

Virginia State Bar 86th Annual Report

Annual Report
for the period
July 1, 2023 – June 30, 2024



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ADMINISTRATIVE / GOVERNING REPORTS

Report of the Executive Director/Chief Operating Officer Cameron M. Rountree

Membership

As of early-August 2024, the Virginia State Bar's (VSB's) active membership stood at 32,283 (-1,181, from July 2023). Associate membership included 13,621 (+468) additional lawyers, and there were 986 judges (+4).

Officers for 2023-2024

President: Chidi I. James
President-elect: Michael M. York
Immediate Past President: Stephanie E. Grana
Executive Director/COO: Cameron M. Rountree

Officers for 2024-2025

Michael M. York of the law firm Wehner & York, in Reston, was sworn in as the 86th president of the Virginia State Bar on Friday, May 31, 2024, to assume office on July 1, 2024. York is a current member of the Virginia State Bar Council and the Executive Committee. He chaired the Legal Ethics Committee and has served on the Judicial Candidate Evaluation Committee and the Budget and Finance Committee.

Prior to becoming an attorney, York was a Pulitzer Prize-winning journalist and investigative reporter who covered federal courts for The Washington Post. In 1994, he opened his own law office, focusing on litigation for corporate plaintiffs and defendants, as well as individuals in high-profile cases. His litigation practice has included class action lawsuits, multi-billion-dollar verdicts, whistleblower disclosures, and criminal investigations. In addition, York maintains an active civil and white-collar criminal practice in state and federal courts. His clients have included whistleblowers, media groups, journalists, and national organizations.

A frequent speaker at continuing legal education seminars, meetings, and other functions, he has appeared on ethics panels conducted by the D.C. Circuit Judicial Conference, Investigative Reporters and Editors, the FBI, the Justice Department, various universities, and the American Inns of Court.

York is admitted to practice in Virginia, the District of Columbia, and the U.S. Virgin Islands. He is a graduate of the University of Kentucky and the University of North Carolina School of Law.

K. Brett Marston of the law firm Gentry Locke, in Roanoke, was unopposed in filing a nominating petition with the VSB executive director on or before March 15, 2024. Therefore, in accordance with the Bylaws of the VSB, Part I, Article III, Sec. 3, he was elected at the May 2024 Annual Meeting as the next president-elect of the VSB (2024-2025). Marston is his firm's managing partner, and member of the VSB Committee on Legal Ethics and the Committee on Professionalism. He has served on VSB Council, Executive Committee, as chair of the Construction Law Section, as a member of the Committee on Budget and Finance, as a Professionalism Course faculty member, and on the VSB Young Lawyers Conference Board of Governors.

Marston has extensive experience in construction contract negotiations and preparation, payment disputes, mechanic's liens, bond claims, construction defects, delay claims, insurance, and OSHA matters. He handles significant construction matters in federal and state courts as well as arbitration and mediation for general contractors, subcontractors, owners, design professionals, and suppliers.

He was inducted as a Virginia Law Foundation Fellow in 2019. He has been a member of the Roanoke Bar Association since 1994 and has served in many roles, including as president in 2006. He has received the Roanoke Bar Association President’s Volunteer Service Award, Silver Level, for community service. Additionally, he received the Virginia State Bar R. Edwin Burnette Jr. Young Lawyer of the Year Award in 2004.

Marston is originally from Appomattox. He is a graduate of the University of Virginia and the George Mason University School of Law. He is married to Colleen Myers Marston, and has two sons, Luke and William.

Chidi I. James became the immediate past president of the Virginia State Bar on July 1, 2024. He is a trial lawyer with the law firm of Blankingship and Keith in Fairfax. He is a past president of the Northern Virginia Black Attorneys Association, a former Vice-Chair of the VSB’s Standing Committee on Lawyer Discipline, a former member of the VSB’s Fifth District Disciplinary Committee, a former faculty member of the VSB Harry L. Carrico Professionalism Course, and a Board member of the Virginia Trial Lawyers Association. A more complete bio may be found on [the firm’s website](#). He was the first African American man, and first post-9/11 era military veteran, to be president of the VSB.

Executive Committee members 2023-2024:

At-large members:

- Timothy R. Baskerville
- Kyung “Kathryn” N. Dickerson
- Veronica E. Meade
- Bruce H. Russell
- Joanna L. Suyes
- E.M. Wright, Jr.

Ex officio members:

- Dillina W. Stickley—Conference of Local and Specialty Bar Associations Chair
- Candace A. Blydenburgh—Diversity Conference Chair
- W. Carter Younger—Senior Lawyers Conference Chair
- Craig E. Ellis—Young Lawyers Conference President

New and re-elected Council members (terms run from July 1, 2024, to June 30, 2027):

4 th	Corrynn J. Peters
8 th	Veronica E. Meade
12 th	Adrienne George-Eliades
13 th	Mark D. Dix
13 th	Kyle R. Elliott
13 th	Shameka L. Harris
13 th	Alicia Roberts Johnson
13 th	Gordon F. Willis Jr.
14 th	Stephanie E. Grana
16 th	Richard H. Howard-Smith
17 th	Gregory T. Hunter
17 th	Adam M. Krischer
18 th	Nicholas J. Gehrig
18 th	David C. Hagan
19 th	Kyung N. “Kathryn” Dickerson
19 th	Carly J. Hart
19 th	Alison R. Mullins
19 th	Juli M. Porto
19 th	Debra L. Powers
19 th	Gobind S. Sethi
21 st	O. Randolph Rollins
23 rd	Daniel P. Frankl
28 th	Bruce H. Russell II
30 th	D. Sue Baker
At large	Craig E. Ellis
At large	Joanna L. Suyes
At large	Nicole E. Upshur

Resigning and term-limited Council members:

12 th	P. George Eliades II
13 th	Timothy R. Baskerville
13 th	Susheela Varky
13 th	Henry I. Willett III
14 th	Thomas A. Edmonds
17 th	Jennifer S. Golden
18 th	Todd A. Pilot
19 th	Nathan J. Olson
19 th	Stephen K. Gallagher
21 st	G. Andrew Hall

VSB Member, Regulatory, & Staff Developments

Membership: During FY 2024, I utilized the Executive Director's Column in *Virginia Lawyer* magazine to address two disconcerting trends in Virginia practice with implications for the VSB.

The first pertained to increased costs and relative declining revenue due to the unchanged dues rate for the last 24 years. In particular, VSB Costs have risen considerably in the last five years due primarily to four "STIR" factors: S-alaries, T-echology, I-nflation, and R-ent.

