

# DOCKET CALL NEWSLETTER

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Young  
Lawyers  
Conference



Virginia State Bar

YLC President Tracy Giles —

## Serving the Public and the Profession

by Suzanne Fay Garwood

Just two years after graduating Mercer Law School in 1992, Tracy Giles attended the Virginia State Bar's annual meeting in Virginia Beach. It was there that his interest in service to the public was sparked.

Giles listened that afternoon to a small group of VSB attorneys who were

involved in the state bar's emergency legal services program. Volunteers participating in the program would be called upon to bring free legal services, such as working with the Federal Emergency Management Agency (FEMA) or assisting with the renegotiation of payment terms on mortgages, to victims of natural disasters. This project struck a chord with

Giles, whose grandfather had lost his Virginia tobacco farm to a tornado during the Depression.

Following the meeting, Giles approached college friend and then-President-Elect of the YLC, Robert Ballou, to express Giles' interest in and support of the program. As luck would have it, shortly after the VSB meeting, the emergency legal services program chair was unable to continue his work with the program. Remembering Giles' interest and enthusiasm for the program, Ballou asked Giles if he would chair the program. Thus began Giles' dedication to serving the public.

Giles began his work as chair of the emergency legal services program in 1994. In 1995, Virginia residents were the victims of numerous natural disasters. From floods and hurricanes to tornadoes, the resources of the program were put to use over and over again, including in the assistance of the victims of two federally-declared natural disaster areas. But it was not until after Giles accepted a position as co-chair of the American Bar Association's (ABA) disas-

### ABA News

by Kathleen Keener Elsner

#### THE VIRGINIA YLC MEDALS IN EVERY EVENT IN THE 1999-2000 ABA AWARDS OF ACHIEVEMENT

Each year the ABA recognizes various state bar programs for their excellence through the ABA Awards of Achievement. This year, Virginia's YLC was recognized in each of the five categories.

Virginia is a division 1A organization with over 8,000 members. Competing against powerhouses such as Texas, New York and California, Virginia more than held its own. The YLC took first place in the state affiliates newsletter competition with the *Docket Call*, a quarterly publication providing coverage of Virginia bar activities on a local, state and national level.

The YLC also received first place for their minority project — The Minority Pre-law Conference. The Pre-law Conference, which was held at the University of

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Richmond, provided minority students at the undergraduate level with information about law school. Law school admission officers from various schools around Virginia spoke on what schools are looking for in students and the application process generally. A glimpse of law school life was also provided through a mock law school class presented by members of the bar.

Taking 2nd place in the 1A division of the service to the public category, was the Spanish Translation Program. Through this project, *The Senior Citizen's Handbook* was translated to the Spanish language and widely distributed to the public. The handbook contains a wealth of useful information for seniors.

Also taking 2nd place, in the service to the bar category, was the First Day in Practice Seminar. This annual presentation is designed to inform new lawyers of what they can expect and what is expected of them in the practice of law. This program, which Virginia has been providing for the past 14 years, has been met with overwhelming interest not only for its impressive speakers but also for the practical information it provides new lawyers.

Finally, Virginia's YLC took 2nd place in the comprehensive category. In this category, the conference is judged on the overall quality of the programs that the YLC offers gauged by the cross section of programs submitted. The success of Virginia's YLC in the ABA competition is a wonderful tribute to commitment to service exhibited by Virginia's young lawyers.

### STATE AFFILIATE OUTREACH PROGRAM HELD IN D.C.

The ABA Affiliate Outreach Program brings together young lawyers' conferences from around the country in an effort to promote growth through the exchange of ideas. In May of this year, one such program was held in the Nation's capital. Chaired by Virginia young lawyer O'Kelly McWilliams, the program was an undeniable success. Over 250 were in attendance to discuss issues of public service, bar leadership, law practice management, pro bono activities and membership benefits. In addition to those topics, a 2-day seminar put on by the U.S. Department of Justice, in conjunction with the ABA YLD, addressed the issue of domestic violence. Attorney General Janet Reno, Senator Hatch, Senator Biden and Robert Gray of the ABA all spoke on this issue in an attempt to bring awareness to the growing problem. In addition the seminar taught practical skills such as training on how to obtain a protective order.

Although the weekend was packed with quality programs, there were also many social activities, including a Friday night reception at the Supreme Court and various parties and dinners around town. The next outreach program will be in Scottsdale, Arizona in October of this year and in May of 2001 the program will be hosted in Anchorage, Alaska.

## Membership Involvement Committee

Each new member of the Virginia State Bar who is under age 36 or who has been practicing less than three years is automatically a member of the Virginia State Bar's Young Lawyers Conference (YLC). The YLC is a dynamic, diverse group of young Virginia lawyers who respond to the needs of the younger members of the bar and the profession in general; promote, uphold, and elevate the standards of honesty, integrity, and competence in the legal profession; and assist Bar Council in improving the legal system.

If you would like to actively participate in the YLC by volunteering for one of the many committees or projects sponsored by the YLC, or by offering general assistance in your YLC circuit, please contact your YLC Circuit Representative (who is identified in this issue of *Docket Call*, or

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## Message from the President

by Tracy A. Giles



### The Young Lawyers Conference and the 24/7 World

I recently listened while the senior partner of a medium-sized firm bemoaned what he perceived as the loss of civility in the practice of law, and, in almost the next breath, he wondered aloud how he could possibly get enough work out of his new associates to recoup their high salaries. In his mind the two observations were not related. I believe that they are.

Two forces, economics and technology, are fundamentally changing the nature of the practice of law for young lawyers. While these forces have always been with us, surveys, focus groups, anecdotal accounts and our own experiences provide evidence that these pressures are intensifying. Many young lawyers are graduated from law school with staggering loads of debt. Many times they have little choice but to take the highest offer in order to meet their obligations, even if they know it means an unrelenting grind. Of course it must be remembered that there are a lot of young lawyers out there working just as hard for a fraction of the salaries paid by the large firms. For most law firms, the relentless economics of the billable hour and high overhead ensure that technology will be used to its fullest extent. Nothing technology has provided has resulted in more time to smell the roses. We cannot isolate our profession from the fast-moving world, nor should we try. Technology allows a degree of responsiveness and productivity never before experienced. But cell phones, laptops, pagers, and palm pilots have the potential to tether a young lawyer like a goat to the firm, the partner, and the client. There is no more getting away from work for private time alone or with family, much less for community service or bar work.

