

# DOCKET CALL NEWSLETTER

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Young  
Lawyers  
Conference



Virginia State Bar

## YLC Spreads the Word as Part of the Statewide Voter Education Project

*Lexi Walker*

There's a lot of excitement in the air about this year's election; people of all political stripes have been busy making sure that everyone eligible to vote this November is able to cast a ballot. This fall, the YLC is contributing to the electoral hustle and bustle by distributing

informational brochures throughout Virginia, to help eligible voters understand their rights and responsibilities in the voting process.

After the passage of the Help America Vote Act of 2002, the Virginia

State Board of Elections (SBE) created a task force to help implement the legislation here in the Commonwealth. At-large Representative Jennifer McClellan represented the YLC on that task force, which adopted a statewide plan to provide voter education programs all over Virginia. The Virginia Plan covers everything from training for officials and poll workers, to accessibility concerns, to absentee, student and military voters. The YLC's role focuses on distribution of brochures describing voters' rights, in accordance with the state board's goals.

The content and format of the brochures was generated by the SBE in accordance with the federal law, which also required the SBE to create a plan for distributing the 105,000 brochures. In concert with SBE Secretary Jean Jensen and Director of Voter Education Ida Crittendon, McClellan and YLC President-elect Jimmy Robinson put the YLC on the front lines of this effort. Across the Commonwealth, YLC circuit representatives have been hard at work, making sure the brochures (each marked "Distributed by the Virginia State Bar Young Lawyers") are getting to where they are needed most.

### Presidential Profile—Savalle Sims

*Mary Nguyen Thexton*

New YLC President Savalle Sims is the model professional woman, juggling her roles as wife and new mother, successful attorney and leader with ease. The oldest of Savio and Carnellae Davis' three children, Sims grew up in Maryland, where at just 2 years of age she began riding horses. In another life, Sims says she would have been an equestrian; the YLC is lucky indeed that she chose the law instead.

Law school just seemed to be the natural thing for a person who wanted to bring about social change. After graduating Notre Dame Law School in 1995, Sims came to Virginia. As a clerk

for the Honorable Gerald Bruce Lee of the Fairfax County Circuit Court of Virginia, Sims says she "learned how to be a lawyer." Now, she is a capable and effective litigator, whether she is in the throes of a divorce case, as in her early practice, or a complex commercial litigation case. Presently at Arent Fox, Sims is a commercial litigator in the areas of intellectual property and labor and employment. But beyond being an



**Profile** *continued on page 16*

**Voter** *continued on page 14*

# Legal Ethics Corner

*Jeffrey Hamilton Geiger*

**Q** *Great, we're supposed to have three more prosecutors and now Jane is leaving to join the dark side. And I thought the workload was bad before. But hey, it's not my fault that guy walked just because I forgot to subpoena a critical witness. As an Assistant Commonwealth's Attorney, I am not bound by the same ethical requirements as other attorneys. Right?*

**A** Slow down, cowboy. The ethical rules are a jealous mistress and demand adherence by all. Indeed, prosecutors are imbued with the responsibility of serving as a "minister of justice" and, as such, have additional ethical obligations. Rule 3.8. The difficulty placed on prosecutors (and many private sector attorneys) is how to manage an unwieldy caseload. Despite budgetary and public pressures on prosecutors, the Standing Committee on Legal Ethics adopted the position that "a lawyer who accepts more cases than he can competently prosecute will be committing an ethical violation." L.E.O. 1798. This is not remarkable given the ethical rules governing representation of clients.

First, Rule 1.1 requires that a lawyer provide competent representation to his client, which includes being adequately prepared. Second, Rule 1.3 requires that a lawyer shall act with reasonable diligence in representing a client. Indeed, the comments to the rule note that a "lawyer should pursue a matter on behalf of a client despite opposition, obstruction or personal inconvenience . . . ." Accordingly, if you ever want to take a vacation, your "workload should be controlled so that each matter can be handled adequately." Third, Rule 1.16 forbids an attorney from taking on a new matter if the representation would result in a violation of another rule. In other words, a lawyer should not accept or continue representation if it cannot be performed competently and diligently.


**Q** *It's the day of trial and my client is being tried for stealing his parent's car. I can't believe the prosecutor tried to talk to my client's mother right outside the courtroom! Fortunately, I was right there. I "asked" her if she would like to speak with me first and advised her that she did not have to speak with the prosecutor. From what she told me, I determined that the boy's father was the key witness. As luck would have it, the prosecutor never subpoenaed the father and I told him that he was free to go and that if he left the courthouse, the prosecutor would lose the case. For some reason, the sweet success of victory tastes sour.*



As it should, my interloping friend. See L.E.O. 1795. The relevant rules include Rule 3.4, which governs fairness to opposing counsel, and Rule 4.3(b), which addresses dealings with unrepresented parties.

In the context of a criminal matter, Rule 3.4(h) provides that a "lawyer shall not . . . request a person other than a client to refrain from voluntarily giving relevant information to another party." Your first comment to the mother was a request that she speak with you first—you did not ask that she not speak with the prosecutor

at all. Similarly, your comment that she did not have to speak with the prosecutor was in the nature of advice, and did not overtly request that she refrain from talking with him. The same analysis applies to each of your statements made to the father. Notwithstanding your motives, telling the father that he was not compelled to appear as a witness and that his non-appearance would doom the prosecution's case do not constitute express requests to not share information with the prosecution.

While there may have been no impermissible requests made of your client's parents, neither of them was represented by counsel at the time you made your comments. Generally, "during the course of a lawyer's representation of a client, the lawyer should not give advice to an unrepresented party other than the advice to obtain counsel." Rule 4.3, Comment. Such a communication is prohibited when: (1) it is made on behalf of a client; (2) it contains advice of any nature; **and** (3) the interests of the unrepresented party are, or have a reasonable probability of being, in conflict with the client. As for the first two prongs, each of your statements were made on behalf of your client, but only the last three contained "advice." As for the last prong, each of the statements were made to the client's parents/victims. As victims, their interests were, or possibly could have been, in conflict with your client's interests. Thus, the last three statements were improper under Rule 4.3(b). However, the Standing Committee notes that the familial relationship between the victims and your client muddies the water. It would not be unreasonable for you to gauge the parents' interest: did they want to pursue criminal charges or did they want to protect their son from prosecution? A clear indication from the parents that they wanted to protect their son from prosecution would have negated any belief that their interests conflicted with their son's interest, thereby permitting you to provide them with the advice. 