As a service-providing agency, staff salaries and benefits represent 72% of VSB expenditures. In the 24 years since the last dues modification, the VSB has absorbed a cumulative 56.5% increase in staff salaries and benefits. As a non-general fund agency, legislatively enacted raises for Commonwealth employees (which are critical to retaining talent) have depleted the stagnate value of dues dollars. Unlike most of the judiciary and the entirety of the legislative and executive branches, these raises are not met with concomitant legislative appropriations. For example, recently enacted raises totaling 20% from 2021 to date have equated to more than \$1.7M of additional labor expenses that were required to be funded with existing VSB revenue.

Beginning in 2021 and culminating in 2023, the VSB overhauled its website, membership database, and case management software. The previous comprehensive system was custom-built for the agency at the turn of the century and came at great capital cost. As technology has evolved to more cloud-based services, the VSB made the decision to license and customize software products to meet its needs. This "rent" as opposed to "buy" approach, too, was a substantial capital expense, though, when accounting for inflation, substantially less than the legacy system. However, the more modern approach incurs ongoing licensing fees to remain up-to-date, upgradable, and secure.

Dues revenue has not just remained stagnate; its present day value has declined due to the 82% increase in inflation since July 2000. Even disregarding the impact of salary and benefit increases, the VSB's purchasing power is greatly reduced compared to 2000. This is material with respect to what the VSB pays in travel reimbursements, vendor services, lodging costs, venue fees, food, paper, postage, supplies, etc. In short, dues dollars to pay for goods and services are less effective. In real terms, this means the VSB is operating with slightly more than half the dues dollars (\$0.55) it generated in 2000. As a useful benchmark, if VSB dues from 2000 kept pace with inflation alone, it would be approximately \$454 today.

As is typical in commercial office leases, rent escalation is built into the VSB's agreement with its landlord to account for economic variables such as inflation. In the VSB's case, rent escalation clauses, since just 2014, have added a cumulative 28% to what the VSB pays for office rent. While the escalation is undesirable, the alternative would be for the VSB to purchase real property, at great capital expense, and assume maintenance and property management costs that are equally objectionable.

The VSB has implemented cost-savings measures to reduce expenditures. However, inflexible expenses such as salaries and benefits, IT costs, rent, and credit card processing fees represent approximately 83% of VSB expenditures; thus, other reductions, while helpful, are less significant.

The net result is that the VSB has drawn down its reserve fund the last two years and is anticipated to do so for the foreseeable future. The VSB is operating at near peak capability, yet that limit is likely to be exacerbated by forthcoming demographic changes addressed next.

The second concern is a longer-term issue regarding the future complexion of the bar in Virginia. VSB active and associate membership has grown considerably since 2000, the year of the last dues

increase. Active membership has grown 44% and associates have increased 68%. These are positive figures for the Commonwealth and the lawyer population. Yet, there are two negative ramifications. First, this growth has not been equal across the Commonwealth. There are 14 judicial circuits where lawyer growth has not kept pace with the population growth, or where there has been a decline. This presents a challenge for many Virginians to access legal services, irrespective of their ability to pay. Also, it is likely that the VSB staff has yet to reach the pinnacle of membership demand. The period from 2000-2013 saw steady growth in VSB membership correlated with increasing numbers of bar examinees. This has stretched the number of VSB staff relative to active and associate members to a ratio of 1: 521, much greater than the rate of 1: 405 it was 24 years ago. As the lawyers admitted during this period are projected to practice for some time into the future, the crest of membership still looms. Yet, it is likely that a so called “silver tsunami” is on the horizon when Virginia will see a precipitous decline of available lawyers corresponding to a material decline in Virginia bar examinees from 2013 to 2023.

In March 2024, President Chidi James appointed a Study Committee called EGAD-VA (Entry Growth And Distribution of Virginia Attorneys) to engage stakeholders to consider this long-term strategic concern and ways to improve access to legal services.

Strategic Planning: In April 2024, the VSB held a Strategic Planning Retreat in Winchester. The event, chaired by Immediate Past President Stephanie Grana, brought together 12 volunteers (Craig Ellis, Stephanie Grana, Chidi James, Alicia Johnson, Brett Marston, Kevin Martingayle, Veronica Meade, Chip Nunley, Bruce Russell, Sue Tarley, Nia Vidal, and Mike York) selected by the President, President-elect, and Immediate Past President, as well as the 13 members of the VSB staff Senior Management Team. The group sought to prioritize VSB activities over the next 2-3 years. The four actionable goals identified were memorialized in a one-page plan:

FY2025 2028



The mission of the Virginia State Bar is (1) to protect the public, (2) to regulate the legal profession of Virginia, (3) to advance access to legal services, and (4) to assist in improving the legal profession and the judicial system

Strategic Goal #1 Operate from a position of financial health.



- ↳ Maximize revenue generation.
 - Increase bar dues.
 - Pursue alternative revenue streams.
 - Improve future flexibility.

- ↳ Contain expenses.
- ↳ Educate members on the need for and benefits from VSB financial stability.

Strategic Goal #2

Strengthen cohesion among current and future members and advance pathways for service in VSB activities.



- ↳ Pursue an inclusive bar, recognizing diverse perspectives.

- ↳ Prioritize leadership development.
- ↳ Improve engagement spotlights.

Strategic Goal #3

Serve members and advance solutions designed to navigate a changing legal landscape.



- ↳ Implement proactive solutions to assist members with complying with the Rules of Professional Conduct.
- ↳ Assist members navigating the intersection of artificial intelligence, technology, and the evolving law practice.
- ↳ Explore adding preferred vendor relationships or product recommendations to aid members.

Strategic Goal #4

Advance access to legal services for all Virginians.



- ↳ Reverse negative trends impacting overall lawyer volume and enhance Virginia's status as a preeminent place to practice.
- ↳ Address challenges impacting access in Virginia's legal deserts.
- ↳ Grow member participation in the Virginia Lawyer Referral Service.

Regulation: During FY 2024 the VSB completed development of the VSB lawyer portal on its website to make the FY 2025 regulatory compliance period (including dues renewal, professional liability insurance attestation, Clients Protection Fund assessment, Wellness Fund fee, and Interest on Lawyer Trust Account certification) exclusively online. The process, which was meant to cut costs, add efficiency, and reduce delinquent regulatory compliance (and associated fees), was a success. Compared to the FY 2024 process, over 1,000 more active and associate lawyers made timely certification. Moreover, the VSB saved over \$20,000 by not mailing compliance paperwork to the approximate 45,000 active and associate lawyers. Finally, the staff reported on the efficiency of the process, and improved customer service, which garnered unsolicited positive feedback.

