BAR BULLETIN

Volume XXXII Number 4

July-August 2007

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AWARDS ANNOUNCED

See Flyers Inside for Event Details and Registration Information

Preregistration required for all NPBA Events. Call 622-3152.

President's Message

Virginia is home to many of this country's greatest public buildings. Jefferson's Rotunda and Lawn accommodate the needs of the persons using them with a graceful simplicity. Our State Capitol building, also a Jeffersonian design, reflects this same elegant simplicity. The lavish renovation it has recently received has only increased its luster.

As it is with these centers of learning and government, so it is with courthouses. The courthouse is more than the sum of its bricks and mortar—or, glass and steel—that comprise it. Courthouses are where a great deal of the public's business gets done. Each day, the courthouse is the place where the rule of law is made manifest to the public.



Donald C. Schultz

As such, a courthouse makes a prominent statement about the sort of people that have built it and that use it. A poor courthouse reflects poorly upon the public that constructs it because it reflects a low regard for the administration of justice. A great courthouse speaks to present and future generations loudly that the rule of law is held dear.

The courthouse is the personification of the public soul.

Norfolk, possessing a rich history, was where one of the early courthouses in the colonies was built. Norfolk's first courthouse, built in 1661 on Broad Creek, predates the founding of the Republic by over one hundred years.

The building that currently serves as the MacArthur Memorial served as Norfolk's courthouse during the second half of the 19th century and first half of the 20th. The construction of this courthouse heralded the emergence of Norfolk as a city from its previous incarnations of town and borough.

This former courthouse is a stately, yet familiar, building. According to the Virginian-Pilot's George Tucker in a 1997 column:

"The classical revival courthouse now serving as MacArthur's shrine was the architectural manifestation of Norfolk's new dignity when the Virginia General Assembly passed an act on Feb. 13, 1845, and changed the borough's status to that of a city. The imposing building that housed Norfolk's courts and civic offices for more than a century was first occupied on May 20, 1850".

It should not surprise many of you that my research failed to uncover a similar paean to Norfolk's current courthouse facility. It does not appear in *Virginia's Historic Courthouses*. It is an exemplar of lousy design. It is a utilitarian-looking building that lacks utility. It is unsafe. It is ugly. The problems with the current facility are legion, and the space I am allotted does not permit a full recitation here.

Suffice it to say that it is hard to imagine our current facility as Douglas MacArthur's final resting place.

Recently, the Norfolk City Council began the first steps toward the construction of a new court-

(continued on page 2)

GENERAL DISTRICT COURT:
OVERVIEW OF CIVIL PRACTICE
AND PROCEDURE
Thursday, September 6, 2007
1:00 - 4:30 PM
Dominion Tower, 4th Floor Meeting Room

FAMILY LAW UPDATE
Wednesday, September 19, 2007
2:00 - 4:00 PM
Dominion Tower, 4th Floor Meeting Room
BUSINESS LITIGATION
Thursday, September 20, 2007
1:00 - 4:30 PM
Dominion Tower, 4th Floor Meeting Room



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(President's Message continued)

house facility to replace the 1960's era complex. This decision indicates that City Council recognizes the necessity of a new courthouse. Given the finite nature of the city's resources, and the cries from a vocal segment of the public seeking to make such resources more finite, this was not an easy decision.

Because the process of funding, designing and constructing the courthouse will be a long one, this decision deserves—indeed requires—the continuous support of the entire bar. Please take the time to make your support known publicly, whether by writing letters to the media or by thanking members of Council.

The courthouse that the public and the bar will have for the rest of our lives will be the product of this effort.

NPBA PRESENTED VSB AWARDS OF MERIT

NPBA received 2 Awards of Merit from the Virginia State Bar Conference of Local Bars at the VSB Annual Meeting in June. This marks the 22nd year of the Awards of Merit competition which recognizes outstanding projects conducted by local and specialty bars of all sizes, to encourage greater service to the public and the profession, and to give local bars the opportunity to learn from the programs of other bar associations.

Out of 26 awards statewide, NPBA received 2. Our winning projects were the record-setting and now statewide Legal Food Frenzy and the activities of the NPBA Foundation.

Virginia State Bar Executive Director/Chief Operating Officer

The Virginia State Bar (VSB), an agency of the Supreme Court of Virginia, invites applications for the position of Executive Director/COO.

The VSB is a mandatory bar with over 25,000 active members and 10,000 associate members with the threefold mission of regulation of the legal profession; advancing the availability and quality of legal services provided to the people of Virginia; and assisting in improving the legal profession and the judicial system.