# MESSAGE FROM THE PRESIDENT

*Savalle C. Sims*



## A Call to Serve!

**M**y predecessor, Kathleen M. Uston, challenged Virginia young lawyers to take up the call to join the work of the Young Lawyers Conference and change their lives. She recognized that the YLC can only remain a vibrant and energetic conference with involvement from a multitude of young lawyers who bring diverse viewpoints, practices and experiences to both the practice of law and service to the bar. The YLC Board decided to join this challenge by looking inward and re-examining how the YLC serves the public and the bar, with an eye towards serving efficiently and effectively. With these goals in mind, this year, I am pleased to have the opportunity to lead an organization that embraces the past accomplishments and service of its leaders and members, but yet strives to initiate programs to meet the evolving needs of the public and the bar.

This past summer, the YLC board decided that this year the YLC will undertake a voter education initiative in conjunction with the Virginia State Board of Elections to distribute a “know your voting rights” pamphlet throughout the commonwealth. Through this program, the YLC hopes to educate Virginians about their basic voting rights and support their right to be heard as part of the democratic process.

On another front, the YLC board has learned that past YLC president and newly installed American Bar Association President Robert J. Grey Jr., has decided to devote his term to creating better juries through a jury initiative project. The ABA Young Lawyers Division has joined in its support of his jury initiative by creating a program designed to educate high school students about the importance of jury service. We have pledged our support to Robert Grey’s initiative and look forward to implementing projects designed to educate the bar and public about jury service this year during our annual Professional Development Conference and Community Law Week.

In August, the YLC received several awards from the ABA Young Lawyers Division, including second place for the Professional Development Conference—Litigation in the bar service category; first place for the Spanish translation of the

Domestic Violence Safety brochure, in the public service category; and first place for the *Docket Call* newsletter, in the newsletter category. We are extremely proud of these accomplishments and look forward to building on these successes in the new bar year.

On reflection, I got involved with the YLC to give back to my community, to honor our profession and to strive to improve the perception of our profession in the community. I am constantly amazed and proud to see the unbridled enthusiasm and dedication exhibited by numerous young lawyers across Virginia who develop creative programs and initiatives to make a difference in our profession and community, while juggling demanding practices and balancing family commitments.

For those of you who have not yet heard or responded to the call to serve, the YLC stands ready to welcome you into the fold and to share the wonderful rewards that service brings, including meaningful opportunities to serve the bar and public and to interact and work with talented young lawyers throughout Virginia.

There are a number of ways to serve as part of the YLC, including programs relating to emergency legal services, immigrant outreach and domestic safety. Additionally, we have established three new commissions—Women and Minorities in the Profession, Children and the Law, and Pro Bono—to evaluate unmet and evolving needs and develop new programs in the aforementioned areas. If you are no longer a young lawyer, I encourage you to support the YLC, to support our programs, to support young lawyers who participate in the YLC and to share the benefits of service with young lawyers in your community.

Finally, the YLC board and I hope to meet many young lawyers across the Commonwealth this year. We are planning receptions at locations to be announced in conjunction with our meetings and programs throughout the year. I encourage you to attend, and I look forward to joining you in answering the call to serve this year! 🏛️

# CIRCUIT BEAT: ROANOKE

*Richard Scott*

## **WILLS FOR HEROES**

Roanoke attorneys recently completed the first phase of Wills for Heroes, a new community service program sponsored jointly by the Virginia State Bar Young Lawyers Conference, the Virginia Bar Association Young Lawyers Division, and the Roanoke Bar Association. The program offers free wills, and other estate planning documents to Roanoke Valley firefighters, police, sheriff's deputies and other emergency personnel—"First Responders." The idea for Wills for Heroes was hatched by Anthony Hayes, an attorney in Columbia, South Carolina, shortly after the 9/11 attacks in 2001.


On June 25, 2004, 23 attorneys participated in a two (2) hour CLE seminar to learn about the program and the computer software that generates the estate documents. Trust and estate attorneys, Robyn Smith Ellis of Gentry Locke Rakes & Moore and Rusty Schundler of Woods Rogers, led the attorney training seminar, and also led a seminar for firefighter personnel to introduce the program and explain the need for the documents offered by the program. On July 21 and 22, 2004, approximately 50 firefighters from Roanoke City, Roanoke County and Salem took advantage of the program and received a will, power of attorney and advance medical directive. The client interviews and signing ceremonies took place at the fire departments' regional training center in Salem. Approximately 24 attorneys took part in the interview/signing sessions on those two days.



Roanoke's Wills for Heroes event was organized by (left to right) Rusty Schundler of Woods Rogers PLC, Elizabeth Perrow of Wooten Hart PLC, Rick Scott from LeClair Ryan, and Robyn Ellis of Gentry Locke Rakes & Moore, LLP. Perrow and Scott are the circuit representatives for the 23rd Circuit.



Volunteers for the recent Wills for Heroes event in Roanoke attend a preliminary training session. The program pairs lawyers with first response personnel to help emergency workers create wills, advance medical directives and other important documents.

The program's Roanoke organizers are 23rd Circuit Representatives for the Young Lawyers Conference of the Virginia State Bar, Elizabeth Perrow of WootenHart PLC and Rick Scott of LeClair Ryan Flippin & Densmore, and trust and estate attorneys, Robyn Ellis and Rusty Schundler. The organizers plan to organize at least one more signing session this year for firefighters who were not able to participate in July, and for police officers, sheriff's deputies and other First Responders. 

## ***Docket Call***

**A quarterly publication of the Young Lawyers  
Conference of the Virginia State Bar.**

### *Editor:*

Lexine D. Walker

### *Editorial Board:*

Jennifer Campbell, Mary Nguyen Thexton  
Jeff Geiger, Mary L.C. Daniel

### *Board Liaison:*

Vicki Wiese

### *Design & Production:*

Cheryl L. Pavkov

*Docket Call* welcomes contributions  
from members of the YLC.

