

NORFOLK & PORTSMOUTH BAR ASSOCIATION

BAR BULLETIN

Volume XXXVI
Number 2

March –
April 2011

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

PRESIDENT'S MESSAGE



Jeffrey L. Stredler

February 9th was a sad day for our Association. On that day, we lost two leaders in the Virginia legal community with close ties to Hampton Roads and many of our members - Justice Leroy Hassell, Sr. and Samuel I. White. While I could probably fill up most of this Bar Bulletin by listing all of their professional and personal achievements, I would be remiss if I did not mention some of them and recognize the impact that these two men had on our area.

Justice Hassell grew up in the Broad Creek section of Norfolk and graduated from Norview High School where he was voted by his classmates "Most Likely to Succeed." In 1977, Justice Hassell graduated from the University of Virginia and then Harvard University Law School. After graduating from Harvard, Justice Hassell joined McGuire Woods, where he focused his practice in the areas of commercial and professional liability litigation. Justice Hassell joined the Virginia Supreme Court in 1989 (at the age of 34) and became the Court's second African-American justice. He was elected Chief Justice by his peers in 2003 when he succeeded former Chief Justice Harry Carrico. Justice Hassell was vocal when it came to advocating for causes that he believed in, such as improvements to the court system, changes to our state's mental health system, and confidentiality issues surrounding judicial reviews.

Sam White was awarded the Silver Star for his military service in Germany. After practicing law locally for a number of years, he started his own firm which is now known as Samuel I. White, P.C. The firm currently has six offices throughout Virginia, West Virginia, Maryland, and the District of Columbia. Sam was very generous and was involved in many community service activities and organizations throughout the years, such as the Virginia Opera, Temple Israel, the Virginia Symphony, the Virginia Arts Festival, WHRO, B'nai Brith, the Jewish Community Center, and the Norfolk Masonic Lodge. His generosity carried over to his law firm, which has been a big supporter of the local Foodbank, Norfolk Law Library and the Joy Fund.

Many of you may recall that Justice Hassell spoke at one of our luncheons several years ago. We had a large turnout for that event, and I recall Justice Hassell speaking that day about the importance of attorneys providing pro bono service to the community. His passion for and commitment to access to justice for all individuals seemed to grow stronger over the years. Richard Cullen, the Chairman of McGuire Woods, recently wrote that Justice Hassell "believed that the privilege of being a lawyer carried with it an obligation to assist the less fortunate, and he wasn't shy about saying so." Justice Hassell did more than just talk about pro bono service - last year he called for and presided over a Pro Bono Summit that included bar leaders, judges, and attorneys from all over the Commonwealth. The Summit was held in the Virginia Supreme Court chambers

(continued on page 2)

UPCOMING EVENTS

Breakfast with the Bench
Tuesday, March 1, 2011, 7:30 AM
Brick House Diner, 580 E. Main Street, Norfolk
Hon. Jerome B. Friedman, U.S.D.C., E.D.Va.

Introduction to Mechanic's Liens • 3 CLE Credits
Wednesday, March 9, 2011, 1:30 – 4:30 PM
Dominion Tower, 4th Floor Conference Center

March Luncheon
Thursday, March 17, 2011, 11:45 AM
Hits at the Park, Harbor Park

Ethics: Protecting Your and Your Clients' Interests in the Event of Your Disability, Death, or Other Disaster
2 CLE Ethics Credits

Tuesday, March 29, 2011, 1:00 - 3:00 PM
Dominion Tower, 4th Floor Conference Center

Bench Bar Conference
3 CLE Credits (1 Ethics)
Wednesday, April 6, 2011, Noon - 6:00 PM
Norfolk Waterside Marriott

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(PRESIDENT'S MESSAGE CONTINUED)

to signify the importance of the event and was covered by a number of news organizations. Several new pro bono initiatives resulted from that gathering.