Staffing: The VSB continued to experience staff turnover in 2023 at least partly due to record low unemployment and evolving preferences for telework in the aftermath of the COVID 19 pandemic. However, the staffing tumult abated compared to 2022.

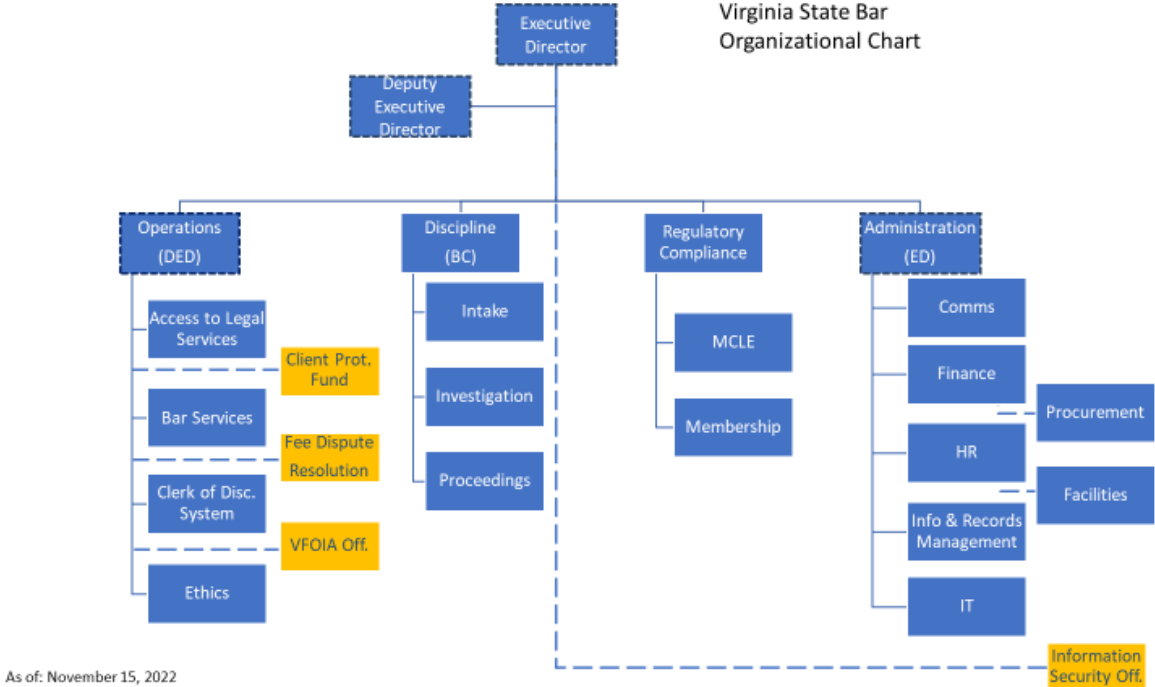
The following lists salaried Employment Changes in FY 2023. Of note, full time employees (FTE) were below the number budgeted, representing an all-time low in the ratio of staff to active and associate membership. As discussed above, there was one VSB staff member for every 521 active and associate member. (By comparison, this ratio was 1: 405 in July 2000).

- Joshua Wysor (investigator-SWVA) hired 7/10/2023
- Ashley Washington (regulatory compliance specialist) separated 7/12/2023
 - Samantha Ruffin hired to replace Ashley 8/10/2023
- Ruhama Philipos (office services coordinator) hired 7/25/2023
- Mary Jane Apostle (legal assistant) separated 7/14/2023
 - Ganna Aboutabl promoted to replace Mary Jane 6/25/2023
 - Roquelle Bulter (regulatory compliance analyst) hired to replace Ganna 9/25/2023
- Laurel Wilkerson (legal assistant) separated 8/1/2023
 - Thomas Callahan hired to replace Laurel 8/10/2023
- Clive LePage (regulatory compliance analyst) separated 9/09/2023
 - Ganna Aboutabl returned to Regulatory Compliance to replace Clive 11/06/2023
- Catherine May (legal assistant) separated 9/28/2023
 - Kara Walter hired to replace Catherine 11/10/2023
- Camilla Moffatt (chief investigator) separated 9/30/2023
 - Michael Schuler hired to replace Camilla 11/10/2023
- Kara Walter (legal assistant) separated 12/6/2023
 - Richard Dicks hired to replace Kara 2/07/2024
- Kortney Jordan (legal assistant) separated 12/27/2023
 - Mary McAden hired to replace Kortney 3/10/2024
- Kaylin Bowen (web content manager) separated 5/9/2024
 - Sally Hutchins (digital content specialist) hired to replace Kaylin 4/29/2024
- Jackie Pierce (assistant clerk) separated 4/9/2024
 - Sharon Barber hired to replace Jackie 5/13/2024
- John Isom (administrative clerk) separated 5/24/2024
- Paulo Franco (assistant bar counsel) separated 5/24/2024
- Michael Lawrence (paralegal) separated 5/24/2024
- Stacy Montgomery (legal assistant) separated 6/09/2024
 - Maxwell Hamilton hired to replace Stacy 5/25/2024
- Ganna Aboutabl (regulatory compliance analyst) separated 5/17/2024
 - Ashley Williams hired to replace Ganna 6/25/2024

Positions filled as of June 30, 2024: 88 (-2 compared to end of FY23, -8.5 compared to FY24 budget)

FTE budgeted for FY24: 96.5
 FTE budgeted for FY25: 92.

Virginia State Bar Organizational Chart



As of: November 15, 2022

Office space: The VSB extended its lease at the Bank of America building in downtown Richmond for seven more years on October 5, 2023. As a result, the VSB received tenant improvement allowances that allowed it to convert underutilized space into a hearing/multi-purpose room as well as add four new offices by converting storage space and adding modest additional rentable square footage. Renovations to the 6th floor location were completed in the spring of 2024. The more significant overhaul to create the hearing/multi-purpose room was more than 60% complete at the end of July 2024. These additions will permit more VSB Investigators to have office space in the main office and facilitate Disciplinary Board hearings at the VSB office without the need to rely on the availability of space at other agencies (e.g., the State Corporation Commission and Virginia Workers Compensation Commission).

