New VSB President Takes Another Step in a Deliberate Journey

by Gordon Hickey

If you ask Michael W. Robinson to talk about an important case he handled, he’ll tell you about a few. But, there was one that particularly stands out.

“It was a pro bono matter seeking asylum in the United States for an immigrant mother.” The woman was from Kenya, had been diagnosed as HIV positive while pregnant, and had been abandoned by her husband who had returned to Kenya. She faced many legal hurdles to be eligible for asylum, including the fact that the time to seek asylum had long passed. “We sought asylum based on the very real fear of death” if she returned to her home country, said Robinson.

He was able to overcome the statute of limitations and successfully argue that she faced extreme persecution if returned to her native country, and she was granted asylum, allowing her and her son to stay in the US. Shortly after the asylum decision, Robinson received a one-paragraph e-mail from the woman thanking him for his efforts, concluding with, “You have saved my life and the life of my son.” That was a powerful e-mail to receive, and it’s a story I can tell when reminding myself of the importance of doing pro bono.”

Lawyers often do pro bono and aren’t sure what is accomplished or whether they made a difference. “Some people have terrible inclines to climb in their lives and their legal issues, and we can’t always level that incline, but this is one where I did.”

Robinson, who was sworn in as president of the Virginia State Bar on June 17, did not set out to be a lawyer. It was not the kind of job that was on his radar growing up. “I always thought the law was interesting, but I came from a background where college, much less the law was interesting, but I came from his radar growing up. “I always thought June 17, didn’t set out to be a lawyer. President of the Virginia State Bar on Robinson, who was sworn in as

So he took the LSAT, just to see how he would do. He did quite well, and decided to apply to only one law school, just to see how he would do and so as to let fate take its course. He was accepted at George Mason and decided to give it one year, “to see how this looks.”

“I had a great first year in law school,” he said. “I said, you know, I think maybe I have found a calling.”

While still at law school, Robinson got a job clerking for Dolan, Treanor, Murray and Walsh, a four-person firm in Arlington that included William D. Dolan III, who was then president of the VSB. “Bill was a mentor not only then,” said Robinson, “but throughout my entire career.” In 1985, the firm merged with Venable, which at that point had about 150 lawyers, forming its Virginia office. Today it comprises about 600 lawyers with a Virginia office of about forty. Robinson started at that firm as a clerk while in law school, became an associate, and is now a partner.

In discussing his work on intellectual property matters, he talked of two very disparate cases. The first was for a client who ran a chain of community newspapers in Northern Virginia, all using the name of the community and the word “Observer.” Another person started a newspaper in an adjoining community using the “Observer” moniker with the name of the community. Robinson won the case for his client, enforcing common law trademark rights. “It stands out because the legal issues for common law rights were interesting, and my client was just an interesting person. He was an old-school newspaper guy. He was a great person to work with.” The client had started a string of independent newspapers and thought their name and brand were important. With Robinson’s legal work, he was able to continue operating while maintaining his trademark rights.

Another formative case “…was a patent trial involving the validity of a patent for what really was a miracle drug” that is used to treat pneumonia. Another pharmaceutical company sought to invalidate the patent in order to market a generic version of the drug. Robinson said it was the kind of case that couldn’t be settled; it had to go to trial, which lasted several weeks. What made it so important to Robinson’s career was that he “was exposed to so many tremendously talented lawyers” and, unlike matters where he worked with just one or two others, he had to work with teams of lawyers from multiple firms.

The case was high-stakes and a great learning experience that involved complex scientific and legal issues. The dispute went to trial. As part of the trial team, Robinson helped write multiple trial and post-trial briefs and travelled to Tokyo to help prepare the scientists who invented the drug for their testimony, both rewarding experiences.

“I have done litigation from day one,” he said. “It is all I’ve ever wanted to do.” He focuses on business litigation, intellectual property issues — trademarks, patents, and trade secrets — and legal malpractice defense, which he finds particularly enjoyable “because it keeps me working with lawyers.” It also exposes him to different fields of law. “I’m learning new areas of law as I’m working with law firms.”

Robinson has some interesting hobbies outside of the law. He has been an aquarium hobbyist for more than forty years, currently maintaining five aquariums at home and in his office, and keeps tortoises as well. He is also an avid gardener and has two ponds where...
he raises Japanese Koi. He has run the Marine Corps marathon five times; “I am much more the tortoise than the hare.”

And though his involvement in the law has blossomed over the years, he has never lost his interest in philosophy, literature, mythology, and comparative religion. He is an avid reader, and movie buff and will happily offer up suggestions from his reading list.

Robinson has been married to Courtney for thirty-five years, the two having met in a Japanese literature course, studied 20th century existentialism together, and married while undergraduates at George Mason. They have five children and five grandchildren, and weekends have revolved around soccer, dance recitals, and other activities. Robinson coached youth soccer for almost twenty years. “It took a while, but I finally became good at it.” They live in the City of Fairfax, and think a perfect summer evening is one spent at Wolf Trap — the national park for performing arts — and the perfect fall week is one spent at the Outer Banks.

It seems that Robinson’s evolution to the top spot at the VSB was as deliberate as his journey into the legal profession. His friend and mentor from the beginning of his career was former VSB president Bill Dolan. “He and I spent a lot of the last thirty years together,” Robinson said.

“When I was a young associate, Bill Dolan and the others in the firm encouraged activities with the bar,” Robinson said. And he did participate, in the state bar as well as local bars. “Participation was always part of what I was doing.”

Eventually, Robinson was elected to the VSB Council. That is what led him to consider running for president. “You start working with wonderful people, working on interesting issues,” he said, and then he decided he wanted to be an officer.

“When I told the firm that, they said it would be good for you, it would be good for the bar, and good for the firm. The firm was behind me 100 percent. Not everybody can do that. Not everybody can devote this amount of time. … I viewed it as an honor.”

In looking forward to his year, he noted that, “There are challenges to mandatory bars all around the country. I need to make sure I’m looking at the right issues to try to provide the leadership and judgment on how we move forward.”

During his term, Robinson said he intends to support “a well-functioning, efficient disciplinary system.” He said that system, central to self-regulation, is a benefit to all lawyers.

He said it is important to continue promoting access to justice across the entire state, especially in the more remote areas. And, he said, he is very interested in the findings of the Future of Law Practice Study Committee. There will be issues that the bar will need to look at. “The changes are coming fast and furious. Technology has changed everything,” he said. He pointed out that the bar is charged with protecting the public through appropriate regulation of lawyers, and “we need to address our obligations in light of the changing technology.”

“We need to do more than say, here are the new obligations,” he said. “As a bar we need to make sure we’re making available the education to allow Virginia’s lawyers to keep pace. We need to help.”

“We can’t be viewed as imposing additional burdens without saying how we are to help them meet them.”

Michael W. Robinson
Venable LLP

Education:
George Mason University, B.A., 1982
George Mason University School of Law, J.D. with honors, 1986

Virginia State Bar:
Executive Committee
Council
Standing Committee on Legal Ethics, chair
Professionalism Course, faculty
Special Committee on Bench-Bar Relations, former chair
Study Committee on the Future Practice of Law

Other Affiliations:
Fairfax County Bar Association
Fairfax County Circuit Court Committee, former chair
ABA, House of Delegates

Family:
Courtney and Michael Robinson have five children