Over and over again in the surveys and focus groups the happiest young lawyers are those who feel that their lives are balanced, that they are not isolated but rather practice in a community of lawyers, that they do real work, and have real mentors. Unfortunately the surveys and focus groups reveal many disillusioned young lawyers.

Both firms and the organized bar have a role to play in remedying this trend if my generation is to enjoy the same collegiality, camaraderie, and spirit of community service enjoyed by previous generations of Virginia lawyers. There must be a partnership between the generations.

The senior members of our profession must lead by the examples **and policies** they set. The most direct influence on the culture a young lawyer experiences is the firm in which he or she practices. What kind of job does the firm do mentoring? Many clients are aggressive and unwilling to pay for an extra lawyer to go to court or sit in on a deposition. If so, is that important but non-billable mentoring taking place? Does the firm encourage community involvement, bar work, family life? Does the firm encourage these activities only so long as they have no detrimental effect on the bottom line? Is the message "do these things but you had better maintain maximum billable hours?" If so, we are not building the kind of professional community we will be happy with fifteen years from now.

What is the role of the organized bar and specifically the Virginia State Bar Young Lawyers Conference in this economic- and technology-driven environment? For many years the YLC has been seen as the service arm of the bar, and rightly so. Our projects have been mainly focused on our mission to serve the public interest. Because of our Emergency Legal Services Program, disaster victims around the state have been able to start rebuilding their homes and lives. Because we have helped establish child witness waiting rooms, there are children who no longer have to stare into the face of their alleged abuser while waiting to testify. Because of our Domestic Violence Safety Project, there are women going to bed tonight in Virginia without first being beaten. These and other projects are some of the most important things we could possibly be doing. We are proud of our tradition of public service, and will con-

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# Legal Ethics Opinion



by Jeffrey H. Geiger

**Q** It was almost quitting time as Lawyer Greene Horne picked up the telephone. “Hello? What do you mean you’re suing me, we settled that case—you even

sent me a thank you card! What other case...oh.... Now I have always been straight with you, and, you know what, you’re right. When we had that flood last year, I must have lost my file and I forgot to file the case. Fine, its getting close to Thanksgiving Day, so let’s talk turkey—how much do you want? I’ll have to talk to my partners, but I think that we can work with that number. Again, I am very sorry about this because this isn’t the way I do business. I’ll draft some documents, and get back in touch with you in, say, a couple of days. Okay, tomorrow.” Click.

**A** Having clearly missed the statute of limitations on his former client’s personal injury claim, Horne, apparently, has decided not to call his professional liability carrier in the hopes of reaching a quick settlement with his former client. Under these facts, are there any ethical problems with Horne drafting a settlement agreement and having his former client release him from any liability? It would appear that the answer to the inquiry is guided, at least in part, by Rules 1.8(h) and 4.3(b) of the Virginia Rules of Professional Conduct. *See also* Rule 1.8(a) (circumscribing business transactions entered into by an attorney and a client where there is an ongoing relationship). Rule 1.8(h) provides that “A lawyer shall not make an agreement prospectively limiting the lawyer’s liability to a client for malpractice . . . .” In addition, Rule 4.3(b) states that “A lawyer shall not give advice to a person who is not represented by a lawyer, other than the advice to seek counsel, if the interests of such person are or have a reasonable possibility of being in conflict with the interests of the client.”

Horne cannot, of course, prospectively limit his liability at the outset of any attorney-client relationship or during the course of the relationship for future conduct. Yet, it would likely not be seen as ethically improper for Horne to secure a release from liability for specific, completed acts, i.e., missing the statute of limitations, from his former client in

exchange for his payment of consideration to the former client. However, it becomes more problematic where the former client is not, as appears here, represented by counsel. In L.E.O. 1550, the Standing Committee on Legal Ethics addressed the propriety of such a release under similar factual circumstances. The Committee opined that such a release would not be improper provided that (1) there is full disclosure to, and consent received, from the former client; (2) the former client is first advised to seek independent counsel as to whether to sign such an agreement, and (3) the transaction was not unconscionable, unfair or inequitable when made.

In other words, be up front with the former client as to what you are doing, give him or her an opportunity to have another attorney review the settlement agreement and be ever wary and avoid negotiating any deal that does not pass the “blush” test. Remember, the lawyer is acting in an area where the lawyer is an expert and, just as lawyer-client engagement agreements are not tested by the same standards of ordinary commercial contracts, courts (and others) may be willing to look askance at settlement agreements drafted by, and for, a lawyer attempting to minimize his or her own errors. *See Heinzman v. Fine, Fine, Legum & Fine*, 217 Va. 958, 962-63, 234 S.E.2d 282, 285 (1977) (“Contracts for legal services are not the same as other contracts.”). *See also* L.E.O. 1707 (1998).

**Q** Attorney Dee Vorcer entered into a written fee agreement to represent Dewey Cheatham on an hourly rate in his divorce from his wife. Unfortunately, the litigation has become more expensive than contemplated and Cheatham has been unable to keep current on his payments. Cheatham has agreed to sell his share of the marital residence to his wife and wants to pay Vorcer from the proceeds he will receive. Vorcer would like to have Cheatham sign an assignment of funds instructing that payment be made directly to Vorcer at the closing.

**A** The relevant inquiry begins with a review of Rule 1.8(j), which provides that a lawyer may not acquire a proprietary interest in the subject matter of the litigation (excluding attorney’s liens and civil contingency fee

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## Giles—

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ter relief program, that Giles came to appreciate the organization and ease with which the VSB volunteers had handled the numerous emergencies requiring their services over the previous year.

Giles' work on the ABA's disaster relief program brought him to areas across the country that were in need of his experience in running a successful emergency legal services program. Giles used his experience to assist various states in the creation of their own disaster relief programs modeled in the tradition of the VSB. It was this dedication of effort to disaster relief and service to the public that earned Giles the YLC's Young Lawyer of the Year award in 1996.

