# ORFOLK & ORTSMOUTH BAR ASSOCIAN ATION

# BAR BULLETIN

Volume XLI Number 2

March – April 2016

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

#### PRESIDENT'S MESSAGE



Mary T. Morgan

"It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the spring of hope, it was the winter of despair." So begins Charles Dickens' *A Tale of Two Cities*, the story of English barrister Sydney Carton, swept up in the currents of the French Revolution. Just as Carton was faced with a landscape of change, so too is the practice of law and legal education. Depending on your perspective, this could be the best of times, or it could be the worst.

During the 2016 Bench-Bar Conference, Davison M. Douglas, Dean, William and Mary Law, L. O. Natt Gantt II, Professor, Regent Law and Benjamin V. Madison III, Associate Dean of Instructional & Curricular Affairs, Regent Law will discuss changes in legal education that have

occurred in response to market pressures and the ever changing practice of law and how these changes have transformed legal education. Dean Douglas, Professor Gantt and Dean Madison will also address how these changes will impact practicing attorneys and law firms as new generations of law students complete their legal education. This short (1 hour) session will undoubtedly only touch on the myriad of issues that are germane to the general topic, therefore, my message will provide an overview of one discrete subject: generational diversity.

In mid-2011, I attended a presentation featuring Arin Reeves, PhD, President of the research and advisory firm Nextions, and a researcher, author and advisor in the fields of leadership and inclusion. Dr. Reeves' presentation examined the relatively new (at the time) topic of generational diversity. Prior to that time, I hadn't given the topic much thought (let's be honest, I really hadn't given the topic *any* thought). Since that time, I've realized that because of the widening gap between generations, understanding the differences is more important than ever.

What is generational diversity and why is it important?

While there have always been different generations in the workplace, these days, law firms are often faced with the challenge of having as many as four generations of lawyers at the same time. Bar associations often face the same issue. As a practicing attorney, you are also likely to face generational differences. The differences in communication styles between generations can create challenges with interaction and collaboration. As George Orwell once remarked on this issue, "Each generation imagines itself to be more intelligent than the one that went before it, and wiser than the one that comes after it."

Generally speaking, each generation is defined by common values, attitudes, and experiences. Generations share common economic, social, political and demographic events that often shape the perceptions and values of the individuals who experienced them. Keep in mind, however, that boundaries between generations are often flexible because individuals are unique, shaped by more

(continued on page 2)

### UPCOMING EVENTS

MARCH LUNCHEON
Thursday, March 17, 2016 • 11:45 AM
Hits at the Park, Harbor Park
Hon. Aubrey L. Layne, Jr.
Secretary of Transportation, Virginia

(immediately following Luncheon)
Understanding Your LPL Policy and
the Business Enterprise Exclusion
1 CLE Credit

### BENCH/BAR CONFERENCE

Tuesday, March 22, 2016 • Noon Norfolk Waterside Marriott Hon. LeRoy F. Millette, Jr. (Ret.) Supreme Court of Virginia

ANNUAL DINNER Wednesday, May 4, 2016 Norfolk Yacht & Country Club



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#### (President's Message continued)

than external experiences and events.

The traditionalist lawyer was typically born before 1950. Defining events included the Great Depression, World War II and the Cold War. They value hard work and sacrifice for long-term loyalty. These lawyers often are more comfortable with a seniority-based management system and a command and control management style.

The baby boomer lawyer was typically born between 1950 and 1965. Defining events included the Vietnam War, the Cold War, the civil and womens' rights movements, the Kennedy and King assassinations. Boomers identify very closely with their career and career success and prefer in-person contact and believe in establishing relationships.

The Generation X lawyer was typically born between 1965 and 1980. Defining events included Nixon's resignation, the Challenger disaster, the economic recession, Desert Storm and widespread changes in traditional family structure. Many Gen Xers were latch-key kids and are independent, self-directed and entrepreneurial. They are comfortable with today's technology and can incorporate changes into their practice. These lawyers value freedom and versatility in their careers.

The Generation Y or Millennial lawyer was typically born between 1981 and 1999. Defining events include 9/11, the war on terror, the Oklahoma City bombing, the Great Recession and the first African-American president. The Millennial is technology-savvy, having grown up with a smart phone in one hand and a laptop in the other, and are used to working anywhere and at any time. They prefer texting and other social media rather than using the telephone. They value teamwork and intellectual challenges and are confident and enthusiastic.