Rule Changes and LEOs

There were a few notable Rule changes, LEOs, UPL Opinions and legislative activity during the year worth reporting:

- **Part 6, Sec. II, Rule 8.4:** On January 4, 2024, the Supreme Court of Virginia adopted revisions to Rule 8.4 of the Rules of Professional Conduct. The rule prohibits a lawyer from making an agreement with a client or former client limiting the client or former client’s right to file or pursue a lawyer disciplinary complaint.
- **Part 6, Sec. IV, Paragraph 13 *passim*:** On September 29, 2023, the Supreme Court of Virginia amended Rules of Supreme Court of Virginia, Part 6, Section IV, Paragraph 13, adding a specific mechanism for Respondents to demand three-judge panels at Paragraph 13-16.BB, 13-18.O, 13-20, 13-25, and 13-29. The proposed amendments also clarify related definitions in Paragraph 13-1.

- **Part 6, Sec. IV, Paragraph 13-5:** On April 19, 2024, the Supreme Court of Virginia adopted amendments to Part 6, Sec. IV, Paragraph 13-5 and VSB Bylaws revisions to add a third lay member to the Committee on Lawyer Discipline (“COLD”).
- **LEO 1900:** On January 4, 2024, the Supreme Court of Virginia adopted Legal Ethics Opinion 1900, Duty to disclose the death of the client. This opinion generally addressed whether, and under exactly what circumstances, a lawyer must disclose that their client has died. Regarding this issue, the Legal Ethics Committee concluded that the lawyer must disclose the client’s death to opposing counsel or the opposing party if pro se before any further substantive communication. If the matter is before a court, the lawyer must disclose the client’s death to the court no later than the next communication with, or appearance before, the court.
- **UPL Opinion 219:** On September 29, 2023, the Supreme Court of Virginia approved UPL Opinion 219. This opinion generally addressed whether it is the unauthorized practice of law for a non-lawyer consulting business to advise consumers/clients regarding interpretation and application of Virginia Alcoholic Beverage Control Authority (ABC) laws and regulations, assist consumers/clients with preparation of license applications, represent clients/parties before the ABC Board, and employ a lawyer to advise clients of the consulting business regarding their legal questions relating to ABC procedure. In this opinion, the committee concluded that all three of the actions described are the unauthorized practice of law and cannot be done by a lay consulting business or any other non-lawyer.
- **Legislative advocacy:** On January 9, 2024, the Supreme Court of Virginia approved the VSB Council’s request to advocate in support of the recommendations of the Virginia Child Dependency Legal Representation Workgroup, as convened by the Office of the Children’s Ombudsman, to improve the quality of legal representation in certain child dependency cases.

Report of the President

Chidi I. James

It was an honor and a privilege to serve as the 85th President of the Virginia State Bar. Over the course of my year as President I learned so many things that I did not know about the VSB, and also that I did not know about myself. My main goal for my year as President was to demystify the VSB and make bar service more welcoming and attractive to diverse lawyers and lawyers who did not have much previous involvement with the VSB. Looking at the number of people who ran for Bar Council for the first time, and who volunteered to serve district and other committees, I feel good about the progress we made. We ushered-in new blood with new ideas, and new energy.

I think my year might be remembered as the year of the “Jackalope.” Twelve months ago, none of us knew what a Jackalope was, and now it’s difficult for me to imagine not knowing what a Jackalope is. Sharing our annual convention with the Jackalopes and at the same time getting to pass the baton to my good friend Michael York was a highlight of my year as President.

When Mike brought his friend, Jim Lauderdale, a national recording artist, to play at the Annual Meeting banquet, I was blown away. Then, when I saw Mike don his red mariachi band suit and get on stage to play along with his friend, I knew that I had seen it all!

As a member of the BAM Committee, I look forward to helping re-create some of the magic that Mike brought to the Annual Meeting when he passes the baton to President-Elect Brett Marston. I am grateful for the incredible support of the of VSB staff, especially Shawne Moore who kept me on track and made sure that I was in the right places at the right times; Cameron Rountree who patiently indulged my wild suggestions; Janet Van Kuyk who always kept a calm head when things were not going as expected; Dolly Shaffner who made me feel special by allowing me to make menu choices for all the various dinners (even when my choices were questionable); Maureen Stengel who guided the VSB with her steady hand for almost four decades, DaVida Davis who continues to answer my calls on behalf of members who have complaints about CLE approvals or their VSB dues, Caryn Persinger who allowed me to say the things in my heart in the magazine, even when they strayed from the norm; and Deirdre Norman who has become a part of my family. My year as VSB President has changed my life, my outlook on life, and my appreciation for the privilege that we have to serve the public as the guardians of justice in Virginia.

I am happy that the VSB leadership is now in the capable hands of Mike York (and his managing partner Becky York), and that the tradition of outstanding VSB volunteer leadership will continue with our friend Brett Marston of Roanoke.

Thank you for allowing me to serve, and God Bless.

Report of the Treasurer

VIRGINIA STATE BAR CASH WITH THE TREASURER OF VIRGINIA AS OF JUNE 30, 2024

Cash with the Treasurer of Virginia as of June 30, 2023: 7,135,583.52

Revenue:

Membership Dues	10,353,650.00	
Clients' Protection Fund Assessment & Restitution	180,450.35	
Professional Corporations	111,050.00	
Section Dues	351,085.00	
Virginia Lawyer and Virginia Lawyer Register	57,687.50	
Virginia Lawyer Referral Service	551,928.96	
Mandatory Continuing Legal Education	1,550,063.00	
Professionalism Course	183,145.00	
Cost Taxing & Bonds	119,624.49	
Seminars and Miscellaneous	193,183.92	
RESA Registration	16,760.00	
Administration and Finance Account	83,951.94	
Grant Revenue	36,000.00	
Total Operating Revenue		13,788,580.16

Expenditures:

Salaries, Wages and Benefits	10,484,449.27	
Receivers	79,189.57	
Office Rent	656,197.98	
Furniture and Equipment	11,897.73	
Supplies, Stationery and Forms	25,845.93	
Printing and Copying	187,196.79	
Postage	194,311.34	
Communication Technology	75,204.59	
Staff Travel	67,335.51	
Computer	816,340.18	
Council, Committees and Board	397,122.25	
Professionalism Course	120,766.60	
Sections & Conferences	419,954.24	
Attorney General's Office Fees	5,019.65	
Chief Justice's Programs and Projects	121,648.47	
Other Operating Expenditures	624,948.49	
Office Renovation	52,592.10	
Grant Expenditures	31,992.81	
Total Operating Expenditures		14,372,013.50

Other Disbursements and Transfers:

Administration and Finance Account Transfers	84,441.94	
Clients' Protection Fund Transfers	180,380.35	
Cash Transfer	100.00	

Total Other Disbursements and Transfers 264,922.29

Cash with the Treasurer of Virginia as of June 30, 2024: 6,287,227.89

Report of the Office of Bar Counsel

Renu M. Brennan, Bar Counsel

I. DISCIPLINARY STATISTICS – FY 2024 (July 1, 2023 to June 30, 2024)

The number of active Virginia lawyers was 32,566. The bar received 2,961 bar complaints. Roughly 68.5% of the 2,961 bar complaints were screened out early in the review process. Approximately 13.5% were dismissed after an Informal Investigation. The disciplinary statistics reflect that 357 cases were dismissed by Bar Counsel, the Subcommittees, a District Committee, the Disciplinary Board, or a Circuit Court. One hundred six (106) lawyers received private (42) or public (64) discipline. Of the 64 lawyers publicly disciplined, 34 lawyers received public reprimands or admonitions; 18 lawyers' licenses were suspended; and 12 lawyers' licenses were revoked.

