

# NORFOLK & PORTSMOUTH BAR ASSOCIATION

## BAR BULLETIN

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Number 1

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February 2010

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See Flyers Inside for  
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Preregistration required  
for all NPBA Events.  
Call 622-3152.

## PRESIDENT'S MESSAGE

### "REFLECTING DIGNITY AND IMPORTANCE"

As we enter the year 2010 amidst a depressed economy that arguably is only starting a lengthy recovery, much discussion and press undoubtedly will be devoted to the proper expenditure of local capital. Questions inevitably will arise—once again—regarding whether the construction of a new Norfolk unified courthouse complex actually is necessary and prudent. The case for staying the course and advancing the current design toward actual construction is supported by both the historical role of the judiciary and the deplorable condition of the existing facilities.



David W. Lannetti

In commissioning the construction of what would become a four-story neoclassical marble edifice in Washington, D.C., William Howard Taft—the only individual to serve as both President of the United States and Chief Justice of the U.S. Supreme Court—directed famed architect Cass Gilbert to design “a building of dignity and importance suitable for its use as the permanent home of the Supreme Court of the United States.” According to a booklet later prepared by the Court, “[t]he building was designed on a scale in keeping with the importance and dignity of the Court and the Judiciary as a coequal, independent branch of the United States Government, and as a symbol of ‘the national ideal of justice in the highest sphere of activity.’” The structure’s iconic portico, with its sixteen massive Corinthian columns and overhead inscription proclaiming “Equal Justice Under Law,” makes the stately building both immediately recognizable and unmistakably symbolic. The 82-foot by 91-foot Court Chamber in which cases are argued, with its 44-foot ceiling, is a far cry from the small basement room in the U.S. Capitol the Court occupied when the federal government was first established in Washington.

The expansion of the courthouse’s physical size into what has been called the “palace across from the Capitol” signified the growth of the judiciary’s stature in early America. Our founding fathers had no great expectations of the judicial branch. As Alexander Hamilton pointed out in *Federalist No. 78*, “the judiciary is beyond comparison the weakest of the three departments of power,” quoting Montesquieu in a footnote as having written, “Of the three powers above mentioned, the judiciary is next to nothing.” According to Cliff Sloan and David McKean in *The Great Decision: Jefferson, Adams, Marshall, and the Battle for the Supreme Court*, John Jay became convinced during his tenure as the first Chief Justice that the federal judiciary lacked the “energy, weight, and dignity” he believed essential and that the courts had not garnered public trust and respect. He therefore left the Court after less than six years to become governor of New York. After the 1800 election, with a Democratic-Republican takeover of both the presidency and Congress imminent, lame-duck President John Adams was determined to install a Federalist Chief Justice before he left office. When Jay rebuffed Adams’s offer to fill the post a second time, Adams approached his young Secretary of State—John Marshall.

As we all learned in law school, U.S. Supreme Court Chief Justice John Marshall soon thereafter single-handedly and forever changed the course of American government by declaring in *Marbury*

(continued on page 2)

## UPCOMING EVENTS

**NPBA Luncheon**  
Thursday, January 21, 2010 • 11:45 AM  
Hits at the Park, Harbor Park  
Jon Huddleston  
President, Virginia State Bar  
Judicial Ethics In State Courts  
1 CLE Ethics Credit (Pending)  
Immediately following the NPBA Luncheon  
Hon. Jerrauld C. Jones, Norfolk Circuit Court

**NPBA Luncheon**  
Thursday, February 18, 2010 • 11:45 AM  
Hits at the Park, Harbor Park  
Bobby Wilder, ODU Football Coach  
Blogging, Tweeting and Social Networking:  
Opportunities and Risks  
1 CLE Ethics Credit (Pending)  
Immediately following the NPBA Luncheon  
Leslie A. T. Haley, Asst. Ethics Counsel, VSB

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## (PRESIDENT'S MESSAGE CONTINUED)