### *Send submissions to:*

**Publications Dept.,  
Virginia State Bar  
707 E. Main St., Suite 1500  
Richmond, VA 23219-2800**

# 2004 – 2005 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.

## FIRST CIRCUIT

City: *Chesapeake*

STEPHEN L. MCPHERSON  
Regent University  
1000 Regent University Dr.  
Virginia Beach, VA 23464  
(757) 226-4327  
Fax: (757) 226-4329

Board Liaison: *TBA*

## SECOND CIRCUIT

City: *Virginia Beach*  
Counties: *Accomack, Northhampton*

PAUL HERNANDEZ  
Kalfus & Nachman  
870 N. Military Highway, Ste. 300  
Norfolk, VA 23541-0889  
(757) 461-4900  
Fax: (757) 461-1518

Board Liaison: *TBA*

## THIRD CIRCUIT

City: *Portsmouth*

[VACANT]

Board Liaison: *TBA*

## FOURTH CIRCUIT

City: *Norfolk*

[VACANT]

Board Liaison: *TBA*

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DAWN L. SERAFINE  
Jones, Blechman, Woltz & Kelly, PC  
701 Town Center Drive, Ste. 800  
Newport News, VA 23606  
Main: (757) 873-8000  
Direct: (757) 873-8047  
Fax: (757) 873-8103

Board Liaison: *Amy Fan Fosen*

## SIXTH CIRCUIT

Cities: *Emporia, Hopewell*  
Counties: *Prince George, Surry, Sussex, Greenville, Brunswick*

WILLIAM EDWARD TOMKO III  
6615 Courthouse Rd.  
P.O. Box 1000  
Prince George, VA 23875  
(804) 957-4755  
Fax: (804) 957-4716  
TomkoAndNovyPC@aol.com

Board Liaison: *Shawn Copeland*

## SEVENTH CIRCUIT

City: *Newport News*

MATTHEW D. MEADOWS  
Jones, Blechman, Woltz & Kelly, P.C.  
701 Town Center Drive, Suite 800  
Newport News, VA 23606  
Main: (757) 873-8000  
Direct: (757) 8125  
Fax: (757) 873-8103  
mmeadows@jwbk.com

LOUIS ROBERT "BOBBY" RICHMAN  
Attorney At Law  
227 28th Street  
Newport News, VA 23607  
(757) 245-1516  
Fax (757) 245-7606  
ljrlaw@aol.com

Board Liaison: *Amy Van Fossen*

## EIGHTH CIRCUIT

City: *Hampton*

[VACANT]

Board Liaison: *Amy Van Fossen*

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Charles City, New Kent,  
Gloucester, Matthews,  
Middlesex, King William,  
King & Queen

[VACANT]

Board Liaison: Meredith Miles

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[VACANT]

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Counties: Dinwiddie, Nottoway,  
Amelia, Powhatan

KEN A. BLALOCK

Commonwealth Attorney's Office  
3150 N. Sycamore St.  
Petersburg, VA 23803  
(804) 861-8899  
Fax: (804) 861-2811  
kblalock875@yahoo.com

Board Liaison: Meredith Miles

## TWELFTH CIRCUIT

City: Colonial Heights  
County: Chesterfield

VANESSA JONES

Barnes & Batzli  
9401 Courthouse Rd., Ste. A  
Chesterfield, VA 23832  
(804) 796-1000  
Fax: (804) 796-1730  
vjones@barnesbatzli.com

Board Liaison: Meredith Miles

## THIRTEENTH CIRCUIT

City: Richmond

CHARLOTTE P. HODGES

Commonwealth Attorney's Office  
John Marshall Courts Building  
400 N. 9th St.  
Richmond, VA 23219  
(804) 646-3540  
Fax: (804) 646-0506  
hodgescp@ci.richmond.va.us

BENITA ELLEN

Hunton & Williams  
bellen@hunton.com

Board Liaison: Meredith Miles

## FOURTEENTH CIRCUIT

County: Henrico

[VACANT]

Board Liaison: Shawn Copeland

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City: Fredericksburg  
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Richmond, Essex, Lancaster,  
Northumberland

MICHAEL HYMAN

Getty & Associates  
P.O. Box 1040  
Locust Grove, VA 22508  
(540) 972-7600  
Fax: (540) 972-0880  
mahyma@hotmail.com

Board Liaison: George Sneed

## SIXTEENTH CIRCUIT

City: Charlottesville  
Counties: Madison, Greene, Albemarle,  
Fluvanna, Goochland,  
Louisa, Orange, Culpeper

DALE B. DURRER

Culpeper County Commonwealth  
Attorney's Office  
135 W. Cameron St.  
Culpeper, VA 22701  
(540) 727-3441  
Fax: (540) 727-3476

Board Liaison: George Sneed

## SEVENTEENTH CIRCUIT

City: Falls Church  
County: Arlington

[VACANT]

Board Liaison: Dan Gray

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City: Alexandria

DANIELLE BRIDGEFORTH

Miller & Associates  
809 Cameron St.  
Alexandria, VA 22304  
(703) 519-8080  
Fax: (703) 519-8084  
dbridgeforth@doctoratlaw.com

Board Liaison: Kellye Clarke

## NINETEENTH CIRCUIT

City: Fairfax  
County: Fairfax

RICHARD D. HOLZHEIMER

Reed Smith  
3110 Fairview Park Dr., Ste. 1400  
Falls Church, VA 22042  
(703) 641-4205  
Fax: (703) 641-4340  
rholzheimer@reedsmith.com

Board Liaison: Lesley Pate

## TWENTIETH CIRCUIT

Counties: Loudon, Fauquier,  
Rappahannock

BENJAMIN B. FITZGERALD

Sevilla Saunders  
30 N. King St.  
Leesburg, VA 20178  
(703) 777-5700  
Fax: (703) 771-4161

Board Liaison: Don Haddock

## TWENTY-FIRST CIRCUIT

City: Martinsville  
Counties: Patrick, Henry

ERIC H. MONDAY

106 Chestnut Ave.  
P.O. Box 717  
Stuart, VA 24171

(540) 694-2049  
Fax: (540) 694-2661

*Board Liaison: Brent Saunders*

## TWENTY-SECOND CIRCUIT

*City: Danville*  
*Counties: Pittsylvania, Franklin*

[VACANT]

*Board Liaison: Brent Saunders*

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*City: Roanoke, Salem*  
*Counties: Roanoke*

RICHARD D. SCOTT  
LeClair Ryan  
213 S. Jefferson St., Ste. 1201  
Roanoke, VA 24011  
(540) 777-6900  
Fax: (540) 777-6556  
rscott@leclairryan.com

ELIZABETH G. PERROW  
Wooten Hart PLC  
P.O. Box 12247  
Roanoke, VA 24024  
(540) 343-2451  
Fax: (540) 345-6417

*Board Liaison: Vicki Wiese*

## TWENTY-FOURTH CIRCUIT

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

VIRGINIA TROST  
2099 Langhorne Rd.  
Lynchburg, VA 23501  
(804) 528-4222  
Fax: (804) 847-0814