We can be proud to say that our Association has been part of that effort to improve and increase the provision of pro bono services to the public. Last year we established the Norfolk Circuit Court Pro Bono Referral Program. As we were finalizing the formal procedures for the Program along with the Legal Aid Society of Eastern Virginia, several cases were referred to the Association for pro bono legal representation on an informal basis. We are pleased to announce that we have obtained final approval for the procedures from the Norfolk Circuit Court and the Program is now up and running. This comes at a critical time for our community as the last couple of years have unfortunately seen a drastic reduction in Legal Aid funding (a reported loss of just under \$500,000 for this year) at the same time Legal Aid is receiving a significant increase in applications for legal assistance. Our hope is that this Program will result in a more efficient and effective system for our members to render pro bono services.

I would urge you to consider participating in our Norfolk Circuit Court Pro Bono Program. Through your efforts, we can help ensure that our courts are open and accessible to everyone, regardless of their financial situation. If you would like to contribute your time and talents to this Program, please call Donna Bausch at the NPBA office and she can send you the Program information.

We will miss Justice Hassell and Sam White, but the memory of their commitment to serving the communities in which they lived and worked will remain with us, and will hopefully inspire us to carry on their legacies of public service.

MESSAGE FROM THE YOUNG LAWYERS SECTION

By Wes B. Simon, Chair

As the cold weather slowly begins to warm and the days grow longer, the telltale signs of Spring are upon us. The gradual anticipated transition to Spring brings with it new life, green trees, warm weather and of course, the Annual Young Lawyers Golf Tournament.

With a dedicated and tireless crew, the Young Lawyers have been hard at work planning programs for the Spring and Summer seasons. A happy hour at the end of February was a kick off for the events soon to come. As well as a successful, Breakfast with the Bench featuring the Honorable Jerome B. Friedman of the United States District Court for the Eastern District of Virginia. Of course we cannot forget the setting of the date for the Golf Tournament.



Wes Simon

This year the golf tournament will be held at Bide-A-Wee Golf Course in Portsmouth on June 23, 2011. More information will follow, but for those interested in getting teams together, mark off your calendars now. Sponsorships are still available to anyone who missed out on last year's tournament. We anticipate many of our terrific sponsors from last year returning again, but are happy to work with new ones as well. This is a prime event to have your firm's or business' logo out for everyone to see.

The YLS is always looking for dedicated young lawyers who want to volunteer their time, if you or someone you know is interested in joining or even just coming out to some of our events, contact Donna Bausch at the bar office for more details. As always, I would like to thank all of the lawyers who give their time and energy to help the YLS plan and put on our programs and event.

I look forward to seeing everyone out as the weather warms.

YLS Golf Tournament – June 23, 2011

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Honorable Leonard B. Sachs
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Be a Friend!

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COURT NEWS

From the **Norfolk Juvenile and Domestic Relations District Court**: There is a Judicial Conference April 12-13, 2011. We will have only one court in session on those days (emergency and overnight cases only).

Norfolk Circuit Court OCRA now available on iPad

The Norfolk Circuit Court Clerk's Office is proud to announce that Officer of the Court Remote Access (OCRA), which allows attorneys to view case files remotely, is now available on iPad, iPhone, or iTouch. Criminal case files available from 1996-present; civil 2006-present. For optimal viewing, once you select the case, please check the Open pages in new window box at the top of the page. <https://cisweb.courts.state.va.us/Ocra>
Please contact the Norfolk Circuit Court Clerk's Office with any questions.



WELCOME NEW MEMBERS

Kevin M. Duffan

Shapiro, Cooper, Lewis & Appleton, P.C.

Simran Rahi

GEICO Staff Counsel

Daniel D. Santos

Williams Mullen

M. Ann Wright

Huff, Poole & Mahoney, P.C.

Alexis L. Fennell

Regent University Law Student

Benjamin Kavanagh

Regent University Law Student

Thomas J. Wright

Regent University Law Student

FIRM ANNOUNCEMENTS

Inman & Strickler, PLC is pleased to welcome **Lee A. Handford** as a member of the firm. Mr. Handford was brought to Hampton Roads by his service as a Coast Guard Legal Officer and has since focused his civilian practice on business and commercial law and trusts and estates. In particular, he brings extensive experience in business entity formation, international trade, admiralty/maritime, and trademarks.

Kaufman & Canoles, P.C. is pleased to announce that **William R. Van Buren, III** was recently re-elected Chairman of its Executive Committee and President of the firm.