Recent disciplinary actions can be accessed on the [VSB website](#).

Dismissals and Sanctions Statistics Information for FY 24

Number of cases dismissed in house by Bar Counsel	272
Number of cases dismissed by Subcommittee/District Committee	81
Number of cases dismissed by Board	3
Number of cases dismissed by Circuit Court	1
Number of lawyers who received private discipline – Admonition	20 (21) ¹
Number of lawyers who received private discipline – Reprimand	22 (22)
Number of lawyers who received public discipline - Admonition	4 (4)
Number of lawyers who received public discipline – Reprimand	30 (33)
Number of lawyers who received public discipline - Suspension	18 (26)
Number of lawyers who received public discipline - Consent to Revocation	6 (11)
Number of lawyers who received public discipline – Revocation	6 (15)

¹ Number of respondents (number of cases).

Public/Private Discipline for FY 24

Public Discipline – 66, with one on appeal.	Private Discipline – 44
Competence/Diligence – 23	Competence/Diligence – 20
Trust Accounting/ Safekeeping Property – 11	Trust Accounting/ Safekeeping Property – 9
Dishonesty – 9	Fees – 5
Criminal or Deliberately Wrongful Conduct – 5	Deliberately Wrongful Conduct - 2
Reciprocal – 4	Decline or Term Rep – 2
UPL – 4	Fairness to Opposing Party & Counsel – 1
Fees – 2	Meritorious Claims– 1
Terms Violation – 2	UPL – 1
13-29 - Duties of Disbarred or Suspended Respondent – 2	Failure to Supervise – 1
Fairness to Opposing Party & Counsel – 1	Conflict of Interest - 1
Communication with Persons Rep'd by Counsel – 1	Dealing with Unrepresented Persons- 1
Judicial Officials – 1. Under appeal.	
Miscellaneous – 1	

Changes to Disciplinary Procedure, Part Six, Section IV Paragraph 13 of the Rules of the Supreme Court, Rules of Professional Conduct, and Legal Ethics Opinions

Disciplinary Procedure

On April 19, 2024, effective June 18, 2024, the Supreme Court of Virginia amended [Paragraph 13-5](#) Authority and Duties of COLD to increase the lay membership from two to three members.

Rules of Professional Conduct and Legal Ethics Opinions

Effective January 4, 2024, the Court approved [LEO 1900](#) regarding the duty to disclose the death of a client.

II. Pending Appeals Before the Supreme Court of Virginia

Effective January 17, 2024, the Circuit Court for the County of Rockbridge suspended Jared Jenkins' license to practice law in Virginia for nine months. Jenkins noted an appeal and requested the Court stay the suspension pending appeal. By Order entered January 31, 2024, the Court stayed the suspension pending the appeal. Oral argument was held September 11, 2024. Assistants Attorney General Cooper Vaughn and Robert Claiborne represent the bar in the appeal.

REPORTS OF THE STANDING COMMITTEES

Access to Legal Services

Joanna Suyes, Chair

Vice chair: Adonica Baine

Members: Tara Casey, Brandy Disbennett-Albrecht, Llezelle Dugger, Teirra Everette, Kristopher McClellan, Dale Pittman, Scott Reid, Henry Su, Donna Baker, Alexander “Dove” Goodpaster, Rob Poggenklass, Timothy Freilich, and Joshua Peterson.

VSB staff: Crista L. Gantz, VSB Access to Legal Services Director

The Committee on Access to Legal Services (Access Committee) continues to serve the needs of Virginia lawyers and the public by advancing access to legal services.

The Committee met in Richmond on August 31, 2023, October 19, 2023, and April 22, 2024. The Committee had its only all-virtual meeting on January 25, 2024, via Microsoft Teams.

The Committee undertakes its work to advance access to legal services through several subcommittees. This year, the Awards subcommittee met on in Richmond on April 22, 2024. The Rules subcommittee met on February 13, 2024, March 20, 2024, and April 16, 2024. The Outreach & Education subcommittee met on December 4, 2023.

In response to a proposal by the Access Committee, Bar Council and the Supreme Court of Virginia authorized the VSB to formally support legislative action to improve the quality of legal services provided by court-appointed parents’ counsel, resulting in a pay increases and implementation in practice standards for Virginia attorneys serving in this vital access to legal services role.

We hosted our annual Pro Bono Conference on October 18, 2023 in conjunction with the Statewide Legal Aid Conference. This year’s event was held in Richmond and the theme was “Poverty and the Law: Context and Content for Attorneys Representing Low-Income Clients.” The CLE program featured four 90-minute sessions and boasted 6 hours of free credit. Presenters included a veteran legal aid attorney, nonprofit legal services organization staff, the CEO of a children’s advocacy group, and a nationally-renown procedural justice speaker. The Committee hosted several other training sessions throughout the year in partnership with VSB sections, conferences, legal aids, and bar associations.

The Access Committee gave out four awards this year: the 2023 Lewis F. Powell Jr. Pro Bono Award to Bill Shmidheiser of Harrisonburg, the 2023 Virginia Legal Aid Award to Tamara X. Moore of Legal Aid Works, the 2024 Oliver White Hill Law Student Pro Bono Award to Treyvon Jordan of William & Mary Law School, and the 2024 Frankie Muse Freeman Organizational Pro Bono Award to the law firm Woods Rogers.

The Access Committee continues to support and encourage pro bono participation and voluntary reporting of pro bono contributions in hopes that all Virginia attorneys will reach the annual pro bono service goals outlined in Rule 6.1. In October 2023 the committee presented a five-year summary of pro bono reporting outcomes to VSB Bar Council, noting a trend of less than 16% contribution rate, and asking bar leadership to take an active role in promoting pro bono participation to help increase contributions throughout the commonwealth.

