

— VSB Attorney Profile —

Leslie A.T. Haley

This is one in a series of Virginia Lawyer magazine profiles of state bar attorneys.

Leslie A. Takacs Haley has been an assistant ethics counsel at the Virginia State Bar since 1998.

Haley received a bachelor's degree in business administration in 1976 from West Virginia University. She worked for Philip Morris USA for ten years, starting as a sales representative and rising to a division manager, before she returned to West Virginia for law school. She received her law degree in 1993, after spending her third year as a visiting student at the University of Richmond School of Law.

She became an associate with a general practice at Lee Robert Arzt, Attorneys-at-Law, in Richmond, before joining the VSB staff.

Haley is a member of the Greater Richmond Bar Foundation Board, Metropolitan Richmond Women's Bar Association, Richmond Bar Association, and Chesterfield/Colonial Heights Bar Association.

She is president of the Chesterfield County Council of PTAs, a fitness instructor for the YMCA and Robious Sports and Fitness Club in Chesterfield, a director and former president of the Walton Lake Homeowners Association, legislative chair of the Evergreen Elementary School PTA, and parish committee member of St. Marks United Methodist Church.

You started out with a career in business and marketing. A decade later you were in law school. What happened during that time that called you to law?

I always possessed an interest in a career in law, but after undergraduate school I felt I needed time to explore the "real" world and earn money. I was very fortun-

nate to land a job with Philip Morris in sales that exposed me to an incredible corporate management training program as well as the experience of personal growth. I spent the majority of my time traveling and quickly climbed the corporate ladder, but after ten years decided to pursue my dream of law, knowing that I still had that desire and was envious of a more family-oriented lifestyle. I left behind many professional and personal friends whom I still stay in contact with.

How does the real-life practice of law compare to what you thought it would be like?

The practice of law in many ways is exactly as I envisioned. One of the best things about being a lawyer is the multitude of opportunities a law degree affords. Many lawyers have never practiced a day in their lives, but are involved in business, nonprofit groups, volunteer efforts, government entities or academia. I have always believed that a law degree opens doors and the opportunity to make a difference in the world.

I also realized that success in the practice of law is not only about legal skills, but business acumen as well. It's difficult to be a solo or small-firm practitioner and please your clients, manage your dockets and office staff (if you're lucky enough to be able to afford staff), and run your business. I have a lot of respect for the solo or small-firm lawyer.

Part of your job is providing one-on-one consultations with members of the bar over ethical quandaries. What categories do their questions fall into?

We provide ethical guidance to attorneys across the state each and every day, and the number of inquiries we receive continues to grow. We get a wide range of questions, but many times lawyers are



calling just to make sure that they are doing it the right way. They seek guidance on possible withdrawal from difficult matters that involve difficult clients, conflict issues, and disposal of client files. While we encourage lawyers to do research on their own to identify potential ethics issues, no lawyer becomes an expert on ethics from one professional responsibility course in law school. Virginia lawyers are very lucky to have an ethics staff available to consult and we encourage our members to call us for assistance. Our consults are totally confidential and can sometimes help a lawyer identify a potential pitfall that could lead to a bar complaint.

You have developed an interesting format for teaching legal ethics at seminars—"Legal Jeopardy." Please describe it, and test us.

After speaking for many years to the legal profession on legal ethics in that deadly Friday four-to-six-p.m. time slot, it occurred to me that there must be a more entertaining and enlightening way to teach. A colleague mentioned he had seen something similar to a Jeopardy game used as a teaching tool in another jurisdiction, and so we put this together. As in any teaching environment, when you get your audience involved in the process the quality and impact of the message improves.

So, (1) What is the difference between a retainer and an advanced legal fee? (2) Can you take a referral fee on a case for which you retain no involvement or responsibility? (3) Can you represent both husband and wife in an uncontested

divorce? (4) Can you defend a client on a criminal drug charge when the witness testifying on behalf of the commonwealth is a former client of yours? (5) What do you do with the fax you just received from opposing counsel that was intended for the opposing party? (6) Who “owns” the client file? (Answers can be found at the end of the article.)

You are the staff to the Standing Committee on Lawyer Advertising (SCOLAS). How in the world do you keep track of all the attorney ads out there?

This may be my most challenging role at the bar, as the SCOLAS interprets the *Rules of Professional Conduct* that deal with lawyer advertising and solicitation. The role of the SCOLAS includes monitoring lawyer advertising, so we attempt to gain a comprehensive list of all lawyers and firms across the state that engage in video and audio advertising. However, it’s an imperfect process. We currently have a rule pending before the Supreme Court of Virginia that would require lawyers to place on file with the Virginia State Bar a copy of all video and audio advertising within thirty days of airing. We hope this rule amendment will make the committee’s monitoring function easier and absolve us of the notion that we are engaged in selective scrutiny.

You’ve put your marketing experience to use at the Virginia State Bar in other ways. You helped the Senior Lawyers Conference and the Trusts and Estates Section produce a brochure, “Planning Ahead: Protecting Your Client’s Interests in the Event of Your Disability or Death.” Don’t all lawyers do that?

As a profession, we are our own worst enemies! We take care of our clients’ interests, but forget about our own and those of our families. An unplanned occurrence, such as a freak accident, unexpected illness or untimely death, can occur at any time. Our clients are left not only without counsel but also without an ability to

access their files and their funds in trust, and our families are ill equipped to wind up a law practice. It takes a plan that provides direction to provide for these events. Lawyers need to plan for their future and protect their own assets as well as the interests of their clients.

