



SENIOR LAWYER NEWS

Volume 18—Issue 1

Winter 2008

Frank O. Brown Jr., Editor

Meet The 2007-2008 VSB Seniors Lawyers Board

PICTURED [LEFT to RIGHT]

John G. Mizell, Jr., 1st Vice Chair; George W. Shanks, Chair; Hon. Lydia Taylor; Frank O. Brown, Jr., Newsletter Editor; Edwin A. Bischoff; Hon. Franklin M. Slayton; F. Warren Haynie, Jr.; Lane Gabeler-Millner; Hon. William T. Wilson, Sr. Law Day Chair; Homer C. Eliades, Chair-elect; Hon. Janine M. Saxe, Treasurer; Renae Patrick; John H. Tate, Jr., 2nd Vice Chair; William H. Oast III, Secretary; Edward R. Slaughter, Jr.; and Patricia A. Slinger, VSB Liaison



Photo Credit: Susan V. Brown

NOT PICTURED

Jack W. Burtch, Jr., Immed. Past Chair; Hon. Robert L. Calhoun; Hon. Bonnie C. Davis; Robert E. Eicher; Thomas G. Hodges; Nan Joseph; John Oakey, Jr.; Joseph Richmond; Robert T. Vaughan, Jr.; and Joseph E. Wolfe

Virginia State Bar Annual Meeting *CLE Workshop • Friday, June 20, 2008*

On Friday, June 20, 2008, from 2:00 p.m. to 3:30 p.m., at the Virginia State Bar 70th Annual Meeting in Virginia Beach, the Senior Lawyers Conference will co-sponsor a CLE Workshop with the General Practice Section and the Virginia ADR Joint Committee.

The workshop will be held in the Cavalier Oceanfront, Coral Rooms A and B.

Our program title is “When and How to Use Mediation in Cases Involving Elderly Clients: Nursing Home Issues, Estate Settlement and Trust Disputes, Power of Attorney, Conservatorship and Guardianship Matters, and More.” The program will focus on the practical aspects of identifying appropriate cases for mediation, selection of a mediator, preparation for mediation, and the mediation process. Special emphasis will be placed on particular considerations affecting elderly clients.

The workshop will be for 1.5 hours of MCLE credit, of which .5 hour will be ethics credit.

The following are the participants:

Moderator: Frank O. Brown, Jr., Esquire, of Frank O. Brown, Jr., P.C., Attorney at Law; Richmond.

Panel participants:

- Honorable Robert L. Harris (Retired Circuit Court Judge), of The McCammon Group; Richmond.
- William H. Oast III, Esquire, Attorney at Law, of Oast & Hook, P.C.; Portsmouth.
- Edward E. Zetlin, Esquire, Attorney at Law, of Needham Mitnick & Pollack, plc; Falls Church.

Please plan to attend this workshop. It will be of great benefit to you and your clients.

Circuit Pro Bono Awards Announced

Four Virginia attorneys have been recognized by the Virginia State Bar with Circuit Awards for extraordinary contributions to the justice system through pro bono or minimally compensated court-appointed cases.

The VSB Special Committee on Access to Legal Services bestows the awards through a pilot project that began in 2005. Selected judicial circuits were invited to nominate attorneys who meet the criteria for the award, and the access committee chose the honorees.

Individual awards presentations will be arranged for the honored attorneys in their respective circuits. Winners will receive a certificate signed by Virginia Chief Justice Leroy R. Hassell Sr. and Virginia State Bar President Howard W. Martin Jr.

The 2007 winners are:

TWENTIETH JUDICIAL CIRCUIT

(Fauquier, Loudoun, and Rappahannock counties)

Bernadette Rush O'Reilly, a family law practitioner with Campbell Miller Zimmerman PC in Leesburg,

Since 2005, O'Reilly has provided pro bono representation in complicated family law cases referred to her by Legal Services of Northern Virginia.

She has devoted many hours of pro bono time assisting clients through the Loudoun Abused Women's Shelter. She helps them obtain protective orders and sometimes continues to represent them in custody and divorce matters.