Following his work with the VSB and ABA in the offering of emergency legal services, Giles began a three-year stint as a representative on the Board of Governors of the ABA. Giles was one of only two young lawyers privileged to sit on the Board during that time. As part of his service on the ABA Board, Giles became involved with the ABA's Commission on Domestic Violence. From his experience with the ABA's Commission, Giles brought back to the VSB suggestions and ideas that would form the basis for the creation of the Virginia Domestic Violence Safety Project ("DVSP"). The DVSP is now successfully committed to educating domestic violence victims on ways to protect themselves physically and legally, and to educating lawyers about how to provide legal services — specifically pro bono services — to victims of domestic violence. Young Lawyers can learn more about the DVSP by visiting the VSB's Web site at:  
<http://www.vsb.org/sections/yl/domviolence/domviolence.html>

Giles' service on the ABA Board of Governors ended this past July, just in time for Giles to begin work as the YLC's new President. Although, up to this point, Giles' career has been a model of service to the public, Giles views his presidency as an opportunity to pursue another equally important goal of "service to the profession." As the legal profession becomes more and more influenced by outside economic pressures and an increased focus on quality of life, Giles hopes to use his presidency to encourage the YLC to assist its members in their professional development. In an effort to meet this goal, the YLC is planning to hold a Professional Development Conference. The Conference will consist of both CLE and non-CLE programs designed to assist young lawyers in writing,

speaking, rainmaking and other skills that young lawyers need to develop early on in their careers. The programs will be targeted toward attorneys that have been practicing for seven years or less, but are open to all young lawyers. President-Elect O'Kelly E. McWilliams, III, from Pepper Hamilton, LLP, is chair of the committee planning this project.

In addition to Giles' pursuit of service to the public and his future plans to improve the professional development of young lawyers, Giles is a partner with his wife, Melissa Lambert Giles, in their Roanoke law firm of Giles and Lambert, PC.. The two run a bankruptcy law practice when not hard at work raising their daughter, Helen Elizabeth, who turned one on October 1.

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arrangements to the extent permitted by Rule 1.5). In addition, Rule 1.8(a) provides that a lawyer shall not enter into a business transaction with a client or acquire an interest adverse to the client unless: (1) the terms and the transaction are fully disclosed in writing to the client in understandable language, (2) the transaction and terms on which the lawyer acquires the interest are fair and reasonable, (3) the client is given a reasonable opportunity to seek the advice of independent counsel, and (4) the client consents in writing.

In L.E.O. 1653, the Committee considered whether an assignment of proceeds from the sale of a marital residence could be used to secure payment of legal fees arising from a divorce case. While decided under the predecessor to the Virginia Rules of Professional Conduct, the Committee determined that an attorney may not enter into an arrangement with a client where the attorney acquires an interest in the marital property (or proceeds from the sale thereof) unless a final order has been entered conclusively adjudicating all issues with respect to the use, possession, division and sale of such property. Moreover, the requirements of Rule 1.8(a) must be met, with additional emphasis placed upon (1) ensuring that the transaction is fair and reasonable, giving consideration to the client's sophistication and ability to pay (including other payment options), and (2) the client being given not only the opportunity to consult with other counsel, but also being advised of the option to do so.

# 2000 – 2001 Circuit Representatives

In 1983, the Young Lawyers Conference established a statewide network of Circuit Representatives appointed from each of the state's 31 judicial circuits. This network is designed to meet three objectives: (1) to provide a liaison between practicing young lawyers on the local level and the Young Lawyers Conference Board of Governors, (2) to promote statewide communication and participation among young lawyers in the projects and activities of the Conference, and (3) to increase the quantity and quality of public service legal programming throughout the state.

The primary responsibility of each Circuit Representative is to organize and carry out an annual project for young lawyers in his or her judicial circuit. These projects have ranged from CLE programs to community service projects to Young Lawyers Conference membership projects. Often, two or three circuits combine their efforts to attract a broader audience for the programs. In recent years, Circuit Representatives have also served as local liaisons for the VSB/VBA Emergency Legal Services Response Plan, helping coordinate the delivery of emergency legal services when the Plan is activated in their locality.

If you are interested in becoming a Circuit Representative or assisting with any of the projects of the YLC, please contact any Young Lawyers Conference Board Member or your Circuit Representative.

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Sussex, Greenville, Brunswick*

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## SIXTEENTH CIRCUIT

*City: Charlottesville*  
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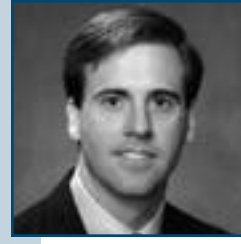
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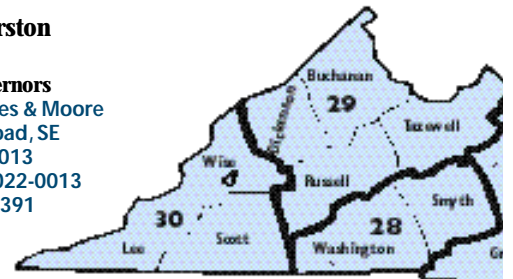
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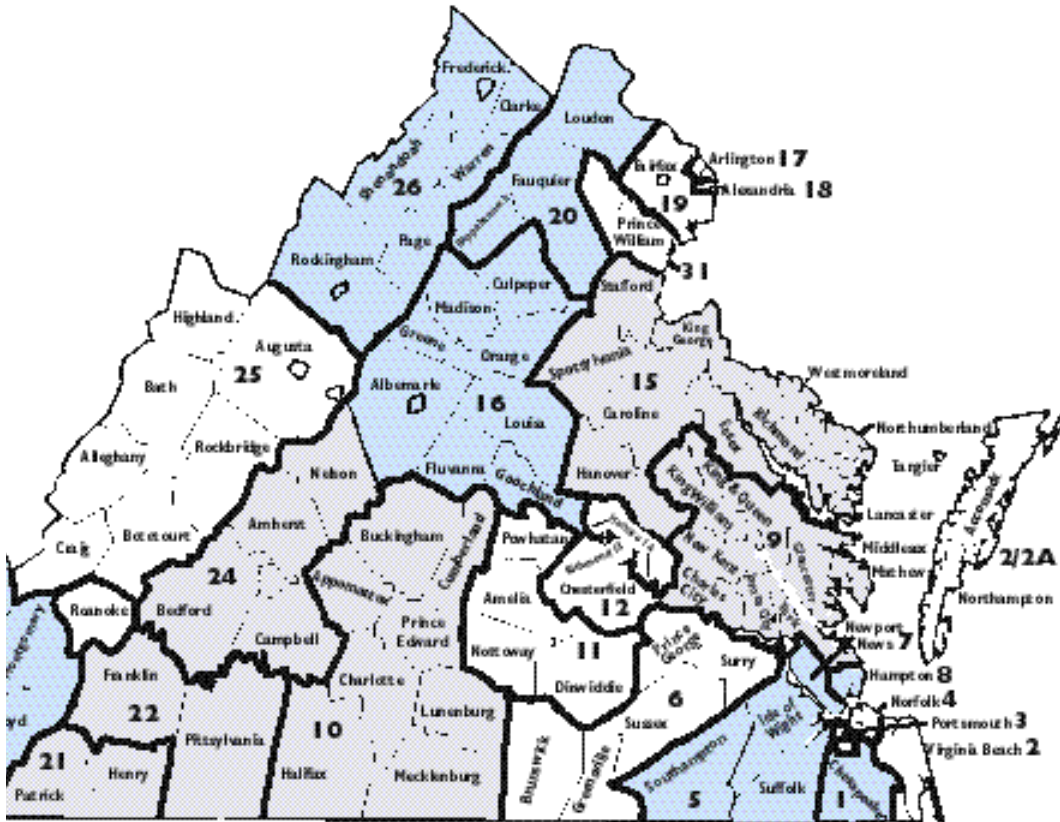
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### Young Lawyers Conference Districts