*Board Liaison: Brent Saunders*

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*Cities: Covington, Lexington, Staunton, Buena Vista, Clifton Forge, Waynesboro*  
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JOSHUA O. ELROD  
Mann & Vita, P.C.  
5 West Washington Street  
Lexington, VA 24450  
(540) 463-7119  
Fax (540) 463-6314  
elrod@manna-vita.com

*Board Liaison: Kelly Ashby*

## TWENTY-SIXTH CIRCUIT

*Cities: Harrisonburg, Winchester*  
*Counties: Frederick, Clarke, Shenandoah, Page, Rockingham, Warren*

CHRISTOPHER C. HOLMES  
Joint Judicial Center  
5 North Kent Street  
Winchester, VA 22601  
(540) 667-5770  
Fax: (540) 665-9087  
cholmes@ci.winchester.va.us

*Board Liaison: Kelly Ashby*

## TWENTY-SEVENTH CIRCUIT

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

ANGI N. MORRIS  
P.O. Box 1055  
Dublin, VA 24084  
(540) 674-8556  
Fax: (540) 674-0740  
mel@ani.verizon.net

*Board Liaison: Bradley Dalton*

## TWENTY-EIGHTH CIRCUIT

*City: Bristol*  
*Counties: Smyth, Washington*

CAMERON S. BELL  
Penn Stuart  
P.O. Box 2288  
Abingdon, VA 24212  
(276) 623-4421  
Fax: (276) 623-1730  
cbell@pennstuart.com

*Board Liaison: Vicki Wiese*

## TWENTY-NINTH CIRCUIT

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

SHEILA JANE WEIMER  
Office of the Commonwealth  
Attorney  
P.O. Box 946  
Tazewell, Virginia 24651  
(276) 988-7541, x512

*Board Liaison: Vicki Wiese*

## THIRTIETH CIRCUIT

*City: Norton*  
*Counties: Wise, Scott, Lee*

KRISTIN DEAN  
Baker & Dean, PC  
120 Roberts Ave., Ste. B  
P.O. Box 429  
Wise, VA 24293  
(276) 328-8122  
Fax: (276) 328-8130  
Deankris@netaddress.com

*Board Liaison: Vicki Wiese*

## THIRTY-FIRST CIRCUIT

*Cities: Manassas, Manassas Park*  
*County: Prince William*

DIANE P. LEWIS  
Vanderpool Frostick & Nishanian, PC  
9200 Church St., Ste. 400  
Manassas, VA 20110  
(703) 369-4738  
Fax: (703) 369-3653  
dlewis@vfnlaw.com

*Board Liaison: Lesley Pate*

## Address Change?

If you have moved or changed your address, please see the VSB Membership Department's page on the Web for an **address update form** at [www.vsb.org/membership/](http://www.vsb.org/membership/).



**Savalle C. Sims**  
**President**

Arent Fox PLLC.  
1050 Connecticut Ave., N.W.  
Suite 600  
Washington, D.C. 20036  
(202) 857-6000



**Jimmy E. Robinson**  
**President-elect**

LeClair Ryan, PC  
707 East Main St., 11th FL.  
Richmond, VA 23219  
(804) 783-2003  
Direct Dial: (804) 783-7540



**Kathleen M. Uston**  
**Immediate Past President**

Law Office of Kathleen Uston  
118 S. Royal Street  
Alexandria, VA 22314  
(703) 683-0440



**Maya M. Eckstein**  
**Secretary**

Hunton & Williams  
951 East Byrd St.  
Richmond, VA 23219-4074  
(804) 788-8200

## 2004–2005 YOUNG LAWYERS CONFERENCE

# BOARD OF C



**M. Brent Saunders**  
**9th District Representative**

Daniel, Vaughn Medley & Smith  
110 N. Union Street  
Danville, VA 24541  
(434) 792-3911



**Lesley A. Pate**  
**At-large Representative**

Venable LLP  
575 7th Street, NW  
Washington, DC 20004  
(202) 344-8033



**Jerry L. Hall**  
**At-Large Representative**

Hunton & Williams  
1751 Pinnacle Dr., Ste. 1700  
McLean, VA 22102  
(703) 714-7410



**Meredith B. Miles**  
**At-Large Representative**

Hunton & Williams  
951 E. Byrd St., East Tower  
Richmond, VA 23219  
(804) 788-7365



### Additional Board Members

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**5th District Representative**

Shoun & Bach, PC  
12700 Fair Lakes Circle, Ste. 300  
FairFax, Virginia 22033  
(703) 222-3330

**George P. Snead**  
**6th District Representative**

Roberts, Ashby & Parrish  
P.O. Box 7166  
701 Kenmore Drive, Ste. 100  
Fredericksburg, VA 22404  
(540) 373-3500

**Kelly C. Ashby**  
**7th District Representative**

11 S. Cameron Street  
Winchester, VA 22601  
(540) 667-1330

**Bradley G. Dalton**  
**10th District Representative**

Jackson & Associates  
227 North Main St.  
Hillsville, VA 24343-0130  
(276) 728-3737

**Donald M. Haddock, Jr.**  
**At-Large Representative**

123 S. Columbus Street  
Alexandria, VA 22314  
(703) 299-6680





**Amy M. P. VanFossen**  
1st District Representative

Jones, Blechman, Woltz & Kelly, PC  
600 Thimble Shoals Blvd., 2nd Fl.  
P.O. Box 12888  
Newport News, VA 23612-2888  
(757) 873-8000



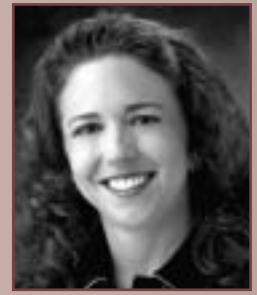
**Shawn A. Copeland**  
3rd District Representative

Hunton & Williams  
951 East Byrd Street  
Richmond, VA 23219-4074  
(804) 788-8200