The “Planning Ahead” brochure is available at the VSB Web site, along with other planning materials produced by the Senior Lawyers Conference. The link is www.vsb.org/slc/attorney/index.html#publications.

You played a role watching over the VSB’s interests at the General Assembly this year. What did you learn from the experience?

I found it to be very interesting and enlightening to see how the process works, or sometimes doesn’t. I was fortunate to have guidance from our staff and some “inside connections” with several senators whom I know personally, as the General Assembly can be somewhat intimidating to a newcomer. Our bill patrons and the support staff at the General Assembly could not have been more helpful. They are wonderful people who kept their cool and pleasant demeanor and helped guide me through the maze.

The legislation I was involved with was fairly innocuous. My role was to educate the legislators on the details of the proposed statute changes. In listening to other discussion and debate in committees I sometimes found it problematic that the number of lawyers in the General Assembly continues to decline. Traditionally, the lawmakers of our country have been lawyers, with good reason.

Tell us about your family.

I am blessed to have two healthy, challenging children, who are both in elementary school. My daughter Reagan is very involved in swimming, dancing, piano and Girl Scouts and at age ten is certainly her mother’s daughter in the challenges she poses to my every request. My son Alex is

seven and has tried every sport he can at this age, as well as piano and Boy Scouts. My husband Joe is a transportation analyst with Philip Morris, where he has spent his career. His traveling has been curtailed with the company’s recent move to Richmond, and for that we are all grateful. I am also very lucky to have a beautiful stepdaughter, Meghan, who is a freshman at Old Dominion University. She lives in Norfolk with her mother, but with cell phones, e-mail and instant messaging we all feel very connected. I also feel fortunate to have my parents, who are healthy and still live in my hometown of Monroeville, a suburb outside Pittsburgh. My brother and his family are also in Pittsburgh. My mother-in-law lives in Danville with many of my husband’s siblings and their families.

In addition to your paying job here at the bar, you take on big volunteer commitments. Currently you are president of the Chesterfield County Council of Parent Teacher Associations, a member of the Greater Richmond Bar Foundation board, legislative chair for your local elementary school’s PTA and a member of the staff-parish committee at your church. How do you budget your time to get it all done?

I truly believe in giving back your time and talents. What greater reward does life offer than to see the successes of your contributions and to feel like you have contributed to the world in which we all live? I believe that lawyers give back much more to their communities than most members of the public ever realize. I am committed to education on many levels. Our children have so many more challenges to face than our generation ever dreamed of, and the only way they will ever be equipped to compete in our global society is if we do this as a joint partnership, with schools, parents, business, and community. That is my goal on a small scale in our county, but that’s where differences are made.

My impact as legislative chair at my local school keeps me involved at this level in a

small but distinct way. Every year I am discouraged by the parents' lack of interest in legislative issues related to our schools and our children's education.

In addition, I'm honored to serve on the GRBF Board. This young foundation has just begun its work, but many will soon realize what a fabulous impact it will have in our metropolitan area, as far as affording support to the public in the form of greater access to legal services.

While I realize that it is a juggling act for me to handle all these involvements I multi-task well and have incredible support from all factions of my life. Additionally, I hope my children grow up to appreciate the importance I place on these interests and values. I hope they adopt my mantra of giving back to their communities.

Your jobs as a fitness instructor no doubt help relieve stress. What else do you do to unwind?

I love teaching group exercise. I started when I was in my late twenties. Exercise has always been my escape where I can kick back, forget the outside world, and let the other side of my personality emerge.

I also enjoy gardening, reading, and just hanging out with my kids. They keep me young and connected to my community and their interests, and they ground me when I get too wound up in all the other aspects of life.

[Answers to "Legal Jeopardy" questions: (1) A retainer is earned when paid; an advanced legal fee is put into trust to be drawn upon as earned. (2) Yes (LEO 1739). (3) No. (4) No. (5) You call opposing counsel alert them to the receipt of the inadvertent fax and follow their directions or involve the court in the process (LEO 1702). (6) The file is the property of the client (Rule 1.16(e)).]

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CALL FOR YLC BOARD NOMINATIONS

THE NOMINATIONS COMMITTEE of the Virginia State Bar Young Lawyers Conference is now accepting nominations for seats on the Board of Governors which are up for election at this summer's Annual Meeting. Elections will be held for positions representing the following Young Lawyers Districts:

YLC District

1st District

3rd District

4th District

6th District

8th District

9th District

and three At-Large positions

consists of Judicial Circuits

Circuits 1, 3, 5, 7 & 8

Circuits 6, 11, 12, 13 & 14

Circuits 17 & 18

Circuits 9 & 15

Circuits 23 & 25

Circuits 10, 21, 22 & 24

Anyone interested in serving on the Board of Governors for the Young Lawyers Conference or in nominating a young lawyer to the Board of Governors should forward a letter of interest or nomination to:

Kathleen M. Uston

Law Office of Kathleen Uston

5735 Mallow Trail

Mason Neck, VA 22314

(703) 683-0440, Fax: (703) 549-8664, law@uston.com

The deadline for receipt of nominations is May 1, 2005.