FIVE-YEAR PRO BONO REPORTING TRENDS

	Year 1	Year 2*	Year 3*	Year 4*	Year 5*
Total Members Eligible to Report	32,199	45,477	45,545	46,166	46,491
Total Response Rate (all reports)	65.96%	61%	61%	62.1%	77.1%
<i>Adjusted Response Rate (all contributions, including zero hours/ donations)</i>	16.03%	17%	16%	16.2%	35.2%
<i>Contribution Response Rate (contributions greater than zero reported)</i>	N/A	15%	13%	12.3%	11.2%
<i>Decline to Report Response Rate</i>	49.66%	44%	45%	45.9%	41.9%
“Not Responsive” Rate	33%	39%	37%	35.1%	22.9%
Opt-In Response Rate	2.78%	10%	12%	12.5%	9.1%

	Year 1	Year 2*	Year 3*	Year 4*	Year 5*
TOTAL FINANCIAL CONTRIBUTIONS	\$974,130.02	\$1,585,492	\$1,558,337.00	\$1,674,409	\$1,346,156.06
TOTAL HOURS	368,845.70	403,969.00	372,104.30	343,665.10	285,186.7
AVERAGE CONTRIBUTIONS					
Average Financial Contribution/atty eligible to report	\$30.25	\$34.86	\$34.22	\$36.27	\$28.9
Average Hours/atty eligible to report	11.46	8.88	8.17	7.44	6.13
Average Financial Contributions/atty reporting donation greater than zero	N/A	\$901.7	\$1,017	\$1,146.07	\$891.49
Average Hours/atty reporting hours greater than zero	N/A	68.2	72.9	67.66	63.5

*Reporting forms were included in all Active and Associate dues renewal mailings in these years.

Virginia Free Legal Answers continues to be a reliable source of quality pro bono advice and counsel for low-income Virginians with civil legal issues. Attorneys and clients can utilize the portal from their home or office, a much-needed resource for those unable or uncomfortable with in-person legal services. In the 2023-2024 bar year Virginia volunteer attorneys answered 421 questions on the portal, assisting more than 374 clients.

The Committee is proud of these accomplishments and looks forward to advancing access to legal services through this important pro bono service even further in the upcoming bar year. The Access Committee is grateful for the work of dedicated public servants who have devoted their professional lives to the equal justice cause. We also thank the Virginia attorneys who take on pro bono work or make financial contributions to legal aid and pro bono organizations during this time of unprecedented need. We are proud of the significant contributions from Virginia attorneys.

Departing members: Joanna Suyes, Adonica Baine, and Kristopher McClellan. The Committee wishes to extend its heartfelt gratitude and a tip of the hat to departing members. Their service was very valuable, and they will be missed both as colleagues and fellow Committee members.

New Members (2024-25): Andrea N. Dunlap, Michael P. Maskell, and Nicole E. Upshur

Officers (2024-25): Scott E. Reid, Chair; Llezelle Dugger, Vice Chair

Budget and Finance

Marni E. Byrum, Chair

The Standing Committee on Budget and Finance met January 23, 2024, to review and approve the FY 2025 Proposed Budget, commencing July 1, 2024. The committee approved the motion which recommended Council adopt the FY 2025 Proposed Budget.

On February 24, 2024, the Council considered and approved the FY 2025 Proposed Budget. Chief Justice S. Bernard Goodwyn communicated the Supreme Court of Virginia’s (SCV) approval of the FY 2025 Proposed Budget on April 9, 2024, to Cameron M. Rountree, Executive Director and Chief Operating Officer.

The FY 2025 Budget estimates \$15.6 million in expenditures. The budget is \$1.2 million less than the FY 2024 Budget. The decrease is primarily due to maintaining the current staffing level of 92 positions which eliminated vacancies included in the FY 2024 budget (\$515,000), office lease abatement which results in a 4-month lease payment savings (\$172,000), and Information Technology savings (\$293,000).

The Standing Committee on Budget and Finance discussed the appropriate levels of reserves and dues for the Bar. The committee put forth two suggestions; (1) to ask the SCV to change the threshold required in Paragraph 11 at which the VSB can ask for an increase in dues, and (2) recommended that services not be reduced during periods of deficit. The committee will continue to evaluate the financial stability of the Bar.

FY 2024 Committee members:

Marni E. Byrum	Chair, Member at Large
Kyung N. (“Kathryn”) Dickerson	Executive Committee
P. George Eliades II	Council
Kristopher R. McClellan	Member at Large
Veronica E. Meade	Executive Committee
Lonnie D. (“Chip”) Nunley III	Council
Nancy M. Reed	Member at Large
Nicole E. Upshur	Council
E. M. Wright, Jr.	Executive Committee
Michael M. York	Ex-Officio, VSB President-elect

FY 2025 Committee members:

Derek A. Davis	Executive Committee
Craig E. Ellis	Member at Large
Daniel P. Frankl	Executive Committee
K. Brett Marston	Ex-Officio, VSB President-elect
Kristopher R. McClellan	Member at Large
Lonnie D. (“Chip”) Nunley III	Chair, Council
Luis A. Perez-Pietri	Member at Large
Cullen D. Seltzer	Council
Susan B. Tarley	Executive Committee
Nicole E. Upshur	Council

Lawyer Discipline

R. Braxton Hill IV, Chair

COLD, 10 lawyers and three non-lawyer volunteers, met in person with the Office of Bar Counsel, the Clerk, and Executive Director in August and September 2023 and January and April 2024 to improve the bar's public protection mission and oversee the disciplinary system.

COLD monitored disciplinary dockets provided by the Clerk and monthly reports from Bar Counsel to ensure that cases are **processed** promptly and efficiently within aspirational guidelines. Additionally, as part of its oversight function, COLD also reviewed complaints dismissed by staff to ensure that all procedures are followed, and COLD reviewed complaints dismissed by staff in which the complainants requested additional review of the dismissal. As part of its review of the disciplinary procedure at Paragraph 13, COLD proposed, and the Supreme Court of Virginia approved, the addition of a lay member to COLD.

In FY 24, COLD significantly enhanced its oversight function by adding a review by the Oversight Committee of three or more complaints dismissed by staff within a one-year period. COLD developed policies implementing this practice and added the lay member to facilitate the review.

COLD also implemented another new practice, observation by COLD members of disciplinary hearings. The observation of the hearings will enable COLD to review Paragraph 13 as applied in hearings and to suggest revisions as appropriate.

COLD also planned and held the annual Disciplinary Conference to train the disciplinary volunteers as well as providing CLEs on the disciplinary system at the Solo and Small Practitioner Forums. Finally COLD suggested and helped plan and will present at an Ethics Boot Camp for practitioners to be held October 1, 2024 and taped by Virginia CLE.