Michael L. Goodove, partner in the law firm of **Rabinowitz, Swartz, Taliaferro, Swartz & Goodove, P.C.**, was recently selected to the "Top 100 Trial Lawyers" by the American Trial Lawyers Association. Membership is extended only to those attorneys who exemplify superior qualifications of leadership, reputation, influence, stature, and profile as civil plaintiff or criminal defense trial lawyers. Mr. Goodove specializes in plaintiff's personal injury law.

Shapiro, Cooper, Lewis & Appleton, P.C. is proud to announce that **John M. Cooper**, a shareholder in the firm, has been elected as a member of the Board of Governors for the Virginia Trial Lawyers Association as a District Governor for the Second District.

Shapiro, Cooper, Lewis & Appleton, P.C. is pleased to announce that **Kevin M. Duffan** has joined the law firm as a new member. Mr. Duffan will focus his practice in plaintiff's personal injury law, the exclusive practice area of the firm. Mr. Duffan is a native of Virginia Beach who earned his bachelor's degree from James Madison University and his juris doctorate from the Marshall-Wythe School of Law at the College of William and Mary and was previously a Senior Assistant Commonwealth's Attorney in Virginia Beach, and Associate Counsel for Litigation at Portfolio Recovery Associates, LLC.

Vandeventer Black LLP is pleased to announce the opening of an office in Pasadena, California, which further bolsters the Firm's growth into a national presence.

Vandeventer Black LLP is pleased to announce that 12 local attorneys from the firm have been selected by their peers as among Virginia's "Legal Elite" by Virginia Business Magazine for 2010. Lawyers include: **Christopher Ambrosio** – Real Estate/Lane Use; **Anne Graham Bibeau** – Young Lawyer (under 40); **William E. Franczek** – Alternative Dispute Resolution; **Shalanda Franklin-Verdell** – Legal Services/Pro Bono; **Patrick W. Herman** – Taxes/Estates/Trusts/Elder Law; **Trey R. Kelleter** – Criminal Law; **Arlene F. Klinedinst** – Labor/Employment; **David W. Lannetti** – Bankruptcy; **Neil S. Lowenstein** – Construction; **Marshall B. Martin** – Intellectual Property; **Bryant C. McGann** – Business Law; and **Anita O. Poston** – Health Law.

The **Virginia Law Foundation** recently inducted 21 new Fellows. The VLF Board annually inducts Virginia attorneys, law professors, and retired members of the judiciary who are deemed to be outstanding in their profession and in their community. The new Fellows from South Hampton Roads are: **Cheshire I'Anson Eveleigh**,

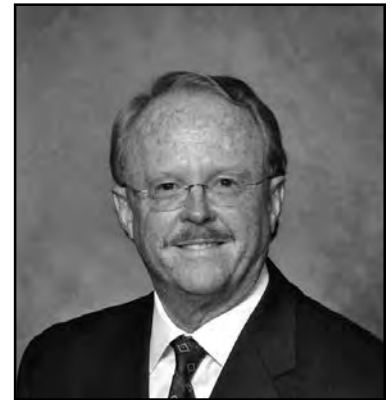
JIM LEWIS

and his firm welcome forming a co-counsel relationship with you for serious injury, wrongful death and malpractice cases.

460-7776

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"All We Do Is Injury Law"



(Announcements continued)

Wolcott Rivers Gates; David W. Lannetti, Vandeventer Black LLP; Charles V. McPhillips, Kaufman & Canoles,; Ann K. Sullivan, Crenshaw, Ware & Martin, PLC.

Twenty-six attorneys from **Willcox & Savage** have been selected as members of Virginia's 2010 Legal Elite. Alternative Dispute Resolution: **Hugh L. Patterson**; Bankruptcy: **Ross C. Reeves**; Business: **Henry J. Huelsberg, III**, **Thomas C. Inglima**, **Thomas G. Johnson, Jr.**; Civil Litigation: **Gary A. Bryant**, **Stephen R. Jackson**, **Conrad M. Shumadine**; Construction: **Michael R. Katchmark**; Health: **Tasos A. Galitos**; Intellectual Property: **Timothy J. Lockhart**; Labor/Employment: **Susan R. Blackman**, **William M. Furr**, **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**, **Gregory D. Lydon**; Tax/Estates/Trusts/Elder Law: **Allan G. Donn**, **Neil L. Rose**; Young Lawyer (Under 40): **Patrick D. Blake**, **Kevin P. Greene**, **Brett A. Spain**, **Nathaniel P. Tyler**.