With a 90 plus member staff and a budget of approximately \$12M, the VSB is responsible for lawyer discipline, mandatory continuing legal education, public information and publications, lawyer referral service, client protection fund, a full schedule of meetings, local bar relations, special Supreme Court projects and many and varied activities of over 50 voluntary sections and committees. The VSB is governed by a 12 member executive committee and a council of 75 members, who are elected or appointed from every judicial circuit in the state.

The Executive Director is responsible for the day to day operations of the bar, manages the budget, supervises the senior staff, assists the officers in their roles as spokespersons for the VSB and performs in that role as directed or as circumstances require with the judicial branch, the legislature, the executive branch, other bar organizations, the members and other outside entities.

Qualifications include:

- Proven leader with significant progressively responsible management and administration experience.
- License to practice law, and if not already admitted in Virginia, eligibility to be so admitted.
- Significant experience in managing a multi-function organization; the ability to communicate clearly and persuasively both orally and in writing; budget and financial management skills.
- Ability to work with diverse groups building consensus and respectful relationships, both within and external to the organization.
- Significant experience working with law-related organizations and/or professional associations is a plus.

Competitive state benefits package. Reasonable relocation expense reimbursement available; the position is located in the city of Richmond.

To apply, submit your cover letter, detailed resume, and salary requirement by July 9, 2007 either by e-mail to panderson@faplawfirm.com, or US mail to: Philip V. Anderson, Esq., c/o Frith Anderson & Peake, P.C., PO Box 1240, Roanoke, VA 23218-1463

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FIRM ANNOUNCEMENTS

The Law Office of John W. Bonney, P.C. is pleased to announce that Kelly G. Roberts has joined the firm as an associate. Ms. Roberts is a 2006 graduate of Regent University School of Law. She will concentrate her practice in trust and estate administration, civil litigation and family law.

Jeffrey H. Gray has been selected for inclusion to The Best Lawyers in America and Virginia Business Magazine's "Legal Elite". In Best Lawyers, Mr. Gray was selected in the categories of Commercial Litigation, Professional Malpractice Law and Securities Law. In "Legal Elite", he was selected in Civil Litigation. Located in the firm's Virginia Beach office, Mr. Gray is a partner with the Securities Litigation Group of LeClair Ryan, focusing his practice on Securities Litigation and Regulation, Business Disputes and Civil Litigation.

Willcox & Savage is proud to announce that Neil L. Rose has joined the firm as partner. He will practice in the firm's Virginia Beach office. Neil focuses his practice on estate planning including revocable trusts, structuring of businesses and joint ventures, LLCs, taxation, and real estate matters. Neil graduated from the University Of Virginia School Of Law in 1983. A former IRS attorney, he received a Masters in Law in Taxation from the Georgetown University Law Center in 1989. Neil received his B.S. degree from the University of Virginia, McIntire School of Commerce, in 1980.

Willcox & Savage attorney Susan R. Blackman was recently selected by the national organization of the Society for Human Resource Management (SHRM) to serve on the organization's Global Expertise Panel. SHRM is the world's largest

association dedicated to human resource management and represents over 120,000 members located in more than 100 countries. The panel consists of 15 experts on human resources issues affecting international businesses. Panel members provide policy guidance and expert advice concerning international HR practices, global relocation, and various cultural, legal, and business issues affecting employers with multinational operations. Susan is a partner in the firm's Labor and Employment Law Group and serves as Chair of the firm's Business Immigration Practice. She also serves as Chair-Elect of the Virginia Beach Division of the Hampton Roads Chamber of Commerce. Susan regularly works with international business clients and has been included in the Best Lawyers in America for both immigration and employment law.

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NPBA FOUNDATION REPORT

By Anna H. Myers • President, NPBA Foundation

As the hazy, hot and humid days of summer are now setting in, I hope everyone is enjoying the warmer weather and longer daylight hours. The Foundation has had an exciting Spring and Summer, marked by several major accomplishments.

First, Elena Nicole Solomon from Hickory High School was selected as the 1st place winner of the \$2,500.00 scholarship and James David Page from Oscar F. Smith High School was selected as the 2nd place winner of the \$1,000.00 scholarship. Both were in attendance at the Bar Association's annual meeting in May. We hope you got an opportunity to see and speak with these remarkable young people and future colleagues.

Second, we gave recognition to our Charter Fellows at the annual meeting in



Scholarship Winner James Page and family and Foundation President Anna Myers



Anna Myers

May and certificates were awarded to those present at the meeting. We are very appreciative of their generous support of the work of the Foundation.

Finally, Virginia State Bar Conference of Local Bar Associations presented an Award of Merit to the Bar Association for its revitalization and accomplishments



Scholarship Winner Elena Solomon and her mother

with the Foundation. This would not have been possible without the wide support of the members of the association and your Foundation Board is extremely grateful.