O'Reilly said that, based on her experience, "generally, the victims of domestic violence are without the funds to hire attorneys, . . . and the abusers are able to hire firms, as they are in charge of the marital funds."

She also has shared her pro bono experience with other lawyers. "In spite of her busy schedule, she has been a willing mentor for pro bono attorneys assisting LSNV clients," according to a nomination letter from Q. Russell Hatchl, the LSNV pro bono coordinator.

O'Reilly has an undergraduate degree in finance from the University of Virginia and a law degree from the George Mason University.

TWENTY-FIRST JUDICIAL CIRCUIT

(Martinsville and Patrick and Henry counties)

Michael W. Cannaday, a general practice attorney in Collinsville.

After his admission to the bar in 1973, he returned to his

native community of Martinsville and Henry County and immediately signed up for the court-appointed list.

"He has distinguished himself from other bar members as being one of the few who have continuously been on the court-appointed list," said James R. McGarry in a nomination letter. When the Public Defender's Office experienced a backlog, "Michael Cannaday volunteered to represent court-appointed clients on one day of each week in the Henry County General District Court."

Cannaday continues that arrangement. "If it were not for his service, the court would have had to scale back on its criminal case docket," McGarry wrote.

Cannaday has an undergraduate degree from the University of Virginia and a law degree from the College of William and Mary.

The late Benjamin R. Gardner, a general practitioner who devoted substantial time during his thirty-five years of practice to representing indigent and low-income residents of Martinsville and Henry County.

Gardner accepted many court-appointed cases, some of them difficult and high profile. As often as not, he submitted no voucher for payment, according to his partner and brother, Philip G. Gardner, and the nomination letter by James R. McGarry. Ben Gardner also was a substitute judge of the local juvenile and domestic relations court and general district court. A member of the Martinsville-Henry County Bar Association, Gardner could "always be counted on to step up and fill a need," McGarry wrote.

Gardner was active in community affairs throughout his career. Notwithstanding struggles with cancer, he chaired the coalition that established the Martinsville-Henry County Economic Development Corporation to produce jobs as

factories in the area were closing, and he served in many other civic capacities.

He and his brother formed the Martinsville firm that is now Gardner, Gardner, Barrow and Sharpe PC.

Gardner died of cancer on September 9, late in the Circuit Awards nominations process.

TWENTY-THIRD JUDICIAL CIRCUIT

(Roanoke County and the cities of Roanoke and Salem)

Ross C. Hart of Salem, a third-generation member of Hart & Hart Attorneys Ltd., a family law firm founded in 1894.

In the past eight years, Hart accepted twenty-two pro bono referrals from Blue Ridge Legal Services Inc., according to the nomination letter from BRLS executive director John E. Whitfield.

Some of the cases were complex and time-consuming. Hart handled estate matters, and he helped clients obtain guardianship in cases involving mental retardation, brain injury, and Alzheimer's disease.

He also conducted an Incapacity Planning Seminar at an assisted living facility in Roanoke and executed wills, powers of attorney, and advance medical directives for elderly residents at a retirement community.

Hart has a bachelor's degree in business administration from Monmouth College in Illinois and a law degree from the University of Virginia. His practice focuses on elder law, wills and estates, real estate, and landlord-tenant matters.

SLC 2008 NOMINATING COMMITTEE

In accordance with §6.1 of the Senior Lawyers Conference Bylaws, George W. Shanks, SLC Chair, notifies the SLC membership that he has appointed the following as members of the 2008 SLC Nominating Committee, to carry out their duties in accordance with the SLC Bylaws:

Homer C. Eliades, Esquire

408 North 6th Avenue
P.O. Box 967
Hopewell, VA 23860-0967

John Grant Mizell, Jr., Esquire

8550 Mayland Drive, Suite 1
Richmond, VA 23294-4704

William H. Oast III, Esquire

P.O. Box 399
Portsmouth, VA 23705-0399

The Honorable Janine M. Saxe

Fairfax County J&DR Court
4000 Chain Bridge Road
Fairfax, VA 22030

George W. Shanks, Esquire

221 West Main Street
P.O. Box 246
Luray, VA 22835

John H. Tate, Jr., Esquire

102 West Main Street Suite A
Marion, VA 24354

Third Annual Virginia Advance Directives Day – April 16, 2008 National Healthcare Decisions Day Initiative

by Chair Nathan Kottkamp, McGuire Wood LLP

April 16, 2008 will be the Third Annual Virginia Advance Directives Day. As you probably already know, the success of this event has also inspired the National Healthcare Decisions Day. Thank you all who participated in both 2006 and 2007.