*v. Madison* that the judiciary is the final arbiter of constitutional law. Although Americans now take this principle for granted, it was Marshall's utter genius that allowed him to make the pronouncement—and establish judicial review as binding precedent—without incurring the wrath of the President (Thomas Jefferson, Marshall's hated cousin) and/or Congress. As you may recall, William Marbury was one of the “midnight judges” appointed by Adams in his attempt to pack the federal courts with Federalists during his waning presidential term. Days after his inauguration, Jefferson discovered the commissions for several of these appointees, which had been approved by the Senate but inadvertently not sent, and ordered that they not be delivered. Marbury sued James Madison, Jefferson's Secretary of State, in a *mandamus* action before the U.S. Supreme Court pursuant to the Judiciary Act of 1789, claiming that Madison was required to deliver his commission. In an adroitly written unanimous opinion that averted a national crisis, Marshall chastised Jefferson and Madison for preventing delivery of the commission (appeasing the Federalists), but found that the Court did not have jurisdiction under the U.S. Constitution to issue a *writ of mandamus* (placating the Republicans). Because the Judiciary Act expanded the Court's jurisdiction beyond that authorized by the Constitution, Marshall found the Act—which had been passed by Congress and signed by President George Washington—unconstitutional. Marshall thereby filled the constitutional void regarding which branch of government had the final word; he established that the independent judiciary was empowered to determine the constitutionality and validity of acts of the other two branches. As Marshall famously put it, “It is emphatically the province and duty of the [courts] to say what the law is.” *Marbury* contributed a final check in an impressive array of governmental checks and balances that preserves our liberty and freedom, and firmly established the judiciary as a coequal branch of government.

Concomitant with the power of judicial review is the American Rule of Law—the concept that no one, not even the President or a member of Congress (or a state), is above the law. As Sloan and McKean note, the Court has relied upon *Marbury* repeatedly over the years, citing it in more than 200 of its decisions. In the aftermath of *Brown v. Board of Education*, when massive resistance was prevalent in the South and some states went so far as to amend their constitutions to oppose the Supreme Court's desegregation decisions, the Court—citing *Marbury*—reaffirmed that *its* interpretation of the U.S. Constitution prevailed, paving the way for integrated schools nationwide. In response to President Richard Nixon's refusal to produce his “secret” White House tapes in response to a federal court subpoena, based on his claim of an absolute executive privilege, the Court's interpretation in *United States v. Nixon*—relying on *Marbury*—trumped the executive interpretation, prompting production of the tapes and Nixon's resignation two weeks later.

Equally important to the concept of judicial review is America's acceptance thereof. When the Court does exercise its role as final arbiter, its decisions are respected, and the citizenry peacefully complies. For example, when the Court in *Bush v. Gore* ruled against presidential candidate Al Gore during the 2000 election by finding the manual re-counts of the Florida ballots unconstitutional—effectively resolving the election in favor of George W. Bush—there were no riots or widespread turmoil. Despite some demonstrations and highly vocal dissension in our free press, the judicial edict was accepted. The public response was the embodiment of how some have defined the Rule of Law—a balance of liberty and order (indeed, the sculptured group on the pediment above the main entrance to the Supreme Court building depicts *Liberty Enthroned*, guarded by *Order* and *Authority*).

Our federal and state courts play a critical role in American government, dispensing justice and restraining abuse by the executive and legislative branches. Courthouses are seen and used by local residents and visitors on a daily basis, and it is imperative that the structures reflect the solemnity and significance of the work that takes place therein. For many individuals, their experiences with local courts comprise their only exposure to the judicial system. As U.S. Supreme Court Justice Stephen Breyer wrote in the forward to a courthouse architectural guide, “Both in function and in design, the buildings architects design will embody and reflect principles that tell the public who use or see them something about themselves, their government, and their nation. In so doing, those buildings can help us live together better as a community.”

The current Norfolk state courthouses unfortunately do not tell a story that inspires cooperation, or even confidence. Erected over four decades ago, the structures understandably are expensive to maintain and frequently require corrective maintenance. And in a world much different than that when they were constructed, the current provisions for safety, security, and modern technology are simply unacceptable. Four separate studies over the years have confirmed that replacement of the buildings is long overdue. The present design for the new courthouse complex does not call for a palace, or even a structure on par with some other area court buildings. What it does call for is a safe, secure, and contemporary facility reflecting the importance and dignity of the courts and the judiciary as a coequal, independent branch of government—a project that demands our full support.

