

NORFOLK & PORTSMOUTH BAR ASSOCIATION

BAR BULLETIN

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

PRESIDENT'S MESSAGE



Robert V. Timms, Jr.

This message will arrive quite a while after the three judge panel from the 9th Circuit Court of Appeals heard oral arguments on the lower court's order temporarily restraining the President's executive order which, among other things, instituted a ninety (90) day visa suspension for people arriving to the United States from seven specific countries.

Like many of you, I listened to the oral arguments on the radio. I found it fascinating to actually hear oral arguments without being in the courtroom. I wish we could hear more arguments in real time. I think the American people would get a better sense of the appellate process rather than reading a filtered version of the proceedings through a reporter. The public would better see how aggressively the judges delve into the positions of each party. As I listened, it quickly brought back memories of my first year in law school and my participation in the moot court competition.

The two attorneys representing the State of Washington and the United States are well qualified attorneys, experienced in the art of appellate argument. During the course of the argument, the judges asked many pointed questions of each side. The attorneys' long pauses and attempts to respond or move the discussion to other issues caused me to have flashbacks (and not pleasant ones) to my own periods of utter silence as I, in a frozen state, astutely and succinctly scrambled to respond to the judges' questions. I only had my classmates listening to the proceeding, not an entire nation. I sympathized with the attorneys arguing their positions before the panel.

After listening to the oral arguments, I also realized that no matter how long we have been practicing law, we all face situations where we, for a while, feel like a first year law student or a newly admitted attorney. Since the arguments were conducted by telephone, I assume each lawyer had some other lawyers in the room, possibly handing them case law or notes with suggestions. During the long pauses, I could also imagine the lawyer looking up to get a consensus as to how best to respond.

The Young Lawyers Section of our association is beginning to institute a mentorship program. Listening to the oral arguments and imagining the other attorneys in the room providing assistance to the lead attorney reminded me that there are many times when we all need an experienced colleague to listen and to act as a sounding board. The Young Lawyers Section will be reaching out to us to connect younger members with experienced attorneys. Over the years, I have enjoyed talking to other lawyers about various matters that have run the gamut, including ways to handle particular legal issues, ways to develop a practice area or to structure a law firm and merge law practices, and just discussions of general business matters. I have enjoyed doing this because I like

(continued on page 2)

UPCOMING EVENTS

MARCH LUNCHEON

Thursday, March 16, 2017 • 11:45 AM
Hits at the Park, Harbor Park
Greg Bockheim, Executive Director
Virginia Zoo

(immediately following Luncheon)
RULE 68 OFFERS OF JUDGMENT
1 CLE Credit

BENCH BAR CONFERENCE

Tuesday, April 18, 2017 • Noon
Norfolk Waterside Marriott
Wendy Collins Perdue, Dean
University of Richmond School of Law

ANNUAL DINNER

Wednesday, May 17, 2017
Hilton Norfolk The Main

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(PRESIDENT'S MESSAGE CONTINUED)

to give back to our community. I also learn some new things during these discussions. It is definitely beneficial on both ends.

When the Young Lawyers Section has the program operational, I urge you experienced attorneys to offer your experience as a mentor. I urge the younger members of our association to take advantage of the program, too. I think you all will find it to be a rewarding experience.

NPBA FOUNDATION

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

PROTECT AND PRESERVE THE RULE OF LAW

One of the missions of the NPBA Foundation is to promote the Rule of Law. As NPBA President Timms discussed in his column in last month's edition of the *Bar Bulletin*, the NPBA Foundation is about more than awarding scholarships to deserving students. We are very interested in supporting projects that could serve to educate the public about the importance of the Rule of Law in our community.

The Rule of Law is the bedrock of the government that our founders established over 225 years ago and that we, as lawyers, are charged with acting as stewards of that government. The United States "had the great good fortune to be grounded in English traditions, especially the idea that the law, not the state, is supreme."¹ Luckily, we haven't really had to think about this core principle of American government very often – which is a good thing. But now, all of the members of our Association should take a few minutes to think about what the Rule of Law means, and what we might have to do to protect and preserve this vital tradition.