<u>DISTRICT</u>	<u>JUDICIAL COURTS        WITHIN DISTRICT</u>
1	1, 3, 5, 7, 8
2	2, 4
3	6, 11, 12, 13, 14
4	17, 18
5	19, 31
6	9, 15
7	16, 20, 26
8	23, 25
9	10, 21, 22, 24
10	27, 28, 29, 30

### Other Members of the Board —

**Cynthia L. Law**  
 6th YLC Board of Governors  
 Hunzeker & Lyon, P.C.  
 10825 Courthouse Road  
 Fredericksburg, VA 22408  
 (540) 891-5665

**Mary Louise Costello Daniel**  
 7th YLC Board of Governors  
 101 South Loudon Street  
 P.O. Box 12  
 Winchester, VA 22604  
 (540) 678-4731

**Robin J. Kegley**  
 At-Large Representative  
 Lacy, Campbell and Associates  
 570 West Main Street  
 P.O. Box 120  
 Wytheville, VA 24382  
 (540) 228-6677

**Katrina C. Randolph**  
 At-Large Representative  
 Capital One Services, Inc.  
 Attn.: 12061-0460  
 11013 West Broad Street  
 Glen Allen, VA 23060  
 (804) 967-7701

## Representatives —

— from page 7

### TWENTY-FIRST CIRCUIT

City: Martinsville  
Counties: Patrick, Henry

Eric H. Monday  
P.O. Box 765  
Stuart VA 24171  
(540) 638-2367

**Board Liaison: Greg Casker**

### TWENTY-SECOND CIRCUIT

City: Danville  
Counties: Pittsylvania, Franklin

Stacey Williams Moreau  
Williams Morrison  
317 Patton Street  
Danville, VA 24541  
(804) 793-4912  
Fax: (804) 792-6110

**Board Liaison: Greg Casker**

### TWENTY-THIRD CIRCUIT

City: Roanoke, Salem  
Counties: Roanoke

Kevin W. Holt  
Gentry Locke Rakes & Moore  
10 Franklin Road, SE  
P.O. Box 40013  
Roanoke, VA 24038-0013  
(540) 983-9300  
Fax: (540) 983-9400

James Creekmore  
Woods, Rogers & Hazlegrove  
Ste. 1400, 10 S. Jefferson St.  
P.O. Box 14125  
Roanoke, VA 24038-4125  
(540) 983-7600  
Fax: (540) 983-7711

**Board Liaison: Brett Marston**

### TWENTY-FOURTH CIRCUIT

Cities: Lynchburg, Bedford  
Counties: Nelson, Amherst, Campbell,  
Bedford

David M. Royer  
GE Financial Assurance  
P.O. Box 1280  
Lynchburg, VA 24505  
(804) 325-5433

**Board Liaison: Brett Marston**

### TWENTY-FIFTH CIRCUIT

Cities: Covington, Lexington,  
Staunton, Buena Vista, Clifton  
Forge, Waynesboro  
Counties: Highland, Augusta, Rockbridge,  
Bath, Alleghany, Botetourt,  
Craig

Michael A. Groot  
2044 Sycamore Ave.  
P.O. Box 190  
Buena Vista, VA 24416  
(540) 261-2525

Vicki L. Wiese  
P.O. 547  
Lexington, VA 24450  
540-463-3028

**Board Liaison: Mary Daniel**

### TWENTY-SIXTH CIRCUIT

City: Winchester  
Counties: Frederick, Clarke, Shenandoah,  
Page, Rockingham, Warren

Derrick W. Whetzel  
Martin & Seibert, LC  
1164 Winchester Ave.  
P.O. Box 1286  
Martinsburg, WV 24502  
(304) 262-3248  
Fax: (304) 267-8527

**Board Liaison: Mary Daniel**

### TWENTY-SEVENTH CIRCUIT

Cities: Galax, Radford  
Counties: Pulaski, Wythe, Carroll, Grayson,  
Montgomery, Floyd, Giles, Bland

Clinton S. Kegley  
Dudley Galumbeck necessary  
100 W. Main Street, Ste 201  
Wytheville, VA 24382  
(540) 228-6060

**Board Liaison: Robin Kegley**

### TWENTY-EIGHTH CIRCUIT

City: Bristol  
Counties: Smyth, Washington

John Martin  
P.O. Box 1564  
Abingdon, VA 24212  
(540) 628-7117  
Fax: (540) 628-6900  
Jmartin@naxs.net