¹The Committee on Lawyer Discipline (COLD) is established under Part II, Article III, Section 2 of the Bylaws of the Virginia State Bar and Council and is granted, under Part Six, Section IV, Paragraph 13, Rules of the Supreme Court of Virginia, subparagraph 13-5, "all powers and duties of [the VSB] Council, with respect to the Disciplinary System," except the power to appoint District Committee members and subject to direction and control of Council.

Legal Ethics

Michael M. York, Chair

The Standing Committee on Legal Ethics meets regularly to consider attorneys' formal requests for advisory opinions seeking guidance on legal ethics and the unauthorized practice of law as well as to analyze and debate proposals to amend the Rules of Professional Conduct and the Unauthorized Practice Rules.

The committee has 9 members: Michael York (chair), V. Kathleen Dougherty (vice chair), Teresa Goody Guillén, Michael HuYoung, Naveed Kalantar, K. Brett Marston, Jeffery Mitchell, Michael Robinson, and Nia Vidal. VSB staff liaisons are Emily Hedrick, Dorian Dalton, and Krista Mathis.

The committee's activities this year included:

- LEO 1900 (Duty to Disclose the Death of the Client) was adopted by the Supreme Court of Virginia on January 4, 2024, effective immediately;
- Rule 8.4(f), prohibiting agreements discouraging bar complaints, was adopted by the Supreme Court of Virginia on January 4, 2024, effective March 4, 2024;
- Preparing guidance on generative artificial intelligence for posting on the VSB website;
- Reviewing ABA amendments to Rule 1.16, involving due diligence regarding client activities;
- Studying a recommendation from the Joint Legislative Audit and Review Commission (JLARC) relating to limited representation of criminal defendants at first appearance and same-day bail hearings.

The committee received 3 requests for LEOs, all of which were resolved on the basis that they are addressed by existing rules and opinions and/or present legal issues beyond the committee's purview. The committee received one request for a UPL opinion which has been carried over to the next year.

The ethics hotline received 5,991 inquiries this year.

Brett Marston will serve as chair for the upcoming fiscal year. Katie Dougherty continues as vice chair. The committee welcomes new members Megan Clark and Patrick Hanes and thanks outgoing members Mike York and Teresa Goody Guillén for their service.

Professionalism

Hon. David W. Lannetti, Chair

The Standing Committee on Professionalism is charged with the execution, administration, and ongoing oversight of the mandatory Harry L. Carrico Professionalism Course, which all newly admitted active members of the Virginia State Bar (“VSB”) are required to attend. The purpose of the course is to encourage attorneys to uphold and elevate the standards of honor, integrity, and courtesy in the legal profession. Since the inception of the program in 1988, almost 45,000 new admittees have attended one of the 230 courses offered.

The new membership database introduced in April 2023 has presented some challenges to tracking compliance data, and staff members are working to resolve all data issues and bringing all members into compliance.

VSB Staff continue to find and evaluate new locations for the course to contain rising costs. In August 2024, the course will be held on the campus of George Mason University as a cost saving measure.

During the past year, courses were held in Roanoke, Charlottesville, Arlington, Norfolk, and Richmond (2). There were approximately 894 combined attendees who attended these courses. The Committee was happy to welcome the Honorable Wesley G. Russell, Jr., the Honorable Rossie D. Alston, Jr., the Honorable Richard E. Moore, the Honorable Doris Henderson Causey, the Honorable Robert S. Ballou, and the Honorable Douglas E. Miller as luncheon speakers at the courses. Five courses are planned for the 2024-2025 course year.

The Committee coordinated a faculty training session on October 11, 2024, to train the 25 new members of the faculty, and the committee met on November 1, 2023, to review the course structure, video, and materials. In March 2024, the Committee solicited nominations for new faculty members who will be invited to serve for a three-year term and attend a faculty training session this fall.

The Honorable David W. Lannetti has agreed to continue serving as Committee chair and course moderator for the 2024–2025 year. Course Administrator Maureen Stengel will retire in the fall and a new staff liaison will be assigned.

REPORTS OF THE BOARDS

Clients' Protection Fund

Brian D. Lytle, Chair

The Virginia State Bar's (VSB's) Clients' Protection Fund (CPF) was established in 1976 to make monetary awards to petitioners who suffered financial losses because of the dishonest conduct of Virginia lawyers. CPF is managed by a 14-member board (Board) appointed by the VSB Council (Council). The Board is comprised of 13 lawyers and one layperson. Board members investigate all claims for payments from CPF. The Board decides whether to approve or deny each claim.

The total amount paid during fiscal year (FY) 2024 was \$396,851 for 54 claims. The Board denied 16 petitions, and 14 petitions were filed and not processed for not meeting the CPF jurisdictional requirements. As of June 30, 2024, there were 62 pending claims.

The total amount paid for the operating expenses of the CPF for FY was \$13,081. In addition, CPF paid \$52,519 to reimburse expenses of receivership cases occasioned by the need for the receiver to administer, pursue or defend assets, the recovery or preservation of which would inure to the benefit of one or more clients or other members of the public who have suffered losses as a result of a Virginia lawyer.

CPF began FY 2023 with a cash balance of \$10,936,140. The annual \$5 CPF assessment on all active attorneys added \$163,575. Accumulated interest income for FY totaled \$119,489. CPF received restitution from the Office of the Attorney General's collections, debt set-off, and individual restitutions in the amount of \$16,805, net of fees for collection services. As of June 30, 2024, the cash balance in CPF was \$10,773,559.

The Board experienced an upswing in claims in FY 2024, with more claims than any year since 2010. The Board received 109 claims in FY 2024 and re-opened 9 claims. The rise in claims was primarily due to claims relating to a deceased family law attorney; an impaired family law attorney; a disbarred criminal defense attorney; and unearned fees charged by a disbarred estate planning lawyer who for years charged clients prepaid fees for managing estates after they died. Some claims involving these attorneys were large, \$10,000 to \$50,000; consequently, the sum of the Board's restitution payments was higher than previous years.

The Office of Bar Counsel initiated receiverships regarding deceased or disbarred attorneys and the receivers attempt to locate and distribute funds that might belong to clients. As a remedy of last resort, CPF monitors the status of these receiverships in case they recover funds to benefit the subject lawyers' clients.

The Board continues to work on efforts to raise awareness and educate the public regarding CPF. We will be hosting the 2024 National Client Protection Organization, Inc.'s (NCPO's) Annual Workshop in Virginia Beach on September 19-20, 2024.