**Kelly Curtis Clarke**  
4th District Representative

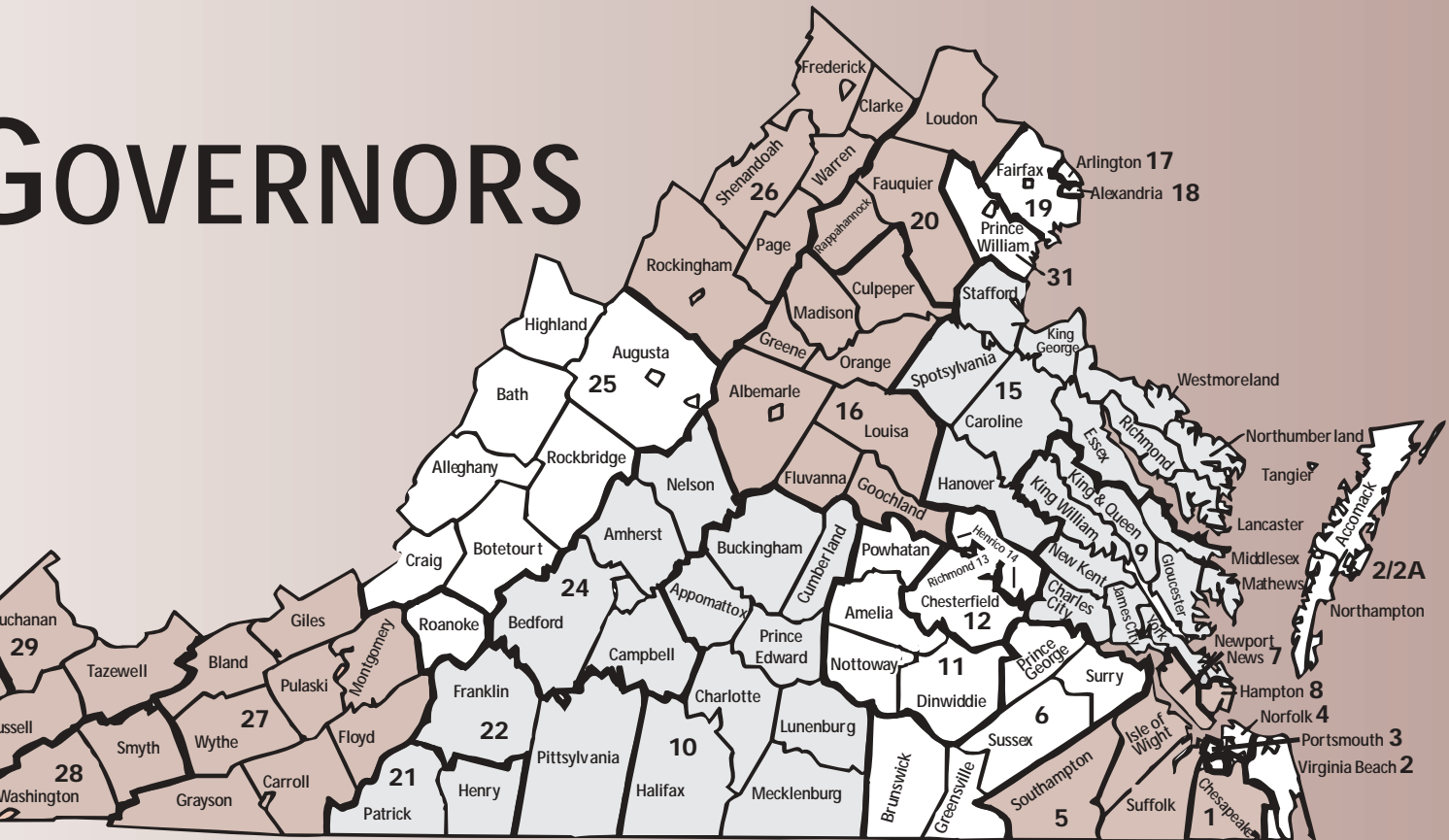
Shreves, Schudel, DeVol,  
Saunders, Jackson & Clarke, PLLC  
225 Reinekers Lane, Ste. 560-B  
Alexandria, VA 22314  
(703) 549-9800



**Vicki L. Wiese**  
8th District Representative

Frith Law Firm, PC  
303 Washington Avenue, SW  
Roanoke, VA 24016  
(540) 985-0098

# GOVERNORS



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

# 2004 – 2005 Committee Assignments

## 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: **[Vacant]**

(Fall 2004 & Spring 2005)

Liaison: **Brent Saunders**

### 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 VSB Annual Meeting in June.

Chair: **Jennifer Tatum Atkinson**  
Clarke Dolph Rappaport Hardy & Hull  
6160 Kempsville Circle, Ste. 101A  
Norfolk, VA 23502  
(757) 466-0464  
Fax: (757) 466-0834  
jennifertatum@clarkedolph.com

Liaison: **Kelly Ashby**

#### PROGRAMS

This committee plans the CLE program that takes place during the VSB 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: **Sara Berg**  
Williams Mullen  
222 Central Park Avenue, Suite 1700  
Virginia Beach, VA 23462  
(757) 473-5384  
Fax: (757) 473-0395  
Sberg@williamsmullen.com

Liaison: **Amy VanFossen/ Lesley Pate**

#### BENCH/BAR CELEBRATION DINNER

Each year the YLC, through this committee, hosts a dinner to honor newly elevated women and minority judges from across the state. The dinner provides an opportunity for young lawyers to interact with judges in a casual, relaxed atmosphere.

Chair: **Beth G. Hungate-Noland**  
Williams Mullen  
P.O. Box 1320  
1021 E. Cary St., 17th Fl.  
Richmond, VA  
(804) 783-6913  
Fax: (804) 783-6507  
bhungate-noland@williamsmullen.com

Liaison: **Meredith Miles**

#### BOARD MATCH

Board Match programs provide an opportunity for local non-profit organizations to solicit new board members and board participation from area lawyers.

Chair: **[Vacant]**

Liaison: **Jerry Hall**

#### 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.

Editor: **Lexine D. Walker**  
9400K Windy Cove Court  
Richmond, VA 23294  
(800) 446-3410  
lexine.walker@lexisnexis.com

Liaison: **Vicki Wiese**

#### FIRST DAY IN PRACTICE SEMINAR

In conjunction with the General Practice Section, this committee plans and implements the First Day in Practice Seminar for new lawyers traditionally held the day after the Fall Admission and Orientation Ceremony.

Chair: **[Vacant]**

Liaison: **Brent Saunders**

#### PROFESSIONAL DEVELOPMENT CONFERENCE

Chair: **[Vacant]**

Liaison: **Dan Gray**

## SERVICE TO PUBLIC

#### 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: **Usha Koduru**  
1005 Ayrshire Road  
Colonial Heights, VA 23834  
(804) 225-2741  
Fax: (804) 371-8718

Liaison: **Vicki Wiese/Brent Saunders**

#### DOMESTIC VIOLENCE SAFETY PROJECT

The committee is responsible for establishing and furthering the Domestic Violence Safety Project (DVSP). The DVSP distributes a safety brochure and a legal pamphlet to domestic violence victims statewide and trains attorneys to provide pro bono representation to domestic violence victims.