Understanding the differences and using knowledge of typical generational attributes and similarities is important to the continued viability of law firms and bar associations. To remain relevant, law firms and bar associations must understand what motivates the different generations of lawyers. As individuals, we also should be cognizant of these differences and recognize that regardless of generation, all individuals value meaningful work and relationships, the opportunity to learn and grow as a professional, and to feel appreciated and respected.

## NPBA FOUNDATION

By Greg E. Summy, President, NPBA Foundation Greg.summy@nscorp.com • 533-4890

Many of you think of the NPBA Foundation as an organization that awards scholarships to high school seniors through a competition based on academic achievement, extracurricular activities, financial need and an essay about a topic relating to our legal system. In recent years, with donated seed money, the Foundation also awarded the Fitzwater Memorial Scholarship annually to a second year law student who intends to practice law in South Hampton Roads, making public interest law a significant part of his or her career.

While funding and facilitating these scholarship competitions will continue to be a key component of Foundation activities, the Foundation exists to do much more. According to the Foundation's Mission Statement, the Foundation is charged with "...promot[ing] the administration of justice, the educat[ion] of the public about the importance of law in their daily lives, and enhanc[ing] the image of the legal profession in our local community." Further, the Foundation exists to support "projects that

enhance the image of and build trust in the legal system; [and] philanthropic endeavors in the public interest which promote and relate to the administration of justice and other related activities."

Although we would like every NPBA member to support the Foundation financially, you are not required to do so in order to propose a project to the Foundation. We welcome ideas from our membership consistent with our mission to educate the public about the rule of law and promote the legal system. The Foundation has provided financial support to the Magna Carta tour and debate, the Law School for Journalists, The Triumph of the Rule of Law Over Massive Resistance: A Community Forum, and the Lawyers Without Rights lecture and exhibition. We want to support similar endeavors, and we are open for business to learn of ideas consistent with our mission. You may contact me directly at greg.summy@nscorp.com with your ideas and initiatives.

We look forward to hearing from you!

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> Emily Smith LASEVA

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**Brittany Wrigley** Reid Ervin & Associates

**Jessica A. Clark** Regent University law student

**Abigail Johansen**University of Richmond law student

## Young Lawyers Section

By Zachary Simmons, Chair

As always, YLS has been staying busy. On January 7, we had the third seminar in our recently established CLE series - "Demystifying Federal Court for Young Lawyers." This was a fantastic event. Thank you to our panel of speakers for making it such a success - U.S. District Judge Mark S. Davis, Rob McFarland of McGuire Woods, Angela Farlow of the U.S. District Court Clerk's office, and Andrea Ruege of Bertini Law. I'd also like to give a special thanks to Katie Dougherty for all of her help behind the scenes.

On January 19, we had another installment of Breakfast with the Bench and were joined by the Honorable Von L. Piersall, Jr, who is a retired Judge for the Third Judicial Circuit and often acts as a Judicial Settlement Conference Judge in Norfolk and Portsmouth. Judge Piersall had an open and engaging conversation with us, sharing insights and stories from his many years serving the legal profession from the bench as well as the bar. Perhaps the most memorable story he shared that morning was about his first day in court as a young lawyer. The first matter that



he ever handled was a jury trial—a fact that was not disclosed to him until he arrived in court. So, as a message to young lawyers, the next time you feel like you're in over your head, think of Judge Piersall, and know that it could be much, much worse. Thank you Judge Piersall for taking the time to be with us.

For our next installment of Breakfast with the Bench, we will be hosting Judge Lyn Simmons of the Norfolk Juvenile and Domestic Relations Court. More details are posted at norfolkandportsmouthbar.org.

On March 3, YLS has scheduled another volunteer night at the Ronald McDonald House, where we will spend the evening cooking dinner for the residents, who are family members of children being treated

at nearby hospitals. In addition to being a great cause, this is always a really fun event. Please let me know if you're interested in coming out. Anyone is welcome to join.