The day before I wrote this column, President Trump posted the following tweet, in response to a federal judge in Seattle granting a TRO prohibiting enforcement of his Executive Order banning entry into the United States of persons coming from seven countries where Islam is the predominant religion: "What is our country coming to when a Judge can halt a travel ban which could prevent very bad people from coming into the country?"

What an easy question to answer. Every member of this Association knows the answer to that question. Every attorney licensed to practice law in Virginia knows the answer to that question. Every law student in the Commonwealth knows the answer to that question. And wouldn't it be great if every citizen in the country knew the answer to that question.

The answer is that we are a country governed by the Rule of Law. And in such a country, a Judge gets to make the determination that an executive order is contrary to the

law or the Constitution.

Now, it's not the purpose of this column to address policy considerations about this particular Executive Order, or whether that Judge might have, or should have, his decision overturned on appeal. But it is rightly the duty of all lawyers to explain to the citizenry that we live in a country where a judge *does* have the power to tell a President that what he is doing is illegal. Again, this column isn't addressing whether the Judge was correct or incorrect; that issue will be sorted out on appeal.

Wouldn't you rather the President had simply said, "We disagree with the Judge's ruling and will file an appeal" rather than complain about the foundation of our government and legal system?

Making remarks that question the Rule of Law are dangerous generally, and much more so when the person making those remarks is the President. So what should we as lawyers do about it?

First, it is becoming clear that lawyers need to be on the lookout not only for violations of the law by the federal government but more importantly for public statements that have the effect of questioning the Rule of Law.

Second, we as lawyers need to think about whether the public needs a crash course about the foundation of our American constitutional government. Do citizens who aren't well versed in the Rule of Law think President Trump's tweet is acceptable?

If that's the case, then third, should we as lawyers consider beginning a project to educate our community about the Rule of Law, and how it should always be preserved and protected, without regard to policies about which people could reasonably have different views?

Think about it. And know that the Foundation Board is always willing to consider supporting projects that will educate the community about the importance of the Rule of Law.

¹ John Steele Gordon, *An Empire of Wealth*

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Be a Friend!Make a Tax Deductible Contribution to
Norfolk Law Library this year!**LEGAL FOOD FRENZY 2017**

The Virginia legal community will once again come together to help those who are food insecure in our communities. The Foodbank of Southeastern Virginia and the Eastern Shore invite you to participate in the 26th Annual Norfolk & Portsmouth Bar Association and 11th Annual Statewide Legal Food Frenzy **April 3-14, 2017**.

This fun event provides the legal community an opportunity to compete by creatively working with staff members to make a huge impact in our communities by helping provide food to those struggling with hunger. In 2016, funds and food collected during the Legal Food Frenzy equated to 643,132 pounds of food to be distributed in our community.

Let this opportunity be a challenge to you to join your colleagues in this humanitarian effort and make the 11th Annual Statewide Legal Food Frenzy the most successful one yet! Please sign up today by going to <http://foodbankonline.org/lff2017/> or contact Debbie Hansley at 201-6284 or dhansley@foodbankonline.org.

YOUNG LAWYERS SECTION

By Jennifer L. Fuschetti, Chair

I am excited to share some of what our young lawyers have been up to and announce plans for 2017.

Our Section continues its focus on service to our community. Led by **Nicholas Raffaele**, our Service Committee is putting together a full slate of activities. Our next project keeps with our tradition of working with Ronald McDonald House. The Young Lawyers' Section will prepare and serve dinner for families who are in town while their children receive treatment at CHKD on Wednesday, March 15th. Evenings at the Ronald McDonald House are perennial favorites. We're looking forward to this visit and many more to come.

Each year, our members also enjoy participating in the NPBA's middle school mock trial program. 2017 is no exception. NPBA is sending members to almost every participating school. We love meeting with colleagues to spend springtime afternoons with 6th, 7th and 8th graders. We go with the intention of teaching the students about courtroom procedures. Somehow, though, we always come back better advocates ourselves!

We are thrilled to announce that we



have been awarded a grant by ALPS to support our new Mentorship Program! This grant will provide resources to create a robust program, which we hope will grow each year. Keep an eye out for announcement of our Program Kick-Off Reception. We hope you will join us and sign up to participate in this unique opportunity to connect with your colleagues – both new and more experienced. We are endeavoring to match mentors and mentees thoughtfully in order to foster strong and lasting relationships. All members of the bar are invited and encouraged to participate, regardless of whether a member has enjoyed a long career, is mid-career, or is just starting out.