Contact Norfolk Law Library at 622-2910 • [www.norfolklawlibrary.org](http://www.norfolklawlibrary.org)

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## MESSAGE FROM THE YOUNG LAWYERS SECTION

By Kevin P. Greene, Chair

### RESOLVE TO GET INVOLVED

As you consider the activities and organizations to which you will commit your time in 2010, we encourage you to look again (or, for the first time) at the Norfolk & Portsmouth Bar Association Young Lawyers Section. The Section is designed to serve and provide opportunities to new and young lawyers in our area.

Over the years, the YLS has developed a reputation for providing young lawyers (and, in many cases, all members of the NPBA) with opportunities to develop professionally, network with the experienced attorneys and the judiciary in the area, meet and engage other young lawyers, and participate in meaningful community service. Among our longstanding events are the annual Golf Event each June, Breakfasts with the Bench, and the fall reception with the judiciary. As you can see from the various pro bono and



Kevin Greene

community service opportunities detailed elsewhere in this edition, the YLS is committed to providing significant opportunities for young lawyers and the NPBA membership to work in the community and truly make a difference.

As always, if you are interested in learning more about the YLS or have ideas about programs or events, please feel free to contact me at [kgreene@wilsav.com](mailto:kgreene@wilsav.com). The YLS is ready for 2010 and we encourage you to get involved. Our next meeting is scheduled for January 12, 2010 at 5:00 p.m. at Scotty Quixx.

**We look forward to seeing you!**

## HARVEST FOR THE HOMELESS

The following firms/office donated 272 bags of clothing and toiletries to the Samaritan House and the Union Mission, as well as a \$50 donation to the Samaritan House:

**Cox & Cox**  
**Crenshaw, Ware & Martin**  
**Glasser & Glasser**  
**Kaufman & Canoles**  
**LeClairRyan**  
**Norfolk Public Defender's Office**  
**Shapiro & Burson**

Thanks to Shawn A. Voyles of **Crenshaw, Ware & Martin, P.L.C.** for his continued leadership of this annual drive.



### Classified Ad

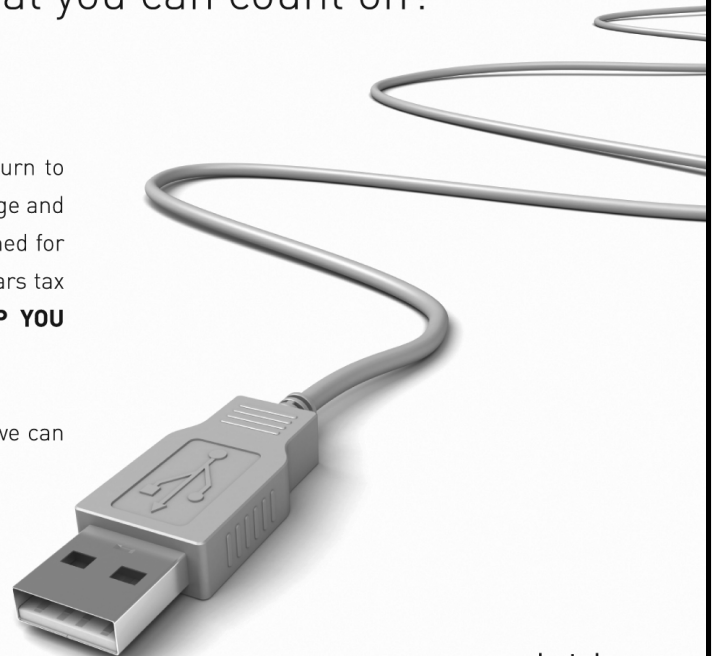
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## NOMINATIONS SOUGHT FOR NPBA EGGLESTON/T'ANSON PROFESSIONALISM AWARD

by Delphine G. Carnes, Chair  
NPBA Professionalism Committee

The Eggleston/T'Anson Professionalism Award is the Norfolk and Portsmouth Bar Association's most prestigious, named for two former Chief Justices of the Supreme Court of Virginia hailing from Portsmouth and Norfolk respectively, Justices Lawrence W. T'Anson and John W. Eggleston.