As always we are preparing for our next task. We have rescheduled the Law School for Journalists Program for Monday, September 17, 2007 and hope that many of you will join the journalists as they are provided a primer on the law and insight to assist in appropriate reporting of legal matters.

Your continued support of the Foundation is both appreciated and necessary. We will continue our capital campaign and continue to accept donations at any level. Thank you to all of you who have supported the Foundation recently when paying your dues to the Bar Association.

Foundation Donors 2007

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Annual Meeting 2007



President Donald Schultz and his wife Kim



Tim and Delphine Carnes, Ann Sullivan and Heather Martin



NPBA Past Presidents in Attendance at the Annual Dinner. Jim Metcalfe and Don Schultz kneel before their predecessors: Martha McGann, Conrad Shumadine, Frank Crenshaw, Tom McPhaul, Howard Martin, Anita Poston, Monty Knight and Jerry Weinberg



Eggleston/l'Anson Award winner Tom McPhaul and family



Norfolk Circuit Court Clerk George Schaefer, Judge Charles Poston and Delegate Paula Miller

Message from the Young Lawyers' Section

By Andrew R. Fox, Chair

Greetings!

With summer finally here, the Young Lawyer Section throttles into high gear down the home stretch with three great events.

The 10th-plus Annual Young Lawyer Golf Tournament went off without a hitch on June 21 (thanks to Don Schultz for the historical data). Though my deadline actually preceded the tournament, I say with full confidence that a great time was had by all in raising much-needed funds for the Norfolk Law Library. Stay tuned for a full list of participants, winners, and of course photos of our members in their finest golfing regalia in the next bulletin. Thanks again to Kevin Greene for coordinating the tournament and to sponsors Document Technologies, Inc., Willcox & Savage, Thomson West, Yost Associates, and Tayloe Associates, Inc. for their support, and to our participants who braved the downtown tunnel to be with us on the 21st.

The Norfolk Homeless Connect returns to Scope Arena on August 23rd, and our section has offered its services to the Legal Aid Society of Eastern Virginia to assist with intake and interviewing of homeless persons



Andrew Fox

in need of legal services. We'll need several volunteers to assist in this most worthy cause. The Homeless Connect brings together the myriad housing, social, medical, personal, and legal services our homeless community desperately needs under one roof. Past events have been hugely successful and have distinguished Norfolk as a national leader in the fight against homelessness. We're extremely excited to be able to participate in this event. If you are interested in helping out, please contact me at andrew.fox@norfolk.gov or at 664-4222.

The Young Lawyer Section will be wrapping up its social calendar in October with the always popular fall reception. Please mark your calendars for Saturday, October 13, 2007, 2-5 PM. Judge and Mrs.

Charles Griffith have graciously agreed to host this year's event at their lovely home for a second year. The Young Lawyer reception is always a great opportunity to welcome our newer members and potential members and showcase the collegiality that our bar association has to offer. Thanks to Judge Griffith for his hospitality and to Caryn West for coordinating the event, which should be a fantastic time.

Equally important to our own members' participation in the Young Lawver reception is our ability to locate and invite the newly minted and newly arrived lawyers in our community. We'll have invitations prepared by the time your new hires emerge from their post bar exam stupor, so please consider including those in your 'welcome aboard' materials and encouraging your new folks to join us on Saturday, October 13. If you have a friend, relative, or if you happen to meet someone newly out of law school or new to the area, please don't hesitate to invite them to this event (the more the merrier) and also pass along your intelligence to myself, Donna Bausch, or Membership Committee chair Delphine Carnes.

Your clients will *like* this new tax law. No kidding....

For the first time federal tax laws allow some of your clients to donate IRA assets to The Norfolk Foundation... without their gift counting as taxable income. Donating an IRA counts toward clients' required annual minimum distribution and is an easy way for them to support their community.

IRA owners who are at least $70^{1/2}$ by the end of 2007 – when the provision expires – can donate up to \$100,000 a year to The Norfolk Foundation for:

- Scholarship funds to help college students
- Designated funds to benefit specific charities
- Field of interest funds for the arts, education and other areas
- Unrestricted funds to provide broad grantmaking support

To find out how you can help your clients benefit from this limited-time opportunity, visit www.norfolkfoundation.org or call (757) 622-7951.



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More Annual Meeting Photos







President-Elect John Deal, Executive Committee member Debbie Waters and Bill Rachels

COURT NEWS

The District Court Judicial Conference is scheduled for August 13-15, 2007. The **Norfolk Juvenile and Domestic Relations District Court** will have one Court in session for overnight arrest cases and for emergency cases only. Please mark your calendar accordingly.