If you are interested in more information about being a mentor or mentee as

well as any preferences or program suggestions you might have, please email me at jfuschetti@phillipslaw.com. Please encourage others – partners and associates – in your firms to do the same. The members of the Norfolk & Portsmouth Bar Association are what make NPBA so successful. YLS is proud to offer yet another opportunity for us all to work together to foster collegiality and mutual support within the bar. Thank you so much for everything each of you already offer to our community.

The Young Lawyers' Section meets monthly and there are plenty of opportunities to get involved and meet your colleagues. If you are under 36 or have been practicing for five years or less, I highly encourage you to become active in our section. We're also happy to welcome friends and colleagues who are considering joining NPBA to come to a meeting and get to know us! Meetings are usually held on a Tuesday at 6:00 p.m. at a local establishment offering early-evening specials.

For more information, please contact me at nbpayounglawyers@gmail.com. I'm looking forward to meeting you.

EMPLOYMENT OPPORTUNITIES

Small general business firm with international clientele seeking Virginia licensed attorney, full or part time basis to assist with increasing workload. Two years minimum experience preferred. Some portable business a plus, but not required. Please contact cwbest@bestlex.com.

• • •

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Madeline C. Jones
Regent University law student

SAVE THE DATE

Join your
NPBA colleagues
for our

Annual Dinner

at the brand new
Hilton Norfolk The Main

Wednesday, May 17, 2017

Don't miss this early
chance to experience
this exciting
new downtown venue!

MARCH LUNCHEON

Thursday, March 16, 2017
Hits at The Park, Harbor Park
11:45 AM



Greg Bockheim, Executive Director
Virginia Zoo

In 2016, Greg Bockheim celebrated a decade as Executive Director of Virginia Zoo, a 53-acre zoo founded in 1900.

Greg was born in Detroit and grew up in

Grand Rapids. After studying at Michigan State University, he moved to Jersey Island in the English Channel to study gorillas and spent two years at the Taronga Zoo in Sydney.

He returned to the United States and completed a degree in advertising and public relations at Grand Valley State University before moving to London to work as a ship scientist on a voyage across the Atlantic. He then worked for zoos in Birmingham, Fresno and Atlanta before joining Disney to help open Animal Kingdom in Florida. Prior to coming to Norfolk, he was curator at a South Bend zoo.

His hobby is breeding East Asian songbirds in an aviary at his Norfolk home which he shares with his wife Ann, a pharmaceutical researcher, and daughters Vivian and Lily.

Immediately following luncheon

RULE 68 OFFERS OF JUDGMENT • 1 CLE Credit

Post luncheon CLEs are free of charge for NPBA members, but preregistration is required.

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

Complete details are contained on enclosed flyer.

19TH ANNUAL BENCH / BAR CONFERENCE

Keynote Speaker



Wendy Collins Perdue, Dean
University of Richmond School of Law

Tuesday, April 18, 2017
NOON

Norfolk Waterside Marriott

**Registration form and
complete details are contained
on enclosed flyer.**

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Hon. James C. Hawks (Ret.)

Retired Judge,
Third Judicial Circuit of Virginia

The Honorable James C. Hawks (Ret.) recently retired after eighteen years of public service in Portsmouth. Most recently, he served for a decade as a Judge of the Third Judicial Circuit, including a term as Chief Judge. During this time, he presided over a variety of cases including but not limited to FELA, Jones Act, and asbestos matters. Prior to his appointment to the bench, he was elected to serve two terms on the Portsmouth City Council. Judge Hawks also enjoyed a successful general practice of law in the City of Portsmouth for over thirty years, providing counsel in practice areas including personal injury, family law, real estate, and corporate disputes. Judge Hawks now brings this distinctive record of achievement to The McCammon Group to serve the mediation, arbitration, judge pro tempore, and special master needs of lawyers and litigants throughout the Commonwealth.