To ensure the on-going success of this initiative in Virginia, and so that you can get appropriate credit in various media coverage of this year's event, please confirm your participation using the form found at:

http://www.nationalhealthcaredecisionsday.org/takeaction/join_us. Please note that there is a variety of information and ideas for programs at: http://www.nationalhealthcaredecisionsday.org/takeaction/organize_community. Please note that while registrations are being handled nationally, all the resources for Virginia remain available and can be found at: <http://www.vsb.org/site/public/healthcare-decisions-day> (which is also linked from the national page).

Finally, in the event you need speakers or have any questions, please contact Tanner Smith, who is coordinating the event in Virginia for 2008 (tanner.smith@troutmansanders.com) Please coordinate directly with Tanner on any information requests or questions.

Again, I thank you all for helping make this happen two years in a row in Virginia and now nationally.

OLIVER WHITE HILL, ESQUIRE

1907 – 2007

Remarks by Timothy M. Kaine, Governor of the Commonwealth of Virginia
at the Memorial Service Conducted at the Greater Richmond Convention Center
on August 12, 2007.



Let me welcome you each here as we celebrate the life of a remarkable Virginian, a true American hero, Mr. Oliver Hill.

On behalf of the Commonwealth of Virginia, I extend my deep sympathy to Mr. Hill's family - Duke and Renee, his grandchildren, great-grandchildren, many other relatives and friends. Virginia stands with you at this time of loss. But, Virginia also expresses to you its profound gratitude over Mr. Hill's life, because this Commonwealth owes him a tremendous amount.

I am humbled to stand here, at your request, to offer this eulogy. I first learned of Mr. Hill when I was in college and read about his role in the civil rights movement. I have been fortunate to know him as a friend for more than 20 years. But, there are others more qualified than I to eulogize him. There are many who know Mr. Hill better than I do. There are many who have known him longer than I have. There are many who lived the experience Mr. Hill lived in a way that I have not.

Still there is some justice — poetic justice — in the Governor of Virginia eulogizing Mr. Hill. If someone had said to Mr. Hill

In his days at Howard,

In his battles against Virginia to obtain equal pay for teachers,

In his fight against the Commonwealth to desegregate public schools,

In his speech to the General Assembly opposing Massive Resistance,

“you will lie in state at the Governor's Mansion and be eulogized by the Virginia Governor one day,” he would have laughed at the sheer outlandishness of that statement. (I can almost hear him now!) In fact, he probably would then have said something like “I've known many Governors who would have been very pleased to attend my funeral — and the sooner the better.”

I shared the seeming incongruity of this moment with a friend and he replied “times change.” But that's too easy. Times don't just change. It takes real leaders, people of vision and courage, to change their times.

Mr. Hill changed his times. He changed our times for the better. I believe that no Virginian in the past 100 years has had such an impact on the life of our Commonwealth as Oliver Hill. In the words of Daryl Cumber Dance, printed in your program, Mr. Hill “moved America from the darkness of the 19th Century to the promise of the 21st.”

Let's think for a minute with you about how he did it. How did Mr. Hill move us from a difficult past to a more promising future?

We know about the Virginia he was born into — separate but equal had been declared the law of the land, the Commonwealth that had just rewritten its Constitution for the express purpose of eliminating opportunities for African-Americans at all levels. We know how he felt that discrimination at an early age in Richmond and Roanoke and Washington and how he decided that he could work within the legal system to change society.

We know about his personality, intelligence, perseverance, humor, courage — all those traits that made this wonderful man who he was.

We know about his family, his beloved wife Bernie and Duke, and so many others whose support he relied on to keep pressing on.