MARCH LUNCHEON MEETING

Thursday, March 17, 2011, 11:45 AM

Hits at the Park, Harbor Park

FEBRUARY LUNCHEON PHOTOS



IMMIGRATION



- **Criminal Consequences**
- **Deportation Defense**
- **Visas**
- **Green Cards**
- **Citizenship**

Our Immigration Law Group regularly handles the full range of immigration services – from visas and green cards to citizenship and deportation defense in immigration court.

We understand the immigration consequences of criminal convictions. In addition to providing consultation services, we welcome referrals and co-counsel relationships.



Immigration Law Group
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Mara S. Mijal
Trey R. Kelleter

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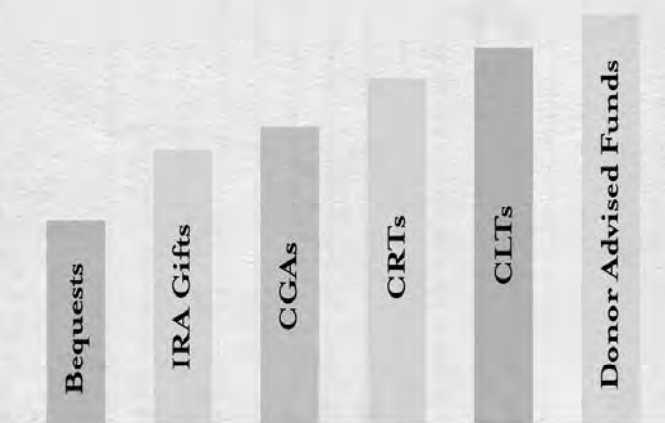
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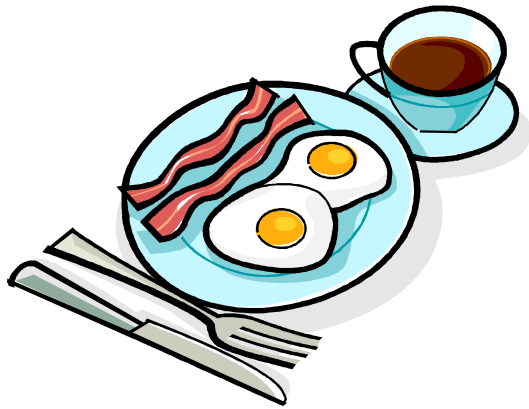
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Please join the
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BREAKFAST WITH THE BENCH

FEATURING

Hon. Jerome B. Friedman, U.S. District Court, E.D.Va.

*Tuesday, March 1, 2011
7:30 a.m.*

Brick House Diner

580 E. Main St., Norfolk

Open to all NPBA Members

*RSVP to npbamaail@gmail.com /
622-3152*



The Norfolk and Portsmouth Bar Association
presents

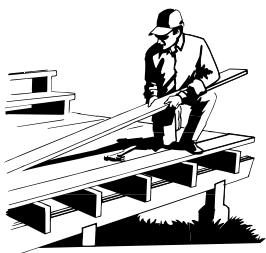
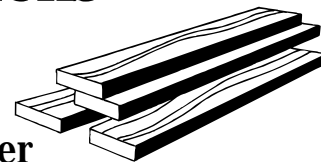
Introduction to Mechanic's Liens

Wednesday, March 9, 2011

Dominion Tower, 4th Floor Conference Center

1:30 – 4:30 P.M.

3 CLE Credits



Faculty: John R. Lockard
Vandeventer Black LLP

Christopher R. Papile
Kaufman & Canoles, P.C.

Coordinator: Elaine K. Hogan
Crenshaw, Ware & Martin, P.L.C.