Chair: **Alexandra Brisky Cunningham**  
Hunton & Williams  
951 East Byrd St.  
Richmond, VA 23219  
(804) 788-8087  
Fax: (804) 788-8218  
acunningham@hunton.com

Liaison: **Meredith Miles**

#### EMERGENCY LEGAL SERVICES

This committee, 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: **Jeffrey H. Geiger**  
Sands, Anderson, Marks & Miller  
801 East Main Street, Suite 1800  
Richmond, VA 23218-1998  
(804) 783-7248  
Fax: (804) 783-7219  
jgeiger@sandsanderson.com

#### **Barrett Lucy**

Gentry Locke, Rakes & Moore  
10 Franklin Road, SE  
P.O. Box 40013  
Roanoke, Virginia 24022  
(540) 983-9300  
Fax: (540) 983-9400  
barrett\_lucy@gentrylocke.com

Liaison: **Shawn Copeland**

#### IMMIGRANT OUTREACH

This committee designs projects, including the Immigrant Outreach-Education Regarding Deportation Ramifications of Criminal Convictions program to (1) educate members of the bar regarding deportation ramifications of criminal convictions on immigrants and (2) reach out to Northern Virginia's immigrant population.

Chair: **J. Douglas Cuthbertson**  
Miles & Stockbridge  
1751 Pinnacle Dr., Ste. 500  
McLean, VA 21002  
(703) 610-8640  
Fax: (703) 610-8686  
jcuthbertson@milesstockbridge.com

Liaison: **Don Haddock**

#### MINORITY PRE-LAW PROJECT

This committee plans a one-day seminar that strives to expose minority college students to many aspects of a legal career. From LSAT prep courses, mock law school classes, and a mock trial to panel discussions with the bench, bar, and law students, this course provides valuable information to Virginia students considering a career in the law.

Chair: **Rita Poindexter Davis**  
Hunton & Williams  
Riverfront Plaza, East Tower  
951 E. Byrd Street  
Richmond, VA 23219  
(804) 788-8261  
Fax: (804) 788-8218  
rdavis@hunton.com

Liaison: **Shari Patish**

#### 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

Chair: **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  
j\_moyers@gentrylocke.com

Liaison: **Vicki Wiese**

#### Regional Chairs:

##### (1) Abingdon

#### **Cameron Bell**

PennStuart  
Post Office Box 2009  
Bristol, Virginia 24203  
(276) 623-4407  
Fax: (276) 628-5621  
cbell@pennstuart.com

##### (2) Charlottesville

#### **M. Bryan Slaughter**

Michie Hamlett  
P.O. Box 298  
Charlottesville, VA 22902  
(804) 977-3390  
Fax: (804) 295-0681  
mslaughter@mhlrt.com

##### (3) Danville

#### **Darren W. Bentley**

Clement & Wheatley  
549 Main Street  
Danville, VA 24541  
(434) 793-8200  
Fax: (434) 793-8436  
bentleyd@clementwheatley.com

##### (4) Fredericksburg

**[Vacant]**

##### (5) Lexington/Staunton

**[Vacant]**

##### (6) Lynchburg

**[Vacant]**

##### (7) Martinsville

**[Vacant]**

(8) Northern VA

**Richard D. Holzheimer**

Reed Smith, LLP  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, VA 22042  
(703) 641-4205  
Fax: (703) 641-4340  
rholzheimer@reedsmith.com

(9) Richmond

**Mary E. (Betsy) Davis**

Spotts Fain Chappel & Anderson  
411 E. Franklin St., Ste. 600  
Richmond, VA 23219  
(804) 788-0624  
Fax: (804) 421-3270  
mdavis@spottsfain.com

(10) Roanoke

**Victor S. "Dinny" Skaff III**

Gentry Locke Rakes & Moore, LLP  
P.O. Box 40013  
Roanoke, VA 24022-0013  
(540) 983-9464  
Fax: (540) 983-9400  
victor\_skaff@gentrylocke.com

(11) Tidewater

**Julia E. Keller**

Glasser & Glasser, PLC  
580 E. Main St., Ste. 600  
Norfolk, VA 23510  
(757) 640-9396  
jkeller@glasserlaw.com

(12) Winchester

**(Vacant)**

Liaison: **Bradley Dalton**

**OLIVER HILL/SAMUEL TUCKER  
PRE-LAW INSTITUTE**

The Virginia State Bar Young Lawyers Conference in conjunction with the Millennium Diversity Initiative and the University of Richmond T.C. Williams School of Law has designed a program, the Oliver Hill/Samuel Tucker Law Institute, to facilitate diversity in the legal profession. The program, which was implemented for the first time in July 2001, enables at-risk, minority students to attend a week long comprehensive seminar that

exposes and encourages them to become members of the legal profession.

Chair: **Jacqueline S. McClenney-Neal**

Morris and Morris, P.C.  
1200 WyteStone Plaza  
801 East Main Street  
Richmond, Virginia 23219  
Direct: (804) 344-6328  
Main: (804) 344-8300  
Fax: (804) 344-8359  
jmcclenney-neal@morrismorris.com

Liaison: **Jennifer McClellan**

**PEER MEDIATION**

The Peer Mediation Committee provides young lawyers the opportunity to inform middle and high school students of the importance of learning how to manage conflict. The committee assists various school staffs with providing a forum with set standards and guidelines on how to handle conflict resolution. The student mediators are presented with certificates of appreciation from the YLC at the end of the school year for their dedication and commitment to improving the social climate in their respective schools.

Chair: **Gina Marine**

Colten Cummins Watson & Vincent  
4010 University Drive, 3rd Floor  
Fairfax, VA 22030  
(703) 277-9700  
Fax: (703) 591-1579  
gmarine@coltenlaw.com

Liaison: **Kellye Clarke**

**STUDENTS DAY AT THE CAPITOL**

This committee organizes efforts to teach children about the judiciary, including coordinating a visit to the capitol in Richmond.

Chair: **Christy E. Kiely**

Hunton & Williams  
951 E. Byrd Street, East Tower  
Richmond, VA 23219-4074  
(804) 788-7365  
Fax: (804) 788-8218  
ckiely@hunton.com

Liaison: **Don Haddock**

**VOTER EDUCATION**

This program gives Virginia Young Lawyers a unique and historic opportunity to improve the election process in the commonwealth. While Virginia has led the nation in implementing election reform initiative over the years, there is much to be done to fully enfranchise our citizenry. The VSB-YLC has teamed with the Virginia State Board of Elections to ensure the distribution of Virginia Voter Rights and Responsibility brochures. These brochures are provided to the public to arm them with literature clearly outlining their voter rights and responsibilities in protecting those rights.