We know about the cases he worked on — voting, employment, housing, criminal justice, education — his political work, the organizations he founded, his ceaseless strategizing, the fact that he was always thinking about the next challenge.

We know all this — but there's something more. Mr. Hill helped our Commonwealth shake off the shackles of the past not by inventing something new. Instead, he helped us embrace a better future by reminding Virginians of some old truths, some timeless truths, and insisting - over and over again — that we just live in accord with our beliefs.

One day a lawyer stood up and asked a wise man an important question.

“Master, what shall I do to inherit eternal life?”

Jesus replied: “What is written in the law?”

The lawyer answered: “Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind; and thy neighbor as thyself.”

And Jesus said: “Thou has answered right, this do and thou shalt live.”

But, the lawyer (I can't resist with so many lawyers in attendance!) asked that all-important final question “And who is my neighbor?”

We all know the answer that Jesus gave. A man, robbed, beaten and laying on the side of the road, sought help from passersby on the road between Jericho and Jerusalem. A priest ignored him, a Levite ignored him. Finally, a Samaritan — a despised minority to those hearing the story — came and helped the injured man. And

now Jesus asked his question: “which of the three was the neighbor to the one who fell among thieves?”

“The one who showed him mercy.”

Mr. Hill was a good neighbor. He was a Samaritan. He lived the way he was taught to live and he reminded Virginians that we have a duty to treat each other as neighbors, as brothers and sisters, and our mercy should extend especially to those in need. He worked for the empowerment of African-Americans, but it was bigger than that. His life was about the dignity and worth of all people.

They called Mr. Hill a radical, a rabble-rouser. They threatened him and his family and burned a cross on his lawn. They passed laws making it a criminal offense for Mr. Hill and others to seek out clients to challenge discriminatory laws. Why? Because he decided his mission in life was to remind people to “love thy neighbor as thyself.”

Did the people who fought him every step of the way know the story of the Good Samaritan? Of course they did! But, in the infinite capacity of mankind to delude itself, people of the day could read that message, hear it preached on Sunday, swear that they believed it, but still not be willing to live by it. America needed a reminder — Oliver Hill reminded us.

Oliver Hill reminded Virginians of something dear to all Virginians. “All men are created equal.” This wasn't new. It flows directly from “love thy neighbor as thyself.” It was written into the Declaration of Independence by the most famous of all Virginians, Thomas Jefferson. Every public official who ever voted for a discriminatory law, every judge who ever ruled that discrimination was acceptable, virtually every citizen who supported

segregation knew from their earliest days of schooling that our country was “dedicated to the proposition that all men are created equal.” But, America had to be reminded to live that way. Oliver Hill reminded us.

I believe that was the genius of Oliver Hill. He was a creative thinker — if you read his book “The Big Bang” and wrestle with his concepts of “progressive evolution” and “utopian societies” you will see that his mind was not stuck in the past. But, he also knew that, while there are new thoughts, ideas and challenges — there are also timeless values, values that people understand at some level, and the way to get to a brighter future was to tap into those timeless values with confidence that people would come to realize that there is a better way to live. He never stopped doing this.

So, Mr. Hill's life reminds us to ask some basic and difficult questions. Do we love our neighbors as ourselves? Do we show mercy to those in need? In this world, in this nation, in this city, in this room — there are people who need and deserve our love. Will we live that way?

Do we really believe that “all” are created equal? Regardless of race or religion or nationality or sex or orientation or income? We say we believe it. Our Commonwealth and nation claim to be based on it. Will we live that way?

Mr. Hill brought Virginia into the future by reminding us of old and timeless wisdom. He accomplished more than anyone in the last century in this Commonwealth, but his work isn't done. His life stands here as a shining example, but — appropriate to the man — his life also serves as a loving challenge.

Are we up to it?

WHEN TO SAY NO

• 10 Ways to Select and Reject a Client •

by Edward Poll, J.D., M.B.A., C.M.C.