**Board Liaison: Eric Thiessen**

### TWENTY-NINTH CIRCUIT

Counties: Giles, Bland, Tazewell,  
Buchanan, Russell, Dickenson

Sheila Jane Weimer  
Katz, Cantor, Perkins & Campbell  
996 Benbolt Avenue  
Tazewell, Virginia 24651  
540-988-6554  
Fax: 540-988-6555

**Board Liaison: Eric Thiessen**

### THIRTIETH CIRCUIT

Counties: Wise, Scott, Lee

Kristin Dean  
Mullins Harris & Jessee  
30 Seventh Street  
P.O. Box 1200  
Norton, VA 24273-1002  
(540) 679-3110  
Fax: (540) 679-3113  
Deankris@usa.net

**Board Liaison: Eric Thiessen**

### THIRTY-FIRST CIRCUIT

County: Prince William

Amy M. Ashworth  
9119 Church Street  
Manassas, VA 20110  
(703) 330-3200

**Board Liaison: Jennifer Short**

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## SERVICE TO THE BAR

### ADMISSION AND ORIENTATION CEREMONY

This committee is responsible for organizing and staging a special ceremony sponsored twice a year by the Conference at which time all newly licensed attorneys are given the opportunity to appear before the Supreme Court of Virginia to be admitted to practice in the courts of Virginia. Because the Court sits in Richmond, this committee is comprised principally of young lawyers practicing in the metropolitan Richmond area. In conjunction with the General Practice Section, the Committee also co-sponsors the First Day in Practice Seminar for new lawyers.

**Chair:** **Barry T. Meek**  
(Fall 2000 & Spring 2001)  
Hunton & Williams  
951 E. Byrd Street  
East Tower  
Richmond, VA 23219  
(804) 788-8200  
Fax (804) 788-8218  
Bmeek@hunton.com

**Vice-chair:** **Anne H. Bumgardner**  
Mays & Valentine  
P.O. Box 1122  
Richmond, VA 23218  
(804) 697-1270  
Fax (804) 697-1339

**Liaison:** **Kathleen McCormick**

### ANNUAL MEETING

#### **ATHLETICS**

This committee is responsible for organizing the "Run in the Sun" 5 kilometer foot race and the

"Beach Volley Follies" volleyball tournament, all sponsored by the Conference during the Bar's Annual Meeting in June.

**Chair:** **Richard E. Garriott**  
Clarke Dolph Rappaport Hardy & Hull  
6160 Kempsville Circle, Ste. 101A  
Norfolk, VA 23502  
(757) 466-0464  
Fax (757) 466-8242

#### **PROGRAMS**

This committee plans the CLE program that takes place during the Bar's Annual Meeting held in Virginia Beach each June. It is also responsible for lining up a band for the dance sponsored by the Conference during the meeting, and for handling details of any other scheduled social events.

**Chair:** **(Vacant)**

**Liaison:** **Tim Brunick**

#### **FIRST DAY IN PRACTICE SEMINAR**

**Chair:** **Chris Graham**  
Hunton & Williams  
951 E. Byrd Street, East Tower  
Richmond, VA 23219  
(804) 788-8200  
Fax (804) 788-8218  
Cgraham@hunton.com

**Liaison:** **Katie Uston**

#### **NATIONAL TRIAL COMPETITION (Richmond)**

Since 1987, the Young Lawyers Conference has hosted one of 11 regional rounds for the Annual National Trial Advocacy Competition. This moot court competition uses the trial court, rather than the appellate court, as its forum. Law schools from Virginia and other mid-Atlantic states send teams to Virginia for the competition. The committee arranges for courtrooms for the trials, provides judges to preside and evaluate the students' performance, and provides witnesses and bailiffs for the trials. The competition is held on a rotational basis in Richmond, Roanoke, Northern Virginia and Tidewater. This year the competition will take place in Richmond.

**Co-Chairs:** **(Vacant)**

**Liaison:** **Katrina Randolph**

#### **PRACTICE AND THE PROFESSION**

#### **CAREER ISSUES:**

This committee was formed to provide young lawyers with information regarding professional

development and career satisfaction, and to provide a means by which young lawyers can become more active in bar activities. Another purpose of this committee is to help young lawyers transition to active roles in other bar groups.

**Chair:** **J. Douglas Cuthbertson**  
Sands, Anderson, Marks & Miller  
801 E. Main Street, Ste. 1400  
P.O. Box 1998  
Richmond, VA 23218-1998  
(804) 783-7270  
Fax (804) 783-2926

**Liaison:** **Collin Hite**

#### **PROFESSIONALISM**

This committee is charged with assisting the VSB Professionalism Committee, where appropriate, to help keep Virginia's Mandatory Professionalism Course current. Over the next year, this committee will be working with the VSB Professionalism Committee to revise the Professionalism Course, as necessary, upon the adoption of the Model Rules. The committee also has presented CLE programs on ethical issues. The committee is also charged with working with the VSB's leadership to explore ways in which the Conference can contribute to the effective and efficient administration of the disciplinary process and improve professionalism among, and the reputation of, attorneys.

**Chair:** **Jeffrey H. Geiger**  
6804 Linbrook Drive  
Richmond, VA 23228  
(804) 262-9476

**Liaison:** **Collin Hite**

#### **PROFESSIONAL DEVELOPMENT CONFERENCE**

**Chair:** **O'Kelly E. McWilliams, III**  
Pepper Hamilton, LLP  
600 Fourteenth Street, NW  
Washington, DC 20005-2004.  
(202) 220-1226  
FAX (202) 220-1665  
mcwilliamso@pepperlaw.com

#### **PUBLICATIONS/WEBPAGE**

**Chair:** **(Vacant)**

**Liaison:** **Nelson Teague**

#### **NEWSLETTER/DOCKET CALL**

The editor and editorial board of the Docket Call are responsible for publishing four issues of the

Conference's newsletter each year. The award winning newsletter, which contains information about the Conference's activities and other information of particular interest to young lawyers, is circulated to every member of the Conference. The Docket Call editor serves as co-chair of the Publications Committee.