Chair: **Jacqueline S. McClenney-Neal**

Morris and Morris, P.C.  
1200 WyteStone Plaza  
801 East Main Street  
Richmond, Virginia 23219  
Direct: (804) 344-6328  
Main: (804) 344-8300  
Fax: (804) 344-8359  
jmcclenney-neal@morrismorris.com

Liaison: **Jennifer McClellan**

**WE ARE THE JURY**

Chair: **[Vacant]**

Liaison: **Shawn Copeland**

**WILLS FOR HEROES**

In response to the events of September 11, 2001, the Young Lawyers Division of the South Carolina Bar Association created a program called Wills for Heroes to allow the legal community to show its appreciation for the efforts and sacrifices made by firefighters, police, sheriffs and emergency medical technicians ("First Responders"). This committee, in conjunction with VBA-YLD, has developed and implemented a program to provide simple wills, advanced medical directives, and powers of attorney to first responders on a pro bono basis.

Chair: **Carson Sullivan**

Paul Hastings  
1299 Pennsylvania Ave., NW  
Tenth Floor  
Washington, DC 20004

(202) 508-9500  
Fax: (202) 508-9700  
carsonsullivan@paulhastings.com

Liaison: **Kellye Clarke**

## COMMISSIONS

### CHILDREN AND THE LAW

This committee was formed to assess current programs designed to meet the legal needs of children. It is also charged with developing new projects to address the unmet legal needs of children.

Chairs: **[Vacant]**

Liaison: **Amy VanFossen**

### PRO BONO

This commission was formed to assess current pro bono programs and to develop programs designed to improve the quantity and quality of pro bono activities of young lawyers.

Chair: **Carson Sullivan**  
Paul Hastings  
1299 Pennsylvania Ave., NW  
Tenth Floor  
Washington, DC 20004  
(202) 508-9500  
Fax: (202) 508-9700  
carsonsullivan@paulhastings.com

Liaison: **Maya Eckstein**

### WOMEN & MINORITIES IN THE PROFESSION

This commission was formed to assess current programs and to develop new programs to address the particular issues facing women and minority young lawyers.

Chairs **Rita Poindexter Davis**  
Hunton & Williams  
Riverfront Plaza, East Tower  
951 E. Byrd Street  
Richmond, VA 23219  
(804) 788-8261  
Fax (804) 788-8218  
rdavis@hunton.com

### Beth G. Hungate-Noland

Williams Mullen  
P.O. Box 1320  
1021 E. Cary Street, 17th Floor  
Richmond, VA 23218-1320  
(804) 783.6913  
Fax: (804) 783.6507  
bhungate-noland@  
williamsmullen.com

### Jacqueline S. McClenney-Neal

Morris and Morris, P.C.  
1200 WyteStone Plaza  
801 East Main Street  
Richmond, Virginia 23219  
Direct: (804) 344-6328  
Main: (804) 344-8300  
Fax: (804) 344-8359  
jmcclenney-neal@morrismorris.com

### Shannon O. Pierce

McGuireWoods  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
(804) 775-1001  
Fax: (804) 698-2252  
spierce@mcguirewoods.com

Liaison: **Jennifer McClellan**

## INTERNAL OPERATING COMMITTEES

### ABA INVOLVEMENT

Chairs: **Savalle C. Sims**  
Arent Fox PLLC  
1050 Connecticut Ave., NW  
Suite 600  
Washington, DC 20036  
(202) 857-6000  
Fax: (202) 857-6395  
simss@arentfox.com

### Jimmy F. Robinson Jr.

LeClair Ryan PC  
707 E. Main St., 11th Floor  
Richmond, VA 23219  
(804) 783-7540  
Fax (804) 783-7641  
jrobinson@leclairryan.com

### 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: **Jimmy F. Robinson Jr.**  
LeClair Ryan PC  
707 E. Main St., 11th Floor  
Richmond, VA 23219  
(804) 783-7540  
Fax: (804) 783-7641  
jrobinson@leclairryan.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.

Chair: **Joshua M. David**  
David, Kamp & Frank LLC  
739 Thimble Shoals Blvd.  
Newport News, VA 23606  
(757) 595-4500  
Fax: (757) 595-6723  
jdavid@davidkampfrank.com

Liaison: **Vicki Wiese**

### COMMUNICATION/WEBPAGE

This committee is designed to help develop and maintain the Web page for the conference as well as develop a list serve or email conduit of information for members of the conference. It is also responsible for facilitating communication between the YLC board and conference members.

Liaison: **Dan Gray**

### 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.

**Chair: Maya M. Eckstein**  
Hunton & Williams  
951 E. Byrd St., East Tower  
Richmond, VA 23219  
(804) 788-8200  
Fax: (804) 788-8218  
meckstein@hunton.com

#### LONG RANGE PLANNING— NEW PROJECTS

**Chair: George P. Snead**  
Parrish, Houck & Snead PLC  
P.O. Box 7166  
Fredericksburg, VA 22404  
(540) 373-3500  
Fax: (540) 899-6394  
snead@phslawfirm.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 with the involvement of both newly licensed attorneys and those attorneys that 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 designed a membership brochure designed to inform and educate young lawyers about the many opportunities offered by the conference.

**Chair: Matthew Senfield**  
Gentry Locke Rakes and Moore LLP  
P.O. Box 40013  
Roanoke, VA 24022  
(540) 983-9445  
Fax: (540) 983-9400  
matthew\_senfield@gentrylocke.com

Liaison: **Don Haddock**

#### NEW PROGRAMS REVIEW

In 2003, the conference established this committee to assess and review new program ideas for the YLC and to identify for the board recommended programs that should be undertaken.

**Chair: Kellye Curtis Clarke**  
Shreves Schudel DeVol Saunder  
& Jackson  
225 Reinekers Lane, Ste. 560B  
Alexandria, VA 22314  
(703) 549-9800  
Fax: (703) 549-9471  
kclarke@ssdsj.com

**Maya M. Eckstein**  
Hunton & Williams  
951 E. Byrd St., East Tower  
Richmond, VA 23219  
(804) 788-8200  
Fax: (804) 788-8218  
meckstein@hunton.com

**Jimmy F. Robinson Jr.**  
LeClair Ryan PC  
707 E. Main St., 11th Floor  
Richmond, VA 23219  
(804) 783-7540  
Fax: (804) 783-7641  
jrobinson@leclairryan.com

#### NOMINATING COMMITTEE

**Chair: Katie Uston**  
Law Office of Kathleen Uston  
118 S. Royal St.  
Alexandria, VA 22314  
(703) 683-0440  
Fax: (703) 549-8664  
law@uston.com

## Voter *continued from page 1*

The Voting Rights Project Committee, under the leadership of Jackie McLennay-Neal, got in touch with local registrars and started distribution with schools, libraries and DMVs. When the Committee found that those locations were already part of the area covered by the SBE and the individual registrars, the YLC was able to contribute a list of even more locations, including civic organizations and churches, for each locality. Finally, circuit representatives were encouraged to tailor the distribution plan to the needs of their home circuits, enabling each representative to see that eligible voters are getting to the information. The Committee has also ensured delivery of brochures to NAACP and AARP chapters around Virginia.