Client selection — and rejection — is the first line of defense against malpractice problems, but it has the added benefit of being a wonderful management tool for law firms. Articulated client selection procedures can: make the practice of law easier because you avoid the stress of a difficult client, minimize problems with fee collections or fee write-offs, and improve office morale by escaping the time and energy consumption caused by unreasonable and over-demanding clients.

A Client Selection Plan: Client selection starts by drawing up a “client intake procedures plan” and using it. Putting the plan in writing will lock it in your mind and give you something objective to review as often as necessary until you really feel comfortable with it. Stick to the plan; do not deviate from it without having a really good, objective reason.

With all potential clients, take time for a careful client interview. Discuss the client's expectations, discuss the client's case goals, discuss the client's previous legal system experience. Listen to any negative or unsettling reactions that you or your staff may have to the client or to the expectations of the client.

Be realistic in discussing your expectations with the client; do not embellish or low ball the fee to hook the client. That may be worse for the lawyer than if the client left after hearing the projected reality.

Finally, send a written notice to the prospective client in the event of rejection of the case or matter; retain a copy for the firm's records. For proof of mailing, send the letter by certified mail, return receipt requested, or by messenger or courier, where appropriate.

When to Reject Clients: A plan for selecting clients should also include a section on when and how to say “no” to accepting a client. Here are ten considerations when deciding whether to accept or reject a client:

1. Pay particular attention to clients who have last-minute emergencies or “life-and-death” matters. Unless a firm has sufficient personnel or specializes in crises, this type of client brings inherent risks since time crunches often

push work to less-knowledgeable or less-experienced personnel. Statute-of-limitation and time issues to complete the work and review it for correctness can increase a firm's risk of time- element malpractice claims, which comprise about 25 percent of all malpractice claims. Avoiding these last-minute emergencies is an important rejection tool.

2. Beware of a client who is playing law firm ping-pong, or a client that moves from firm to firm. This is an indication of the type of person who is really never satisfied with life but is very willing to blame their attorney for their discontent. This kind of chronic dissatisfaction may ultimately be a thinly disguised invitation to a summons and complaint for malpractice.
3. Avoid a client with unrealistic expectations or demands and who believes that your estimates, whether of time or outcome or costs, are guarantees instead of informed estimates. The client that expresses irritation with delay, who is chronically complaining about everything, who is demanding constant or instant attention, or who expects unrealistic or abnormal hand-holding might just be the alter-ego of the chronically discontented client who jumps from firm to firm.
4. Watch out for clients who use pressure tactics. Clients who demand that all other cases be put aside to handle their matter first are bound to be trouble. You can recognize this type of client by their unjustified stipulations that the suit be filed today, or that the matter be closed by the end of business. These clients usually overwhelm a law firm or attorney with phone calls over small details or by having to be constantly apprised of progress.
5. Beware of clients with bad attitudes toward lawyers and the legal system. Lawyer-bashing to your face, even if it is done in a joking manner, may show a hidden disdain or contempt for the law, for judges or for lawyers. These clients are people with whom it would be difficult to establish a bond of trust, and trust is the cornerstone of the lawyer-client relationship.

6. Be careful when the client suggests that they know the process better than the attorney, or that they want the attorney to act as an automaton on their behalf. A recent claim arose because the client's girlfriend had taken a couple of law classes in college and was telling the client to tell his attorney how to run the case. This client was not "in sync" with the attorney.
7. Avoid clients who cannot articulate what they have come to the attorney to achieve. There may be psychological needs or ulterior motives in seeking representation. Clients who are looking for revenge are unlikely to be happy with the limited results that the legal system provides. This may lead to disappointment and resentment that can be turned upon the lawyer representing them. This creates a perfect environment for a claim of negligence, and it points once again to the need for continuous communication between the attorney and the client.
8. Watch out for clients who make legal fees and costs a major issue. Suits against clients for unpaid legal fees are a prime source for malpractice claims. Clients who cannot or will not discuss or agree on fees, or who will not sign a fee agreement or pay a retainer should be suspect. Clients who want to start now and pay later, or nit-pick over the fee, may be broadcasting a subsequent fee dispute or claim. Rejecting this client before representation will minimize the aggravation of fee collection difficulties as well as claims.
9. Do not take matters that are outside of your normal areas of expertise. Cases in areas of law that the firm has little or no experience in should really trigger a client rejection. Taking a case for the learning experience could also include a lesson in insurance coverage and claim surcharges, particularly if the case is taken on an hourly basis and the client's bill is larger than what might be usual or customary for an attorney or a law firm with expertise in that same area.
10. Look hard at clients who use other matters as an inducement. When a client alludes to other work or other benefits in handling their case, it may be a sign that they know the downside of their case better than the attorney does. Promises to give a firm more business "down the road" or to supply lots of referrals or high profile visibility from taking a case is really just a sales pitch. There may be an even greater cost for the attorney when the payment of a deductible or higher malpractice premium is added to that equation.

