Schrier-Polak	19 th Judicial Circuit
Richard C. Sullivan Jr.	19 th Judicial Circuit
David B. Carson	23 rd Judicial Circuit
Robert V. Ward	28 th Judicial Circuit

Kimberley W. Slayton of Halifax was appointed to a three-year term as a council member at large, replacing Ms. Ciaffone. Michael C. Guanzon of Danville and M. Janet Palmer of Richmond were reappointed to three-year terms as council members at large. George W. Shanks of Luray became chair of the Conference of Local Bar Associations, Maya M. Eckstein of Richmond became president of the Young Lawyers Conference and Jack W. Burtch Jr. became

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chair of the Senior Lawyers Conference. They will all serve as *ex officio* members of the council and the executive committee during 2006–2007.

Bar Operations and Staff

For the first time in a number of years, the bar lost one of its senior staff. Barbara Ann Williams, after eight years of service as bar counsel, resigned in January 2006 to return to private practice. A search committee headed by President-Elect Karen A. Gould conducted an extensive search for her successor, and after interviewing several outstanding finalists, the committee recommended George W. Chabalewski. His selection was finalized by the council at its June 2006 meeting. Mr. Chabalewski comes to the bar after extensive experience as a senior assistant in the Office of the Virginia Attorney General, where he has been involved in litigation matters on behalf of the commonwealth for eighteen years.

Much additional progress was made on the bar's long-term goal of rewriting and integrating all of its computer software programs. The mandatory continuing legal education module, as well as several other databases, were completed and integrated into the system, and work was begun on the final major module, for professional regulation and the office of the clerk of the disciplinary system. The project continues to be directed by William H. Dickinson, the bar's information technology department head, with outside consultants retained for design work and programming. It is anticipated that this entire project will be wrapped up during the 2006–2007 bar year. Completion of the project will not, of course, mean that the bar can discontinue spending money on its information systems. Future work should be limited, however, to refining and maintaining the new system, as well as implementing more Web-based applications that will enable members to interact with the bar electronically.

With a continued increase in the number of complaints received by the bar, demands for services by the bar's increasing membership, and the new programs the bar has undertaken in cooperation with the Supreme Court of Virginia, we are experiencing some growth in the staff. A new position was created during the 2005–2006 bar year to support the membership services initiated at the suggestion of the Court, and we anticipate adding other staff support in the professional regulation, membership, publications and human resources areas during the coming bar year.

The bar also plans to take some additional office space to relieve present overcrowding and accommodate new staff during the upcoming bar year. Most of the planning for the expansion space has been completed, and we expect a lease to be finalized for the additional space, as well as an extension of the lease on our present space, during fall 2006. A task force under the direction of Joseph R. Richmond and Jon D. Huddleston is examining the longer-term space needs of the VSB, including the possibility of the bar acquiring or constructing a building, using the model developed when Virginia CLE acquired its present building in Charlottesville through the auspices of the Virginia Law Foundation.