Effective June 20, 2007, the **Virginia Beach Juvenile and Domestic Relations District Court** will be conducting adult arraignments by video conferencing at 11:30 in Courtroom #7. This change will occur on the duty docket where all Motions filed by litigants and attorneys will be docketed for 8:30 a.m. to be heard at 9:00 a.m. and all adult arraignments by video conferencing will be conducted at 11:30 a.m. Monday through Friday.

EMPLOYMENT OPPORTUNITIES LITIGATION ATTORNEY/NORFOLK

Small AV rated general practice firm seeks attorney with 2-5 years experience. Domestic relations experience helpful. Excellent benefits. 18th Floor, Dominion Tower. Send resume to Ed Stein, Box 3789, Norfolk, VA 23514, or email to estein@wslegal.com.

LEGAL COUNSEL

Norfolk Sheriff Robert J. McCabe seeks an attorney licensed in the Commonwealth to serve as in-house counsel to the Norfolk Sheriff's Office. Duties include:

- Provide comprehensive employment law advice regarding a staff of approximately 500, including discipline, hiring, termination, and supervision actions, workers compensation, FMLA, and FLSA; coordinate with all necessary parties to complete appeals of unemployment decisions.
- Prepare and review contracts for services, as well as ordinances for city funding.
- Review, modify, and approve NSO policies and procedures.
- Assist sworn and civilian employees in pursuing criminal charges against inmates for misdemeanor and felony charges, acting as liaison between NSO and the Commonwealth Attorney and preparing staff members for court appearances.
- · Perform legal research on issues relating to civil rights and employment issues.
- Review all internal investigation files prepared as attorney work product.
- Assist outside counsel and Division of Risk Management in defense of Sheriff for state and federal actions.
- Train staff in legal issues related to law enforcement employment, including use of force, constitutional law, and sexual harassment.
- Advise sheriff on pending litigation affecting his staff and constitutional duties, coordinating with legislators and lobbying agencies to recommend or oppose relevant bills during the legislative session.

Pay for the position is commensurate with experience; benefits provided through the City of Norfolk. Interested applicants please provide resume and cover letter to: robert.mccabe@norfolk.gov or send to: Sheriff Robert J. McCabe, 811 East City Hall Ave, Norfolk VA 23510.

WELCOME NEW NPBA MEMBERS

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FIRST STATEWIDE "LEGAL FOOD FRENZY"

679,000 Pounds of Food Raised, Goal was 500,000

— Over 530,000 meals for Virginians in need —

Winning the inaugural "Attorney General's Cup" for the law firm that raised the most food per capita was **McGuire Woods**, **Norfolk**. The firm raised 1338 pounds of food per capita.

Attorney General Bob McDonnell noted, "The First Annual Statewide "Legal Food Frenzy" was a terrific success. Through the generosity of Virginia's lawyers and staff, we significantly exceeded our goal. I congratulate the winners, and the entire Virginia legal community, for such a positive and successful philanthropic effort. We live in the most generous nation on earth, and Virginia's legal community has demonstrated their giving spirit. I look forward to an even greater competition next year."

Leslie Van Horn, Executive Director, Federation of Virginia Food Banks, added, "The legal community has truly impacted communities throughout the Commonwealth through their incredible generosity. With the Attorney General's assistance, we have been given a unique opportunity to raise awareness of the struggle that working families, innocent children and our senior citizens face on a daily basis."

Local Winners of the First Annual Statewide "Legal Food Frenzy"

Attorney General's Cup Winner: Per Capita:

McGuire Woods, Norfolk

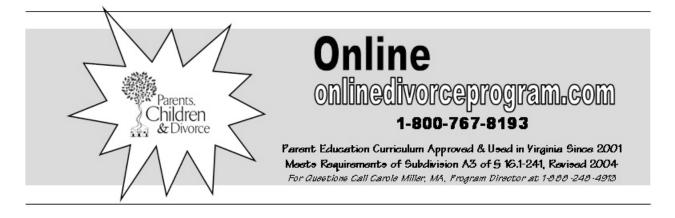
1338 Pounds per person

Medium (21-100) Law Firm Total Pounds & Per Capita McGuire Woods, Norfolk 42,824 pounds 1338 Pounds per person

> Large (101 and up) Law Firm Per Capita Vandeventer Black, Norfolk 377.35 Pounds per person

Law School Attorney General's Cup: Total Pounds & Per Capita:
Regent University Law School, Virginia Beach
4231 Pounds, 10.07 Pounds per person.

Foodbank of Southeastern Virginia total: 261,398.48



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