This award recognizes an attorney who, throughout his or her career, has demonstrated the highest standards of professionalism and served as a role model for other members of the Bar, particularly younger attorneys. The award is intended to recognize and honor both personal and professional qualities, including reputation and conduct, honesty, candor and fairness, and respect for the law, the judicial system and the legal profession. Previous honorees include Francis N. Crenshaw, the late Jack E. Greer, Robert C. Stackhouse, John M. Ryan, Guilford D. Ware, Hal Juren, Charles Tucker, Montgomery Knight, Jr., Thomas F. McPhaul, Michael F. Fasanaro, Jr. and Howard W. Martin, Jr.

Please submit written nominations to: NPBA, 999 Waterside Drive, Suite 1330, Norfolk, VA 23510. **The deadline for written nominations is February 15, 2010.**



### THE HAMPTON ROADS CHAPTER OF THE VIRGINIA WOMEN ATTORNEYS ASSOCIATION

**Judicial Reception  
September 23, 2009**



## JANUARY LUNCHEON MEETING

**Thursday, January 21, 2010  
Hits at The Park, Harbor Park  
11:45 AM**



**Speaker: Jon D. Huddleston  
President, Virginia State Bar**

Jon D. Huddleston is a principal with Sevila, Saunders, Huddleston & White, P.C., where he has practiced since his admission to the Bar in 1986. He has been active in Virginia State Bar service since 1986 including service on the Bar Council and the Executive Committee of the Virginia State Bar as well as the Board of Directors of the Virginia Law Foundation.

He has been frequently listed as a member of the Virginia Legal Elite by Virginia

Business Magazine and has been named a "Super Lawyer" for the Washington, DC area and Virginia. Mr. Huddleston is Past Chair and Executive Committee Member for the Conference for Local Bar Associations of the Virginia State Bar as well as a past member of the Board of Governors of the Young Lawyers Conference of the Virginia State Bar. He has served as a faculty member for both the Virginia State Bar Mandatory Professionalism Course and the Professionalism Course for Law Schools. He is also a Past President of the Loudoun County Bar Association.

Mr. Huddleston's practice area includes all facets of Family Law as well as defense of driving under the influence and serious traffic offenses. He has been a frequent lecturer for Virginia Continuing Legal Education on defense of traffic offenses and is a co-author of the Virginia CLE publication *Defense of Serious Traffic Cases in Virginia*.

It is our honor and privilege to welcome VSB President Huddleston as our speaker for the January NPBA Luncheon. Call 622-3152 to register today.

## FEBRUARY LUNCHEON MEETING

**Thursday, February 18, 2010  
Hits at The Park, Harbor Park  
11:45 AM**



**Speaker: Bobby Wilder  
Football Coach, Old Dominion University**

Bobby Wilder is the head football coach of the Old Dominion Monarchs, and led them to a 9-2 record in their first season.

A 1987 graduate of the University of Maine with a degree in physical education, Wilder captained the Black Bears to the Yankee Conference Championship his senior year. Upon graduation, Wilder served as a graduate assistant coach for two seasons under Jack Bicknell at Boston College, where he earned his master's degree in educational administration in 1990. Prior to

his arrival at ODU, Wilder served on the University of Maine staff for 17 years and was promoted to associate head coach in 2001.

Since arriving in Norfolk, Wilder has made sure that the Old Dominion football program is visible throughout the campus, the community and the state. He has honored hundreds of speaking engagements to a variety of organizations, but his most important talks have been with high school coaches throughout the state.

In addition to his recruiting efforts, Wilder has also been an essential part in the planning and development of the new \$17 million Powhatan Sports Complex, among the top football facilities in the country. The complex houses the ODU football offices, athletic and strength training areas, locker rooms and two practice fields with artificial surface. The \$24.8 million Foreman Field Football Complex includes a new game day building, field surface, scoreboard, sound system, field enclosure and a contiguous parking garage.