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ANNOUNCEMENTS

The Hampton Roads Chapter of Legal Administrators is proud to announce that **Valerie Williams** has been appointed as a Regional Representative in the National Association for the term 2017-2019. Valerie is the Administrator at Pender & Coward, P.C. Her dedication to the education and growth of administrators in the legal field is evident by this appointment.

Christie, Kantor, Griffin & Smith, P.C. is pleased to announce that **George Christie** has been listed among Virginia Super Lawyers for 2017. Mr. Christie has been recognized as a Super Lawyer for eleven consecutive years.

Inman & Stickler, PLC is proud to announce that **Robert V. Timms, Jr.** has been selected as a member in the 2016 Legal Elite by Virginia Business Law. Mr. Timms advises clients in the areas of business and corporate law, estate planning and administration, and real estate law.

Pender & Coward, P.C. is pleased to announce

that **Richard Garriott** has been elected to serve as chair of the Board of Governors of the Virginia Bar Association. A VBA member since 1997, Richard joined the Board of Governors in 2015 and previously served as vice chair of the Domestic Relations Section Council. He is a Fellow of the American Academy of Matrimonial Lawyers and the Virginia Law Foundation and serves on the Virginia Family Law Coalition. Richard focuses his practice on family law and civil litigation.

Jennifer L. Fuschetti has moved to **Phillips & Peters, PLLC**, where she will focus her practice on family law and appellate matters. Ms. Fuschetti has been proud to work with two outstanding firms in Hampton Roads since returning to the area in 2013. Prior to that, she worked with Legal Services of New Jersey in Newark. Ms. Fuschetti is a graduate of the College of William & Mary and UCLA Law. She currently serves as the Chair of the Norfolk & Portsmouth Bar Association Young Lawyers' Section and is active in a number of NPBA committees.

David Crain joined **Willcox & Savage, P.C.** in 2009 and is a newly-elected partner. He practices in the Catastrophic Loss and Insurance Coverage Litigation Practice Group where he defends excess liability carriers faced with catastrophic losses in jurisdictions around the country. David is a 2009 graduate of the College of William and Mary School of Law. He earned his B.A. degree in Political Science from James Madison University in 2003.

OFFICE SPACE AVAILABLE

Established lawyer's office has a large office room available for rent. The office is 1300 sq. ft. and the office room is approx 450 sq. ft. The office has a common waiting area. The office room itself is fully furnished (desk, chairs, computer, printer, mini refrigerator, filing cabinet, etc). Office is a short block to the new Norfolk court building. Rent is for minimum of 3 months and as much as 12 months. The office room is ideal for a lawyer or some other professional. Call and leave message if interested: 354-3725.

Spacious Law Firm Office Available in Norfolk

Cooper Hurley Injury Lawyers is moving out of its offices at 2014 Granby Street in Norfolk next year to a bigger office to accommodate our growing firm. We are seeking a tenant for our 2,800 square foot office on the corner of Granby Street and 21st Street in Ghent.

The office was custom designed specifically for our law firm three years ago. It contains a large conference room, seven offices, a kitchen, two bathrooms and a spacious reception area.

The office is above the Wells Fargo bank and within close walking distance of Ghent restaurants and stores on 21st Street with good transportation links.

The new tenant will have great visible signage. The building also has ample free parking. For more details call John Cooper at (757) 455-0077 or our agent Scott Godbout at (757) 525-4947.



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*8.6M Verdict	2010	Sid Gilreath (TN)	Railroad	Knoxville, TN
1.5M Verdict	2011	Ben Saunders (LA)	Railroad	New Orleans USDC
1 M Settled	2014	Randall Phillips (NC)	Muni. Negl.	Asheville NC
2.5M Verdict	2015	Rob Sullivan (MO)	Prod. Defect	E.D. VA USDC

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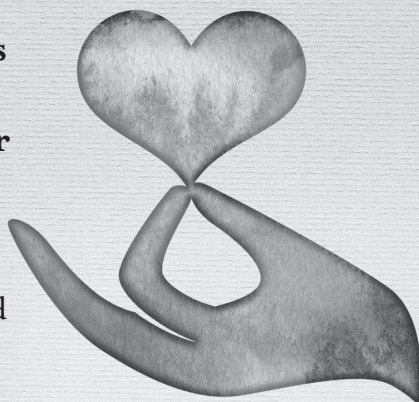
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