**Chair/Editor:** **Michelle M. Jones**  
Hall Monahan Engle, et al.  
P.O. Box 848  
Winchester, VA 22604  
(540) 662-3200  
Fax (540) 662-4304

**Liaison:** **Mary Daniel**

### **WOMEN & MINORITIES IN THE PROFESSION**

This committee was formed to address the particular issues facing women and minority young lawyers, to encourage participation by women and minority young lawyers in the Conference and to integrate them into the larger legal community. The committee oversees several high-profile projects each year, including the Annual Celebration of Women and Minorities in the Profession Bench/Bar Dinner, the Pathways to Leadership Handbook, the Board Match Plus Program, and the Minority Pre-law Conference, a seminar to encourage undergraduates to pursue a legal career.

**Dinner**  
**Co-Chairs:** **Tracy Hamilton**  
Hall & Hall  
1401 Huguenot Road  
Suite 100  
Richmond, VA 23113  
(804) 897-1515  
Fax (804) 897-2499

**Ashley Rowe**  
Hunton & Williams  
951 East Byrd Street  
Richmond, VA 23219-4074  
(804) 788-8200  
FAX (804) 788-8218

**Pathways**  
**Directory** **(Vacant)**

### **Minority Pre-Law**

**Jennifer McClellan**  
Hunton & Williams  
951 East Byrd Street  
Richmond, VA 23219-4074  
(804) 788-8200  
FAX (804) 788-8218

**Liaison:** **Jennifer Short**

## **SERVICE TO PUBLIC**

### **ACCESS TO LEGAL SERVICES**

The Conference formed this committee to develop programs and projects designed to increase the public's ability to obtain legal services and legal information. This committee also oversees several subcommittees that sponsor programs to increase public access to legal services. This year, the committee is working with the Virginia Supreme Court to update the tele-court telephone information system to provide easier access to information on Virginia's courts and legal system.

**Chair:** **James R. Creekmore**  
Woods, Rogers & Hazlegrove  
10 S. Jefferson St., Ste. 1400  
P.O. Box 14125  
Roanoke, VA 24038-4125  
(540) 983-7600

### **EMERGENCY LEGAL SERVICES**

This subcommittee, in conjunction with VBA-YLD, has developed and implemented a statewide Emergency Legal Services Response Plan, which includes training volunteers and working with other bar organizations to establish communication plans in the event of natural disasters and other declared emergencies.

**Chair:** **Shawn A. Copeland**  
Hunton & Williams  
951 E. Byrd Street  
East Tower  
Richmond, VA 23219  
(804) 788-8200

**Liaison:** **Nelson Teague**

### **NO BILLS NIGHT**

The Conference, through this subcommittee, conducts No Bills Nights twice annually to provide a

forum for the public throughout Virginia to raise legal issues and to seek information regarding their legal rights. The programs began in Richmond in 1984 and have grown every year since. This year, the Conference hopes to put on programs in Abingdon, Charlottesville, Danville/Martinsville, Lynchburg, Fredericksburg, Northern Virginia, Staunton/ Lexington, Richmond, Roanoke, Tidewater and Winchester/Harrisonburg. The programs are sponsored twice yearly in the spring and fall. Several programs are broadcast on local television stations.

### **Statewide**

**Coordinator:** **Jason G. Moyers**  
Gentry Locke Rakes & Moore  
10 Franklin Rd.. SE  
P.O. Box 40013  
Roanoke, VA 24022-0013  
(540) 983-9300  
Fax (540) 983-9400

### **Regional Chairs:**

(1) Abingdon

**Richard E. Hill, Jr.**  
U.S. District Court  
P.O. Box 846  
180 W. Main Street  
Abingdon, VA 24212  
(540) 628-6021  
richardh@vawd.uscourts.gov  
richhilljr@justicemail.com

(2) Charlottesville

**Garrett Smith**  
Michie Hamlett  
P.O. Box 298  
Charlottesville, VA 22902  
(804) 977-3390

(3) Danville

**Brent Saunders**  
Clement & Wheatley  
P.O. Box 8200  
Danville, VA 24543  
(804) 793-8200  
Fax (804) 792-8200

(4) Fredericksburg

**R. Theodore Butler**  
Roberts Ashby & Parrish  
P.O. Box 7166  
Fredericksburg, VA 22404  
(540) 373-3500

(5) Lexington/Staunton

**M. Teresa Harris**  
Allegheny County  
P.O. Box 705  
Buena Vista, VA 24416  
(540) 261-9578

(6) Lynchburg

**Craig P. Tiller**  
Davidson Sakolosky  
Moseley & Tiller  
916 Main Street  
Lynchburg, VA 24505  
(804) 847-4444

(7) Martinsville

**George Lyle**  
Gardner, Gardner Barrow  
& Sharpe  
231 E.Church Street  
Martinsville, VA 24112  
(540) 638-2455  
Fax (540) 638-2458

(8) Northern VA

**(Vacant)**

(9) Richmond

**Mary E. (Betsy) Skora**  
Spotts Smith Fain & Buis  
411 E. Franklin St.,Ste. 601  
Richmond, VA 23219  
(804) 788-1190  
Fax (804) 788-0115

(10) Roanoke

**Patrick J. Skelley**  
Flippen Densmore Morse, et al  
1800 First Union Tower  
Drawer 1200  
Roanoke, VA 24006  
(540) 510-3016  
Fax (540) 510-3050

(11) Tidewater

**Daniel T. Campbell**  
Willcox & Savage, P.C.  
1800 Nationsbank Center  
Norfolk, VA 23510-2197  
(757) 628-5552

(12) Winchester

**(Vacant)**

Liaison: **Brett Marston**

**PRO BONO**

This subcommittee was formed to develop programs designed to improve the quantity and quality of pro bono activities of young lawyers and to keep young lawyers informed on the adoption of circuit based pro bono committees

Chairs: **Maya M. Eckstein**  
Hunton & Williams  
951 E.Byrd Street, East Tower  
Richmond, VA 23219  
(804) 788-8788  
Fax (804) 788-8218

**Domestic  
Violence Safety**

Subcommittee: **E. Marie T. Diveley**  
Project Subcommittee:  
Hunton & Williams  
951 E.Byrd Street,East Tower  
Richmond, VA 23219  
(804) 788-7378  
Fax (804) 788-8218

Liaison: **Greg Casker**

**SENIORS**

This subcommittee focuses on the unmet needs of senior citizens for better access to and understanding of the legal system.