Topics to be addressed:

- General overview of mechanic's lien laws, including projects that are subject to liens and requirements to file liens
- Practical considerations for filing mechanic's liens, including title searches and requirements of the clerk's office
- Recent developments in mechanic's lien laws

To register, please complete form and mail with payment to:

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Mechanic's Lien

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Firm: _____

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The Norfolk and Portsmouth Bar Association
presents

PROTECTING YOUR AND YOUR CLIENTS' INTERESTS IN THE EVENT OF DISABILITY, DEATH OR OTHER DISASTER

Tuesday, March 29, 2011

1:00 - 3:00 PM

2 CLE Ethics Credits

Dominion Tower, 4th Floor Conference Center

Coordinator: Lamont Maddox
Guidance Law Firm

Faculty: Frank O. Brown, Jr., Past Chair
Virginia State Bar Senior Lawyers Conference

This program will provide practical advice and forms for use in planning to protect your and your clients' interests in the event of your disability, death, or other disaster. Such effective planning will enable you to meet your ethical obligations and can avoid the undesirable consequences of the Virginia State Bar having to petition the Circuit Court to appoint a receiver for your law practice in the event of your disability or death.

This program is intended for lawyers of all ages and law firms of all sizes.

To register, please complete form and mail with payment to:

NPBA • 999 Waterside Drive, Suite 1330 • Norfolk, Virginia 23510

Ethics

Name: _____

Firm: _____

Telephone: _____ Fax: _____

Email: _____

NPBA Members...\$60.00 Non-Members.... \$120.00

Season Ticket Holders Welcome

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The Norfolk and Portsmouth Bar Association presents the Thirteenth Annual

BENCH / BAR CONFERENCE

Wednesday, April 6, 2011 • Noon - 6:00 pm • 3 CLE Credits (1 Ethics)

Norfolk Waterside Marriott

Noon Luncheon

Keynote Speaker: Davison M. Douglas, *Dean, William & Mary Law School*
Rethinking How Law Schools Prepare Students for the Practice of Law

1:30 – 2:30 pm General Session:

Perspectives from the Bench: Panel Discussion - Question and Answer Session

Hon. Mark S. Davis, U. S. District Court for the Eastern District of Virginia

Hon. Louis A. Sherman, Norfolk Circuit Court

Hon. Bruce A. Wilcox, Norfolk General District Court

Hon. Lauri D. Hogge, Chief Judge, Norfolk Juvenile & Domestic Relations District Court

2:45 – 3:45 pm Breakout Sessions (choose one):

- **Applying *Padilla v. Kentucky* to your Case: Immigration Consequences for the Criminal Defendant**

Radlyn Mendoza and John C. Gardner, *Gardner & Mendoza, P.C.*

- **Collaborative Practice: How it Can Work for You**

Lonnie Broussard, *Financial Designs of Virginia*

Marie Donlan, *Tidewater Psychotherapy Services*

Ellen C. Carlson, *Commander & Carlson*

- **Courtroom Do's and Don'ts: Practical Tips for Success**

Professor James Duane, *Regent University School of Law*

John M. Bredehoft, *Kaufman & Canoles, P. C.*

- **Ethics in Billing: Common Issues, Avoiding Bar Complaints and Malpractice Claims**

Paul D. Georgiadis, Assistant Bar Counsel, *Virginia State Bar*

Hon. Charles A. Poston, Norfolk Circuit Court

- **Foreclosure Law in Virginia: What the General Practitioner Needs to Know**

Michael A. Glasser, *Glasser and Glasser, P.L.C.*

Stewart J. "Skip" Sacks, *Stewart Title and Settlement*

Philip R. Trapani, Jr., *Commissioner of Accounts, Norfolk*

4:00 – 5:00 pm General Session:

Significant Statutory Changes/Judicial Opinions from the Past Year

Panelists: Hon. Everett A. Martin, Jr., Chief Judge, Norfolk Circuit Court

L. Steven Emmert, Esq., *Sykes, Bourdon, Ahern & Levy, P.C.*

5:00 – 6:00 pm Social Hour

Conference Sponsors

(as of 2/21/2011)

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To register, mail with payment to: NPBA, 999 Waterside Drive, Suite 1330, Norfolk, VA 23510

Bench / Bar Conference • April 6, 2011

Name: _____

Firm: _____

Telephone: _____ Fax: _____

Email: _____

NPBA Members...\$100.00 Non-Members.... \$150.00

REGISTRATION DEADLINE MARCH 25, 2011

Contact NPBA at (757) 622-3152 or npbamail@gmail.com