We are pleased to have Coach Wilder as our speaker. Call 622-3152 to register today.



## FIRM ANNOUNCEMENTS

**Tim Brunick**, a partner with **Clarke, Dolph, Rapaport, Hull, Brunick & Garriott PLC**, was recently named to the executive committee of the Virginia State Bar Conference of Local Bar Associations.

**Kaufman & Canoles, P.C.** is pleased to announce that the firm was recognized in the third edition of Benchmark Litigation, as among the highest ranked law firms in the state of Virginia. In addition, three partners in the firm's Norfolk office received individual recognition: **Stanley G. Barr, Jr.** received recognition as a "local litigation star" for construction and employment litigation; **Hunter W. Sims, Jr.** received recognition as a "local litigation star" for exceptional work in complex commercial litigation, intellectual property, securities, and white-collar litigation; and **Jason R. Davis** was acknowledged as a "future star" for achievements in medical malpractice litigation. Benchmark Litigation is an annual publication that distinguishes America's leading business litigation firms and attorneys.

**Kaufman & Canoles, P.C.** is pleased to announce that three of the firm's partners have been named *Best Lawyers in America 2010* "Lawyer of the Year." **John M. Bredehoft** was named Norfolk Labor and Employment Lawyer of the Year. **Kirkland M. Kelley** was named Norfolk Trusts and Estates Lawyer of the Year, and **Hunter W. Sims, Jr.** was named Norfolk Bet-the Company Litigator of the Year. Lawyers being honored as "Lawyers of the Year" have received particularly high ratings in surveys by earning a high level of respect among their peers for their abilities, professionalism, and integrity.

**Kaufman & Canoles, P.C.** is pleased to announce that the following attorneys were selected for inclusion in Virginia Business Magazine's 2009 Legal Elite: **Debra C. Albiston**, Family/Domestic Relations; **Elaina L. Blanks**, Young Lawyer (Under 40); **John M. Bredehoft**, Labor/Employment; **Kristan B. Burch**, Young Lawyer; **Paul K. Campsen**, Bankruptcy; **R. Johan Conrod, Jr.**, Young Lawyer; **Jason R. Davis**, Health Law; **David M. Delpierre**, Business Law; **Laura Geringer Gross**, Legal Services/Pro Bono; **Scott W. Kezman**, Labor/Employment; **Charles E. Land**, Real Estate/Land Use; **Dennis T. Lewandowski**, Bankruptcy; **Vincent J. Mastracco, Jr.**, Business Law;

**T. Braxton McKee**, Health Law; **Charles V. McPhillips**, Business Law; **Terence Murphy**, Construction; **Stephen E. Noona**, Intellectual Property; **Patrick H. O'Donnell**, Criminal Law; **Marina Liacouras Phillips**, Legislative/Regulatory/Administrative; **Hunter W. Sims, Jr.**, Civil Litigation; **Robert E. Smartschan**, Intellectual Property; **Jeffrey M. Stedfast**, Real Estate/Land Use; **Stephen E. Story**, Intellectual Property; **William R. Van Buren, III**, Business Law; **Lewis W. Webb, III**, Taxes/Estates/Trusts/Elder Law; **Burt H. Whitt**, Labor/Employment.

**E. Andrew Keeney**, a partner with **Kaufman & Canoles PC**, has been re-elected to the Board of Regents of the American College of Mortgage Attorneys.

**LeClairRyan** is pleased to announce that 37 of our Virginia based attorneys were selected by their peers as Virginia's "Legal Elite" by Virginia Business Magazine in 2009, including the following Hampton Roads lawyers: **Elizabeth J. Atkinson** - Taxes/Estates/Trusts/Elder Law (Virginia Beach); **Neal P. Brodsky** --Taxes/Estates/Trusts/Elder Law (Norfolk); **Patrick J. Hurd** - Health Law (Norfolk); **Susan Childers North** - Labor/Employment (Williamsburg); **Stephen R. Romine** - Real Estate/Land Use (Norfolk); **Elizabeth L. White** - Real Estate/Land Use (Williamsburg).