YLS is also excited to be sponsoring Lakewood Academy in the upcoming middle school mock trial program. Since I've been a member of the NPBA, this is honestly one of the most fun and rewarding things I've done. Thanks to Kim Phillips and Wayne Williams for working so hard to make this program a success and giving us the opportunity to participate.

If you're not on our committee and are interested in joining, feel free to shoot me an e-mail at **zachary.simmons@norfolk.gov**. Our next meeting will be on March 8, 2016 at the Norfolk Tap Room at 6:00.



# A malpractice suit can damage your reputation, repel clients and increase insurance costs.

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## MARCH LUNCHEON

Thursday, March 17, 2016 Hits at The Park, Harbor Park 11:45 AM



Hon. Aubrey L. Layne, Jr. Secretary of Transportation Commonwealth of Virginia

On November 22, 2013, Governor-Elect Terry McAuliffe appointed Aubrey Layne as Secretary of Transportation for the Commonwealth of Virginia. He was sworn into office on January 12, 2014. Secretary Layne oversees seven agencies with over 10,000 employees and combined budgets of more than \$5 billion. Prior to his appointment, he represented the Hampton Roads area on the Commonwealth Transportation Board.

Secretary Layne most recently served as President of An Achievable Dream Academy in Newport News, Virginia, a unique partnership between public schools and the local business community providing at-risk students opportunities to succeed.

Prior to joining An Achievable Dream, Layne was President and Principal Broker of Great Atlantic Properties. He joined the company in 1994 and was responsible for operational activities, new business acquisition, and capital improvement strategy. Before joining Great Atlantic, he held various positions at Hofheimer's Inc., and ended his tenure there as President. Secretary Layne began his career as a Certified Public Accountant with KPMG.

Layne earned a B.S. in Accounting from the University of Richmond, and received an MBA from Old Dominion University with a concentration in International Business. In 2011, he completed the University of Virginia's Sorensen Institute for Political Leaders program.

Secretary Layne and his wife, Peggy, live in Virginia Beach.

#### JANUARY LUNCHEON















Client meeting
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Eastern Shore of
Virginia

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# Wolcott Rivers Gates

is pleased to announce the following new associates and shareholder



**Regina F. Amick** is a member of our Family Law Group. Her practice focuses on divorce, separation agreements, child custody and visitation, child and spousal support and division of retirement. As a Navy spouse, Regina is familiar with the nuances affecting military members and their families. Regina has been practicing law since 2003 and is a graduate of the University of Maryland School of Law. She is licensed to practice in Virginia and Maryland.



Diana Lyn Curtis McGraw is a member of our Corporate Solutions Group. Her practice focuses on government contracts, construction law as well as federal and state litigation. Diana received her bachelor's degree from Virginia Tech, her master's degree in Project Management and Construction Management from Pennsylvania State University, and her Juris Doctorate from Regent University. Prior to joining the firm, Ms. McGraw managed regulatory compliance and government contracts for US-based and overseas projects valued at approximately \$2B for one of America's top construction services providers.



**Danielle N. Jarvis** is a member of our Litigation Practice Group. Her practice focuses on federal and state civil litigation. Danielle is a graduate of the University of Michigan and William & Mary School of Law. Before joining Wolcott Rivers Gates, Danielle worked for Portsmouth Public Schools as a Compliance Officer. As a Compliance Officer, she represented the administration in employee grievances, consulted with the administration on student suspension/expulsion hearings, and served as the division's lead investigator for complaints of unlawful discrimination and corporal punishment.



Mark V. Pascucci has been named a shareholder at Wolcott Rivers Gates. Mark is a member of the firm's Trusts and Estates Group. Also holding a CPA license, Mark focuses his practice on estate and tax planning for families and businesses as well as corporate transactions and elder law. Mark received his B.A. from Gordon College and his J.D. from the Marshall-Wythe School of Law at the College of William and Mary. He is a recipient of the Virginia Super Lawyers/Rising Stars award. Mark is a dedicated member of our firm, and we are honored to have him as our newest shareholder.



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#### ANNOUNCEMENTS

Christie Kantor Griffin & Smith, P.C. is pleased to announce that the firm has been given a Tier 1 rating and ranking by U.S. News "Best Law Firm 2016." This recognition, based upon professional excellence with persistently impressive ratings from clients and peers, signals a combination of quality law practice and breadth of legal knowledge.