Chair: **(Vacant)**

Liaison: **Cynthia Law**

**CHILDREN AND THE LAW**

This committee is charged with developing new projects to address the unmet legal needs of children.Examples include working with other organizations and courts to educate children about their rights and responsibilities, and training lawyers and laypersons on the representation of children. This committee also sponsors programs for the recertification of guardians ad litem. Past projects include establishing child witness waiting rooms, which the committee will continue this year. The Committee also oversees the Student Day in Court subcommittee or the "Docent Program." This subcommittee organizes efforts to teach children about the court system, including giving tours of courthouses and coordinating lawyer visit to schools. The subcommittee's goal is to establish such programs in every judicial circuit throughout Virginia.

Chair: **(Vacant)**

Liaison: **Robin Kegley**

**PEER MEDIATION**

Chair: **Kellye C. Clarke**  
Shreves Keegan & Schudel  
2911 Hunter Mill Rd., Ste. 200  
Oakton, VA 22124  
(703) 242-2100  
Fax (703) 242-9107

Liaison: **Barry Logsdon**

**STUDENTS DAY IN COURT PROGRAM**

Co-Chairs: **Wesley E. Rice**  
Patten, Wornom & Watkins  
12350 Jefferson Ave.,Ste. 360  
Newport News, VA 23602  
(757) 249-1881  
Fax (757) 249-1627

**Jennifer W. Vincent**

Patten, Wornom & Watkins  
12350 Jefferson Ave.,Ste. 360  
Newport News, VA 23602  
(757) 249-1881  
Fax (757) 249-1627

Liaison: **Robin Kegley**

**PUBLIC EDUCATION**

This committee was formed to develop year-round model programs to enhance the public's knowledge of the legal system and to improve the public's perception of the profession,our system of justice and our democratic process. The Community Law Week Committee is a subcommittee of the Public Education Committee.

Co-Chairs: **Charlotte P. Hodges**  
Virginia State Bar  
707 E.Main Street,Ste. 1500  
Richmond, VA 23219  
(804) 775-0561  
Fax (804) 775-0501  
Hodges@vsb.org

**Shepelle Watkins-White**  
2016 Acentala Quay  
Chesapeake, VA 23321  
(757) 405-3930  
Fax (757) 382-3090

Liaison: **Savalle Sims**

### **COMMUNITY LAW WEEK**

This subcommittee helps promote the ABA's nationally recognized theme for Law Day each year, by developing programs and sponsoring activities during the first week in May devoted to enhancing the public's awareness and appreciation of the role of law in American life. The focus of the committee is to encourage participation in Community Law Week on a statewide basis through local bar associations. Included among the activities are presentations in the media, programs in the public schools and public forums.

Chair: **Josephine Aiello LeBeau**  
655 15th Street, NW, Ste. 900  
Washington, DC 20005  
(202) 626-5994

Liaison: **Eric Thiessen**

### **INTERNAL OPERATING COMMITTEES**

#### **BUDGET AND FINANCE**

This committee is designed to enhance the Conference's current budgeting process. During this year, it has developed written guidelines that establish a budget planning process for the Board of Governors.

Chair/Liaison: **O'Kelly E. McWilliams, III**  
Pepper Hamilton, LLP  
600 Fourteenth Street, NW,  
Washington, DC 20005-2004.  
(202) 220-1226  
FAX (202) 220-1665  
mcwilliamso@pepperlaw.com

#### **CIRCUIT REPRESENTATIVES**

In 1983, the Conference established a statewide network of circuit representatives chosen from each of the state's judicial circuits. The network is designed to provide a liaison between practicing young lawyers on the local level and the

Conference's Board of Governors, to promote statewide communication and participation among young lawyers in the projects and activities of the Conference and to increase the quantity and quality of public service and bar service legal programs throughout the state.

Chairs: **Lori Elliott Guzman**  
Hunton & Williams  
951 E. Byrd Street, East Tower  
Richmond, VA 23219  
(804) 788-8200  
Fax (804) 788-8218  
Lguzman@hunton.com

#### **GRANTS AND AWARDS**

The Young Lawyers Division of the American Bar Association sponsors a nationwide Award of Achievement competition among bar groups during the American Bar Association's Annual Meeting. Young lawyers bar groups from all states are invited to enter this competition by submitting either an application for a particular project or a comprehensive outline of all their projects for the year. This committee will compile the application, which is due in June. This committee will also explore grant and other funding opportunities for the Conference during the year and will work with the Bar to publicize the many achievements and activities of the Conference.

Chairs: **Lori Elliott Guzman**  
Hunton & Williams  
951 E. Byrd Street, East Tower  
Richmond, VA 23219  
(804) 788-8200  
Fax (804) 788-8218  
Lguzman@hunton.com

**O'Kelly E. McWilliams, III**  
Pepper Hamilton, LLP  
600 Fourteenth Street, NW  
Washington, DC 20005-2004.  
(202) 220-1226  
FAX (202) 220-1665  
mcwilliamso@pepperlaw.com

#### **MEMBERSHIP INVOLVEMENT**

The purpose of this committee is to increase participation around the state in the Conference's programs and activities. This committee helps

encourage the involvement of both newly licensed attorneys and those attorneys who are already established in practice in such Conference activities. In particular, the Conference desires increased participation from interested attorneys in governmental and corporate environments. This Committee has developed a membership brochure designed to inform and educate young lawyers about the many opportunities offered by the Conference.