**Reid H. Ervin & Associates, P.C.** is pleased to announce the inclusion of **Reid H. Ervin** in the 2009 edition of Virginia Super Lawyers and as one of Virginia's Legal Elite. In both instances the recognition was in the field of employment and labor law.

**Troutman Sanders LLP** is pleased to announce that **Ethan G. Ostroff** was selected as one of the 2009 Legal Elite, Under 40 by *Virginia Business* magazine.

Best Lawyers in America has named **Willcox & Savage** lawyer **Robert L. Dewey** as the "Norfolk Real Estate Lawyer of the Year" for 2010. Mr. Dewey's commercial real estate practice focuses on retail and office leasing and development. He is also Managing Partner of the firm.

**Willcox & Savage** is pleased to announce that **Timothy J. Lockhart**, leader of the firm's Intellectual Property Group, has been appointed Editor, North American

Law and Practice Section, of the International Trademark Association ("INTA") Bulletin for 2010-2012. He is currently serving a three-year term as a member of the Public Advisory Committee of the U.S. Patent and Trademark Office.

The following associates have joined **Willcox & Savage**: **J. David Crain** is in the Catastrophic Loss and Insurance Coverage Litigation practice group. Crain will focus on defending excess liability carriers faced with catastrophic losses. He is a graduate of William and Mary's School of Law and holds a bachelor's degree in political science from James Madison University. **Bartholomew J. Gengler** is in the Commercial Litigation practice group. Gengler will focus on representing companies in federal and state trial courts, and before arbitration panels and administrative agencies. He is a graduate of the Washington and Lee University School of Law and has a bachelor's degree in biology from the University of Colorado.

**Willcox & Savage, P.C.** is please to announce that the following attorneys, who are also members of the NPBA, have been named to Virginia's 2009 Legal Elite. In Bankruptcy - **John D. McIntyre** and **Ross C. Reeves**; Business - **Thomas C. Inglima**; Civil Litigation - **Gary A. Bryant** and **Conrad M. Shumadine**; Construction - **Michael R. Katchmark** and **John S. Wilson**; Family/Domestic Relations - **Peter V. Chiusano**; Health - **Hugh L. Patterson**; Intellectual Property - **Timothy J. Lockhart**; Labor/Employment - **Susan R. Blackman**, **William M. Furr** and **William E. Rachels, Jr.**; Legal Services/Pro Bono - **Wiley F. Mitchell, Jr.**; Legislative/Regulatory/Administrative - **Glenn R. Croshaw**; Real Estate/Land Use - **Robert L. Dewey**, **Thomas G. Johnson, Jr.** and **Gregory D. Lydon**; Tax/Estates/Trusts - **Allan G. Donn** and **Neil L. Rose**; and Young Lawyer (Under 40) - **Henry J. Huelsberg III** and **Brett A. Spain**.

Best Lawyers in America has named **Willcox & Savage** lawyer **Ross C. Reeves** as the "Norfolk Bankruptcy and Creditor-Debtor Rights Lawyer of the Year" for 2010. Mr. Reeves represents lenders and other creditors, creditor committees and businesses in workout negotiations, foreclosures and bankruptcy reorganization proceedings, most recently serving as counsel to the unsecured creditors committee in the Michael Vick bankruptcy.

## ***PUBLIC RELATIONS COMMITTEE***

**By Kelly B. St. Clair • Public Relations Committee Chair**

The Public Relations committee of the Norfolk and Portsmouth Bar Association has several important functions and is geared up and moving forward on another year of projects. We start with the Mock Trial program that has been going on in several NPS middle schools for the past few years. This program puts lawyers in the middle schools once a week in the spring to work with students in all aspects of trial practice. Students are witnesses, prosecutors and defense attorneys and work through every aspect of a case from initial interviews to the trial. The program culminates with a trial held in an actual courtroom in front of a judge. It has been a very successful and well received program, winning awards from the state bar association and the Norfolk Public Schools. We are looking for volunteers to assist with this program.

The committee also reviews all nominations for the Hoffman Award and the Liberty Bell Award and makes recommendations to the Executive Committee for

their final selection. The Hoffman Award recognizes young lawyers serving their communities with hands-on volunteer service.