Clarke, Dolph, Rapaport, Hull & Brunick, PLC is pleased to announce the inclusion of partner Cyrus A. Dolph, IV in Virginia Business magazine's 2015 Legal Elite and the 2016 Best Lawyers in America, in the field of Trusts and Estates. Dolph has over 40 years of experience advising clients in business transactions and the planning and administration of estates, foundations and trusts.

Golightly, Mulligan & Booth became Golightly, Mulligan & Morgan and added an office in Chesapeake with the addition of partner Mary T. Morgan, formerly of Cooper, Spong & Davis in Portsmouth. Attorneys Scott Golightly and Michele A. Mulligan have practiced from the firm's Richmond office since its founding in 2012. Ms. Morgan focuses on professional liability defense and defense of bar complaints and handles general civil litigation matters. She is admitted to practice in all of the state courts of Virginia, the United States District Court for the Eastern District of Virginia and the Western District of Virginia, the United States Bankruptcy Court and the United States Tax Court, and has tried numerous cases in the General District Courts, Circuit Courts and the United States District Court. Ms. Morgan is a graduate of the University of Richmond School of Law and was named to the 2015 Class of "Influential Women of Virginia" by Virginia Lawyers Weekly. She is president of the Norfolk & Portsmouth Bar Association, a director at large for the Virginia Association of Defense Attorneys, secretary of the James Kent American Inn of Court, and a past president for the Hampton Roads Chapter of the Virginia Women Attorneys Association. Ms. Morgan also serves as the chairman of the Board of Directors for Edmarc Hospice for Children.

**Poole Brooke Plumlee PC** is pleased to announce that **Jeffrey F. Brooke**, Alternative Dispute Resolution and **Paul R. Schmidt**, Legislative/Regulatory/Administrative have been selected for the 2015 Legal Elite in Virginia Business magazine.

Michael L. Goodove, personal injury attorney and partner in the law firm of Swartz, Taliaferro, Swartz & Goodove, has been appointed to Southern Bank's Hampton Roads Regional Advisory Board.

29 Willcox Savage Attorneys Named to Virginia's 2015 Legal Elite include the following NPBA members: Bruce Bishop (Civil Litigation); Susan Blackman (Labor/Employment); Pat Blake (Alternative Dispute Resolution); Stephen Brewer (Construction); Gary Bryant (Appellate); Rob Dewey (Real Estate/Land Use); Allan Donn (Tax/Estates/Trusts/Elder); Matt Dudley (Young Lawyer); Len Fleisig (Legislative/Regulatory/Administrative); Billy Furr (Labor/Employment); Stephanie Gilbert (Bankruptcy); Kevin Greene (Young Lawyer); Trey Huelsberg (Business); Tom Inglima (Business); Tommy

Johnson (Business); David Kushner (Labor/ Employment); Tim Lockhart (Intellectual Property); Wiley Mitchell (Legal Services/ Pro Bono); Hugh Patterson (Alternative Dispute Resolution); Neil Rose (Tax/Estates/Trusts/Elder); Conrad Shumadine (Appellate); Brett Spain (Civil Litigation); Dave Sump (Environmental); Nate Tyler (Real Estate/Land Use); and Warren Tisdale (Environmental).

Williams Mullen is pleased to announce the election of **Scott C. Miller** to partner. Mr. Miller focuses his practice on corporate and commercial litigation matters. He helps companies and individuals navigate through difficult situations and find answers to their legal or business issues. Miller works extensively with retailers, financial institutions, insurance companies, construction companies and other commercial entities. Prior to joining Williams Mullen, he worked in the offices of Senator Mark Udall of Colorado and Virginia Senator John Warner. He has been named a "Rising Star" in Virginia Super Lawyers magazine.

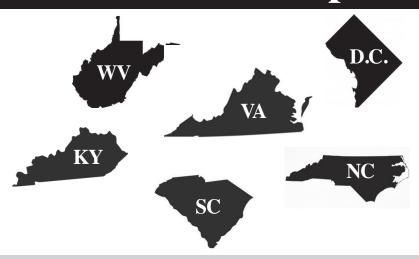
#### JANUARY LUNCHEON



#### LEGAL ASSISTANT NEEDED

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