"The goal of the project," McClellan said, "is to assist the SBE and local registrars, who have limited resources, to distribute information regarding voting rights and responsibilities in an effort to protect voters from the confusion that occurred all over the country, including Virginia, in 2000 regarding where, when, and how to vote." McClellan said YLC President Savalle Sims has been energetic in her support of the project, particularly in this very important election year.

So be on the lookout. By the time this newsletter is shipped, brochures should be making their way to locations chosen by the SBE, registrars and the YLC. It may still be possible to spot circuit representatives getting those brochures out. Try to catch a glimpse of them using the handy guide in the middle of this issue. 📄



## Mandatory Continuing Legal Education MCLE DEADLINE: October 31, 2004

Failure to complete 12 CLE hours including 2 hours in ethics/professionalism by October 31, 2004 will result in a \$50 non-compliance fee. (Part 6, Section IV, paragraph 19, Rules of the Virginia Supreme Court)

Check your MCLE Record on-line at [www.vsb.org/mcle/mcle\\_record.html](http://www.vsb.org/mcle/mcle_record.html)

# ELECTRONIC FILING —

## Coming to a Court Near You?

*Jennifer Campbell*

**E**lectronic filing of court litigation enables an attorney to file pleadings with the clerk of court on-line, at the push of a button. Documents are then filed and stored electronically, allowing for easy retrieval and back-up. You don't have to be an attorney for very long to realize the standard paper based system for storing and retrieving dockets is problem ridden and error prone, simply due to human nature. Like the old fashion card catalog in libraries, which has been replaced by on-line catalogues, the paper filing systems in use in clerks' offices around the country are becoming obsolete.

Tried and tested technology not only makes the attorney's job easier, but it also aids in document management for the clerk of court. The average criminal or civil case requires hours of human filing attention over the life cycle of the case, yet space is limited and human time is costly. Electronic filing marks a new era in public document storage. According to Jack Kennedy, Clerk of Court for Wise County, Virginia, the many benefits to an electronic filing system include:

- Rapid filing of information, lessening the human resource requirements associated with daily paper sorting, numbering, physical file placement and accuracy quality control
- A reduction in costs associated with preservation and storage space such as high-density file cabinets, and environmental controls; mitigation of fire hazards associated with loose or bound papers within courthouse storage rooms and vaults
- Enhanced access to electronic files both on-site and by remote access with information duplication enabled systems off-premises to ensure back up of irreplaceable information
- Historic litigation information retention
- Avoidance of time lost in searching for misplaced files.

The process for filing electronically is simple. First, users save their word processed documents as .pdf files. Next, users must log into the clerk of court web-site. After giving an individual account name and password, the user is directed to a docket information site, where one can select a docket entry, indicate the parties, and attach the .pdf document. With the push of a few buttons, the document is submitted and the user receives an electronic receipt.

The federal courts were the trailblazers in developing electronic filing, beginning in January of 1996 when they first permitted electronic filing in select courts. With the growing acceptance of electronic filing, federal courts are now beginning to mandate the use of electronic filing in federal district courts across the nation. Beginning in February 2004, the U.S. District Court for the Western District of Virginia began using the federal electronic filing system called PACER or Public Access to Court Electronic Records, developed by the Federal Judiciary to replace case management systems in 200 Federal Courts nationwide. Attorneys appearing before the U.S. District Court for the Western District of Virginia will be required to submit all documents electronically starting December 13, 2004. More information on this can be obtained on the U.S. District Court for the Western District of Virginia Web site located at: <http://www.vawd.uscourts.gov/>

Electronic filing in Virginia state courts, on the other hand, is not as advanced. While the Supreme Court of Virginia has set out well-designed rules setting up the ability for electronic filing, the system has a glitch. Currently, the Virginia Supreme Court Rule 1:17 limits the use of electronic filing to "a case in which all parties have agreed to file pleadings electronically in accordance with these rules and any local rules of court governing electronic filing." As a result of difficulties with getting adverse parties to agree on anything, experimental electronic filing systems have received little use. A change to rule 1:17 mandating parties to file electronically would be necessary in order to make electronic filing a reality in Virginia state courts. 🏠

# VIRGINIA STATE BAR PROFESSIONALISM COURSE

## Upcoming course dates:

December 16, 2004  
Richmond

January 13, 2005  
McLean

March 3, 2005  
Charlottesville



for additional dates and a registration form:  
[www.vsb.org/membership/professionalism.pdf](http://www.vsb.org/membership/professionalism.pdf)

## Profile *continued from page 1*

attorney and YLC president, Sims is a wife and new mother. She and her husband, Turnell, are the proud new parents of infant son, Justin. With the support of her family, Sims is succeeding in balancing career and family, with lots of civic duty thrown in to make life more interesting and rewarding.

Sims has always had a strong involvement in the YLC, serving as chair of No Bills Night in Northern Virginia, chair of the Model Rules Committee, YLC board member and YLC secretary before becoming president. Involvement seems to be the message that Sims is giving us as well. As president, Sims is calling upon all new lawyers to effect change, to be involved and to get others involved. The YLC's Web site features a page called "A Call For Volunteers," where attorneys can find volunteer opportunities within the YLC. Also, Sims hopes to organize a "Meet and Greet" to introduce the new fall admittees to the YLC. Sims hopes to see many new and exciting programs, such as these, further the profession and the communities in which we practice.

Sims recalls that Judge Lee "impressed upon me that as lawyers we all have an obligation to do more than just practice law." And she has taken that advice to heart as she leads the YLC. Although the calendar year may be coming to an end, Sims is just getting started. 🏠

# DOCKET CALL

Virginia State Bar Young Lawyers Conference  
707 East Main Street, Suite 1500  
Richmond, VA 23219-2800

PRESORTED  
FIRST CLASS  
U.S. POSTAGE PAID  
RICHMOND, VA  
PERMIT NO. 709