While client selection may be only one factor in claims avoidance, it is a major factor. Too often, attorneys bemoan after a claim is filed, "If only I had understood the client, I wouldn't have taken this matter." Take more time in the initial interview and have more fun and make more money with the matters that you do accept.

About the Author:

Edward Poll, J.D., M.B.A., CMC, coaches lawyers to increased revenue and profits by becoming more effective with their clients and more efficient in delivering legal services. He is a certified management consultant, author and speaker on law practice management topics. He is Board Approved as Coach to the Legal Profession by the Society for the Advancement of Consulting, a Fellow of the College of Law Practice Management, and a member of the Million Dollar Consultant™ Hall of Fame. Ed's latest works include Disaster Recovery & Business Continuity Planning, (LawBiz 2007), More Secrets of the Business of Law (LawBiz 2006) and Business Competency for Lawyers (LawBiz 2006). He can be reached at (800) 837-5880 or edpoll@lawbiz.com. See more at www.lawbiz.com and www.lawbizblog.com.

FREE ELDER LAW CONTINUING EDUCATION SEMINAR

The Virginia Department for the Aging & Collaborating Partners
are presenting **FOUR hours of FREE CLE**
in Roanoke on April 10, 2008 and in Richmond on April 24, 2008.

This is a great opportunity for senior lawyers to receive four hours of CLE at no charge and to make a commitment to handle, pro bono, three document drafting referrals or one long-term care referral for the elderly during the year.

Please fax or mail the enclosed form on **page 9** to register.

**FREE
CLE**

CAROLYN O'NEAL MARSH • A Remembrance

by Frank Overton Brown, Jr., Attorney at Law

Carolyn Marsh lived a life of helping others. With her death on December 20, 2007, the Commonwealth of Virginia and the legal profession lost a kind, genteel and caring friend. Carolyn was 80 years old and had worked successfully in several careers during her lifetime. During her waning days, she suffered greatly from arthritis, which practically immobilized her body, but not her engaging spirit. Her warm smile and her enthusiasm were a blessing received by all who met her.

After she received her undergraduate degree and her master's degree in psychology from the University of Richmond, her life was devoted to helping people. Following World War II, she did psychological testing of veterans to assist them in coming back to civilian life. For twenty years, she worked for Miller & Rhoads Department Stores, where she became personnel manager and was known for having the interests of the employees at heart. In 1971, she started her own business, Carolyn Marsh Personnel Management, Inc., concentrating on helping businesses on the most

effective management of their most important resource — their people. Governor John Dalton turned to Carolyn Marsh to become the organizer and director of the Virginia Department of Employee Relations Counselors (now the Department of Employee Dispute Resolution), which helped the state's employees with job-related problems and grievances. In 1986, she retired early, and a year later, at age 60, enrolled in the T.C. Williams Law School at the University of Richmond.

Carolyn's long-time friend and former business partner, Virginia Sauer, recalls that when Carolyn was in law school, she saw that there was a great need to help poor people who had disabilities, and upon her graduation from law school, Carolyn began handling Social Security and disability cases, either for reduced fees, or for no fees at all. She practiced in this area of the law for 10 years before her retirement. When he learned of her death, Alvin Gritz of the Social Security Administration said of her: "I have worked for the Social Security

disability program for almost 35 years, the last 24 years as the Professional Relations Officer. It was not unusual for Carolyn to call me and say, 'Alvin, this is Carolyn...' I knew her voice by the sound of it. She didn't even have to say her last name. She always called about a case she was handling free of charge to see what she could do to help her client present his/her claim in the clearest light so no stones were left unturned. I will miss hearing from her. We've lost a great lady."