The Liberty Bell Award recognizes non-lawyers who work to promote the law throughout their community. We have been fortunate to have had wonderful nominees for both awards in the past but are seeking nominations.

Probably the best known program undertaken by the Public Relations Committee is the annual Legal Food Frenzy. Every spring the lawyers of the Greater Hampton Roads area compete to see which firm can raise the most money and/or donations for the Food Bank of Southeastern Virginia. This fundraiser has been so successful in our area that Governor-Elect Bob McDonnell took the event statewide two years ago for the benefit of food banks across the Commonwealth.

Finally, new to the committee this year is the Rule of Law project, in which we will partner with the Virginia Bar Association,

the South Hampton Roads Bar Association and the local chapter of the Virginia Women Attorneys Association. The Rule of Law Project, developed by The Virginia Bar Association, is a unique educational initiative intended to inspire middle school students to become active and engaged citizens by helping them appreciate the rights and responsibilities we all share as American citizens. Our goal is to have the Rule of Law Project become an integral part of the middle school curriculum in Virginia. This event is to be held in the Norfolk Public Schools to coincide with Law Day and will involve local attorneys and judges speaking in middle school classrooms about the law. Look for more information on this wonderful event in future issues of the NPBA Newsletter and for your opportunity to volunteer.

If anyone is interested in more information about the Public Relations Committee or how to volunteer for these programs I can be reached at [kbstclair@stclairlawfirm.com](mailto:kbstclair@stclairlawfirm.com).

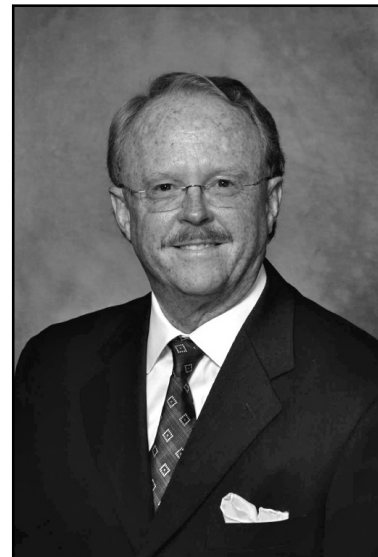
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# NPBA FOUNDATION NEWS

By James R. Harvey • President, NPBA Foundation

## Making A Difference

We are on the brink of exciting changes at the Foundation that will put us on a new path to making a concrete difference in our community. First, I am excited to announce that we have partnered with The Norfolk Foundation (soon to be The Hampton Roads Community Foundation) to commit a portion of our funds with it for long-term investment, as part of its Organizational Endowment Fund. This enables our relatively small foundation to take advantage of the investment power, increased rates of return, lower administrative costs, fund-raising and exposure opportunities afforded by The Norfolk Foundation. This dedication of funds serves our long-term vision that the Foundation can create a permanent endowment to fund increasing calls for support. With this fund, every individual, organizational and planned gift can be made to our Foundation with the confidence that it will be managed with the highest of standards, and in perpetuity. We are proud to be able to associate with The Norfolk Foundation as a model of how to positively affect lives in our community.

Second, I am proud to announce that **Ted McFadden** of Kaufman & Canoles will be the new President of our Foundation. It has been my pleasure to serve as president for the last two years. During that time, we have increased our corpus of funds, provided scholarships to four worthy high school seniors, supported activities highlighting the importance of our local legal



James Harvey

community, and hosted a signature event commemorating the 50th anniversary of the end of Massive Resistance in Virginia. I know that Ted will lead this Foundation ably on to its next challenges.

Finally, I want to emphasize the importance of a strong bar association Foundation as we move into a new decade. In 2007,

law-related foundations impacted their communities and society by contributing over \$210 million toward legal causes through grants, scholarships, loan repayment assistance and other programs. With over 269 law-related foundations in the United States, it is estimated that total bar and legal foundation giving in 2007 exceeded \$500 million. As a new year begins, consider the important contribution the legal profession makes to the quality of life in our community. I encourage you to think of the Foundation for individual and planned giving. We can be a part of continuing each lawyer's legacy of positive local impact. If you have not done so already, I ask that you pledge your support today.