Co-chairs: **Daniel L. Gray**  
Feldsman Tucker  
2001 L Street, NW  
Second Floor  
Washington, DC 20036  
(202) 466-8960  
Fax (202) 293-8103

Liaison: **Savalle Sims**

#### **LONG RANGE PLANNING – NEW PROJECTS**

Liaison: **Tracy A. Giles**  
Giles & Lambert  
P.O. Box 2780  
Roanoke, VA 24001  
(540) 981-9000  
Fax (540) 981-9327  
Tgiles@gileslambert.com

#### **NOMINATING COMMITTEE**

Chair: **J. Tracy Walker, IV**  
McGuireWoods, LLP  
One James Center  
901 East Cary Street  
Richmond, VA 23219-4030  
(804) 775-1131  
FAX (804) 698-2201  
Twalker@mcguirewoods.com

#### **YLC FELLOWS PROGRAM**

Liaison: **Tracy A. Giles**  
Giles & Lambert  
P.O. Box 2780  
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(540) 981-9000  
Fax (540) 981-9327  
Tgiles@gileslambert.com

# Bench-Bar Dinner Enjoys 7th Successful Year

by Michelle M. Jones

The YLC Committee on Women and Minorities in the Legal Profession held its Seventh Annual Celebration of Women and Minorities in the Legal Profession Bench-Bar Dinner on September 19, 2000. Holland & Knight, LLP and Ernst & Young, LLP hosted a welcome reception, after which attendees dined at the Pentagon City Doubletree Hotel in Arlington.

This event, which has been an on-going success, honors newly appointed minority and female members of the Virginia Judiciary. This year, the following new judges were honored at the dinner: the Honorable John Richard Alderman, the

Honorable Rufus A. Banks, Jr., the Honorable Avelina S. Jacob, the Honorable Deborah M. Paxson, the Honorable Ramona D. Taylor, the Honorable Winship C. Tower, and the Honorable Susan L. Whitlock.

The dinner featured speaker Karen Clanton, 1999–2000 Chair of the ABA Multicultural Women Attorneys Network, who spoke to those in attendance about mentoring and diversity. Her recent book, *Mentoring by the Book: Dear Sisters, Dear Daughters, Words of Wisdom from Multicultural Women Who've Been There and Done That*, is a compilation of letters of advice and real-life experiences authored by multicultural female lawyers. Information about Ms. Clanton's book is available on the ABA Web site.

The efforts of members of the Committee, particularly event organizers Christie Lyman Dowling and Michelle Pretlow, deserve recognition as this year's dinner continued the event's tradition of success.

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## President's Message —

from page 2

tinue with this mission. However, the bedrock principle which allows this work to be done is a sense of ourselves within a community of lawyers with a professional calling to serve our clients and the public. Economic and technological pressures at their worst are eating away at this bedrock. I believe we must focus new effort on the needs of our members. Bar associations is a logical place where traditional values of our profession should be nurtured and where networking and mentoring relationship can flourish. The Mandatory Professionalism Course and the First Day in Practice seminar are having a positive effect. But these efforts take place during a new lawyer's first six months of practice. What about after that? I believe the Young Lawyers Conference working with the senior bar, the bench, other bar associations and law firms needs to do more if we are to maintain the collegiality and high standards that have made the practice of law in Virginia the envy of many around the country.

As a step toward this end, the YLC is planning to hold a Professional Development Conference next March. This Conference will include both CLE and non-CLE programming specifically tailored to lawyers in their first decade of practice. The goal will be for every attendee to take away something that will improve his or her life and practice. We hope many will join us in this endeavor and we welcome your input.

Should you wish participate in any of the activities or projects of the Young Lawyers Conference, you may contact any member of the YLC Board. You may contact me at [tgiles@gileslambert.com](mailto:tgiles@gileslambert.com) or call me at 540-981-9000.

## YLC Plans Professional Development Conference

by Bonnie Ashley

The Young Lawyers Conference is planning an innovative conference, which will focus on professional development of young lawyers practicing for 5 to 7 years. This new event is scheduled for Friday, March 9 and Saturday, March 10, 2001 in Charlottesville at the UVA Sponsors Hall. Attendees will earn CLE credits and consider potential topics such as public speaking, federal practice, technology, law office management, negotiations, staff relations, cross examination, financial planning, rainmaking, malpractice avoidance, and family/career balance. A dinner and luncheon will also take place during the two day conference.

The format will allow large group seminars for areas of general interest, with small group sessions on more specific topics. The actual topics and scheduling are still in the planning stage.

O'Kelly McWilliams, chair of the committee coordinating the conference seeks suggestions on appropriate speakers, who could discuss one or more of the various topics under consideration. He may be contacted at (202) 220-1226.

# YLC leadership plans 2000–2001

by Michelle M. Jones

Members of the Board of Governors, Committee Chairs and Circuit Representatives for the Virginia State Bar (VSB) Young Lawyers Conference (YLC) convened from across the state for a weekend of planning on September 15–16 in Richmond.

On Friday, September 15, attendees of the 2000–2001 YLC Leadership Conference dined in downtown Richmond at Havana '59, after which the young lawyers showed some of the VSB's more seasoned practitioners an exciting night on the town.

Serious planning began bright and early the morning of September 16, when the Board members, Committee Chairs and Circuit Representatives all met at the offices of Hunton & Williams. Tracy Giles, the new YLC President, welcomed those in attendance and introduced the upcoming year's bar leaders. Joe Condo, the new VSB President, shared his thoughts regarding the issues and challenges facing the VSB for 2000–2001, some of which included diversity and compensation for court-appointed criminal defense counsel. Tom Edmonds, Executive Director of the VSB, and Maureen Stengel, the YLC's liaison to the VSB, offered an overview of VSB services and policies.

O'Kelly McWilliams, President-elect for the YLC, discussed one of the YLC's newest projects, which is a Professional

Development Conference geared to meet the professional needs of lawyers who have been in practice between 5 and 6 years. (There is more information about this exciting project in this issue of Docket Call.)

Among the ongoing and successful YLC projects discussed at this meeting were Emergency Legal Services, Domestic Violence Safety, Crime Victims Compensation, the *Senior Citizen's Handbook* (offered in English and Spanish), and the So You're 18 Program.

During the last hours of this meeting, each Circuit Representative and Committee Chair was given the opportunity to meet with his or her liaison to the Board of Governors in order to plan for the upcoming bar year.

The conference ended with a luncheon and an inspiring presentation by Robert J. Grey, Jr., Chair of the American Bar Association Futures Commission and Immediate Past Chair of the American Bar Association House of Delegates. During his discussion, Mr. Grey emphasized the importance of being involved in the legal community, service to the legal profession and service to the public. He also stressed the tremendous privilege of self regulation enjoyed by all lawyers.

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## DOCKET CALL

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