Carolyn gave generously of her time, serving on non-profit boards, including Goodwill Industries, which was dear to her heart. She also served on the Board of the former Senior Lawyers Section and the Board of the Senior Lawyers Conference of the Virginia State Bar. It was a pleasure to be with Carolyn; she always had something pleasant and constructive to say, no matter what we discussed, even though she was often in great pain from her disabling physical condition.

As Alvin Gritz said so well, Carolyn was "a great lady."

Have You Used a Judicial Settlement Conference?

by Andrea R. Stiles, Esquire, Glen Allen, VA

Did you know that retired Circuit Court judges are available to assist you in settling your family law cases? Even better, the judges won't charge your client a fee for the service — it is FREE!

The Virginia Supreme Court created the Judicial Settlement Conference Program in an effort to expand dispute resolution options for litigants. It also pays the judges for the time they spend. To take advantage of this service, visit the Virginia Supreme Court website at www.courts.state.va.us; click on the Programs and Services link, which will take you to the Judicial Settlement Conference Program link, which is at <http://www.courts.state.va.us/jsc/> if you want to go directly to it. Once you are in that section, you will find a list of judges who are available to conduct settlement conferences.

The website contains the necessary forms to appoint the judge you select to preside over the settlement conference.

I have personally used this process on a number of occasions. The clients give the program rave reviews and the cases settled to the satisfaction of the litigants and attorneys. The process is similar to using a mediator, or to some pretrial conferences. Each party has the opportunity to explore the issues and settlement options while the Judge facilitates discussion. The Judge may even share a judicial perspective, if asked. If you haven't tried the Judicial Settlement Conference service, you are missing out on an opportunity to review your case in front of a retired Circuit Court judge, in the presence of both clients, and possibly obtain a settlement — or at the least get a judicial perspective on your case.

Free Elder Law Continuing Education Seminar

Sponsored by Project 2025 To Enhance Legal Assistance Services for Older Virginians
Virginia Department for the Aging & Virginia Poverty Law Center

- What You Get:** Four Hours of Approved CLE Credit Free
[CLE Approval Pending]
- What You Give:** Commitment to Take Limited Pro Bono Referrals*
- Roanoke:** April 10, 2008
10:00 a.m. - 3:00 p.m.
Roanoke Higher Education Center, Room 212
108 N. Jefferson Street, Roanoke, VA 24016
- Richmond:** April 24, 2008
10:00 a.m. - 3:00 p.m.
Tuckahoe Library, Meeting Room 100
1901 Starling Drive, Richmond VA 23229
- Topics & Speakers:** Wills, Health Care Advance Directives, Powers of Attorney
Christopher M. McCarthy, Esq., CELA (Richmond)
Ann McGee Green, Esq. (Roanoke)
- Nursing Home Transfer/Discharge Rights
Kathy Pryor, Esq. (Richmond and Roanoke)
- How to Register:** Fax or mail attached form to Department for the Aging
Fax: 804-662-9354
Mail: Janet James, Esq.
State Legal Services Director
Virginia Department for the Aging
1610 Forest Ave., Ste. 100
Richmond, VA 23229

*Three document drafting referrals or one long-term care referral during the year.

Registration

Free Elder Law Continuing Education Seminar
Sponsored by Project 2025 To Enhance Legal Assistance Services for Older Virginians

Name: _____

VSF Member #: _____

Address: _____

Daytime Phone: _____

Email Address: _____

Location and Date of Session Attending (please check one):

Roanoke, April 10:

Richmond, April 24:

I understand that this free CLE requires a commitment to take three document drafting referrals or one long-term care referral within the next year. Check here: _____

If you have questions, please contact Janet James, Esq. at:
(phone 804-662-7049) or (e-mail Janet.James@vda.virginia.gov).