## 2009 FOUNDATION CONTRIBUTORS

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Greg E. Summy  
Robert V. Timms  
Donald M. & Joann S. Tolmie  
William & Joyce Wooldridge

## Middle School Mock Trial Project - Volunteers Needed!

by T. Wayne Williams

The NPBA Public Relations Committee is again seeking volunteer attorneys to assist in the 5th Annual Mock Trial Program for Norfolk Public Schools. The program was started four years ago at Blair and Meadowbrook Middle Schools, where students were taught basic trial skills and conducted mock trials in Norfolk Circuit Court. The program has been a great success due to the enthusiasm and hard work of the students and participating attorneys and has grown to six middle schools. It is expected that the middle schools participating this year will be Azalea, Blair,

Lafayette Winona, Lake Taylor, Meadowbrook and Ruffner. It is scheduled to be an eight to ten week program starting at the end of January 2010. Students will receive instruction one day a week after school between 3:00 and 4:30 p.m. The final trials matching one school's team against another's will be held in late March or early April 2010 in Norfolk Circuit Court. At least 4-6 attorneys are needed for each school. Having that many attorneys at each school allows flexibility to meet everyone's schedule yet enough attorneys to provide instruction at each

class. Previous volunteers have commented on how well students have performed and on their enjoyment of watching the students' growth throughout the process. The experience of working with the children is very rewarding as they are so appreciative of being able to work with real attorneys. If you are interested, please call the Bar Office at 622-3152 with your preferences for school(s) so that scheduling details can be completed to ensure proper support of the program. Thanks in advance for your assistance with this worthwhile program.



## NOVEMBER LUNCHEON FOLLOW-UP JUDGE DAVIS REFLECTS ON ABRAHAM LINCOLN

The guest speaker for the November 2009 NPBA luncheon was the Honorable Mark Davis, Judge, U.S. District Court for the Eastern District of Virginia. Judge Davis provided an entertaining and educational overview of Abraham Lincoln, the lawyer, which was especially appropriate as the nation celebrates the bicentennial of the birth of our 16th President. Although the legal climate of the mid-nineteenth century was much different than that of today, Lincoln's lessons in work ethic, legal skills, and camaraderie remain relevant. As demonstrated by the many stories Judge Davis told, the more we learn *about* Abraham Lincoln, the more we can learn *from* him and, as a result, become better practitioners of law. Lincoln provided some of his best advice to lawyers in his famous *Notes for a Law Lecture*, in which he wrote: "Discourage litigation. Persuade your neighbors to compromise whenever you can. As a peacemaker the lawyer has superior opportunity of being a good man. There will still be business enough." Like virtually all of Lincoln's advice, this rings as true today as when he first wrote it.

## WELCOME NEW NPBA MEMBERS

**Stephen E. Anthony**  
U.S.D.C., E.D. Va. (Judicial Clerk)

**J. David Crain**  
Willcox & Savage, P.C.

**Bartholemew John Gengler**  
Willcox & Savage, P.C.

**Jessica A. Johnson**  
Stackhouse, Nexsen & Turrietta, PLLC

**E. Andrew Keeney**  
Kaufman & Canoles, P.C.

**Carl Khalil**  
Liberty Tax Service  
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Norfolk Southern Corporation

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Liberty Tax Service

**Bridget A. Murray**  
Portsmouth Circuit Court

**Cher Wynkoop**  
Willcox & Savage, P.C.

**Byron Hinton**  
Regent University Law Student

**P. Austen Lake**  
Regent University Law Student

**Jonathan McDowell**  
Regent University Law Student

**Sandra McDowell**  
Regent University Law Student

## NPBA HOLIDAY PARTY FOLLOW-UP

NPBA held its annual holiday party at the offices of Vandevanter Black LLP on December 8th. Over 120 members gathered to share the cheer of the season, enjoy copious amounts of food and drink, and generally enjoy each others' company. In short, it was another highly successful social event for the association. Several other social events will be scheduled this Spring, and we hope to see you there.



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