The Board is to be commended for the many hours spent investigating and deliberating claims and for the work of its various committees including the public awareness and strategic planning committees.

Departing Members: Charles Franklin (Frank) Hilton and Melissa W. Robinson. The Board wishes to extend its appreciation to these volunteers. Their service was very valuable, and they will be missed.

New Board Members FY 2024-2025:

- Elizabeth (Lily) Engle
- Mary K. B. Owens

Officers for the FY 2025:

- Joseph M. Bowen, Chair
- Yvonne S. Gibney, Vice Chair

CPF Board members for the 2024 FY included Chair, Brian D. Lytle; Vice Chair, Joseph M. Bowen; James L. Banks, Jr.; Lori J. Bentley; Yvonne S. Gibney; Steven R. Grant; Sandra L. Havrilak; Charles F. Hilton; Jonathan R. Hyslop; Peter M. Mellette; Richard B. Orsino; Jacqueline M. Reiner; Melissa W. Robinson; and Nancy L. Bloom.

I would like to thank the VSB's CPF staff, Vivian Byrd, Administrator and Jane Fletcher, Counsel, who carry out the Board's daily administrative operations, and all of the CPF Board members for their voluntary contributions of both time and knowledge.

Mandatory Continuing Legal Education

William Hunter Old, Chair

The Mandatory Continuing Legal Education Board (Board) was established by the Supreme Court of Virginia in 1985 to administer the Mandatory Continuing Legal Education regulatory program (MCLE) in the interest of public protection. The Board is authorized to adopt regulations and provide general oversight of the program.

The MCLE Board consists of twelve members appointed for three-year terms by the Virginia Supreme Court. MCLE Board members for the 2024 fiscal year included William Hunter Old of Williamsburg (Chair), Alison R. Mullins of Alexandria (Vice Chair), Thomas Armstrong of Alexandria, Jessica Carmichael of Alexandria, Henry Chambers of Richmond, Carolyn P. Desai of Warrenton, Matthew D. Green of Richmond, Deanna H. Hathaway of Richmond, Johnny A. Martin of Bristol, Kevin Martingayle of Virginia Beach, Shukita L. Massey of Newport News, Scott Stephenson of Roanoke. Cameron M. Rountree, Executive Director of the Virginia State Bar, serves as an ex officio member of the Board, Justice Stephen R. McCullough serves as the Supreme Court's liaison to the Board, and DaVida M. Davis, Director of Regulatory Compliance for the Virginia State Bar, serves as the staff liaison to the Board.

The MCLE Board met 7 times during FY2024 to consider course applications, attorney requests for extensions and waivers, and other matters integrally related to the administration of the MCLE program in Virginia. Meetings were held virtually and in person. Over the last MCLE reporting cycle, the MCLE staff and Board approved 21,906 courses and considered 50 waiver/extension requests.

This was the first fiscal period in which MCLE staff worked with the updated website and database. The new system permits course providers to submit and remit payment for applications online which has resulted in an improved course processing time by MCLE staff.

The MCLE Board fully considered and, after consultation with the VSB Executive Committee and Council, voted to institute an increase in MCLE accredited sponsor and course application fees. There had been no MCLE fee increases since 2016.

The leadership of the MCLE Board for the upcoming fiscal year will be Alison Mullins as Chair and Kevin Martingayle will serve as Vice Chair.

I would like to thank the staff of the Virginia State Bar's Regulatory Compliance Department who carry out the Board's daily administrative operations as well as the MCLE Board members for their voluntary contributions of both time and knowledge.

REPORTS OF THE SPECIAL COMMITTEES

Bench-Bar Relations

Nupur S. Bal, Chair

The mission of the Bench-Bar Relations Committee (BBRC) is to support and improve the administration of justice, enhance service to the community, and increase professionalism within the legal system by exploring emerging issues of concern or interest affecting the bench and the bar.

This year the BBRC was composed of 18 members, including,

- *Officers:* Nupur S. Bal, Chair; Bruce H. Russell II, Vice Chair
- *Judicial Members:* Hon. Cleo E. Powell; Hon. Marla G. Decker; Hon. Lawrence R. Leonard; Hon. Dominique A. Callins; Hon. Mary Jane Hall; Hon. Steven C. McCallum
- *Attorney Members:* Nupur S. Bal; Anneshia Michel Miller Grant; Michael E. Hollingsworth Jr.; Kelly B. Martin; Molly Elizabeth Newton; Michael G. Phelan; Bruce H. Russell II; Emily C. Russell Bitner; Robert B. Walker.
- *Ex officio member:* Chidi I. James, VSB President; Michael K. York, VSB President-elect; Stephanie E. Grana, VSB Immediate Past President. Mid-year, BBRC voted to invite a representative from the Young Lawyers' Conference and the Conference of Local and Specialty Bar Associations to participate in the meetings as non-voting *ex officio* members.

The BBRC held the following meetings this year:

- September 12, 2023 – Hybrid meeting
- January 10, 2024 – All-virtual meeting
- March 20, 2024 – Hybrid meeting
- May 22, 2024 – All-virtual meeting

Significant activities the BBRC undertook from July 2022-Jun 2023 included:

- BBRC focused on encouraging members of the judiciary to become involved, enhancing local bench-bar relations, and supporting best practices for engagement. To that end, the BBRC submitted a proposed letter to the Chief Justice to encourage local bench-bar activities, developed a resource list of successful local bench-bar relations programs, drafted an article for the *Virginia Lawyer*, and promoted state-level bench-bar activities.
- BBRC enhanced its collaboration with the Conference of Local and Specialty Bar Associations and the Young Lawyers Conference on bench-bar relationship initiatives. Additionally, representatives from each were added as non-voting *ex officio* members.
- BBRC hosted the second "Coffee with the Judges" at the VSB Annual Meeting in May. More than 20 judges from various levels of state courts and the U.S. District Court attended this casual event, fostering informal conversation, the exchange of ideas, and networking with members of the Bar.

As my term comes to a close, I want to express my gratitude for the privilege of serving as Chair this past year. It was an honor to work alongside such dedicated individuals committed to fostering a positive and collaborative relationship between the bench and the bar. Together, I believe our committee has made significant strides in enhancing communication, understanding, and mutual respect within our legal community. Your contributions have been invaluable, whether through organizing events, participating in discussions or simply offering your insights and support. The camaraderie and professionalism displayed by each member have made the experience rewarding.

As we look forward to the next term, I know all our members will continue their engagement and enthusiasm. The work we do is crucial in maintaining our strong and effective legal system, and I have no doubt that the committee will continue to thrive under the wonderful leadership, the next Chair, Bruce Russell and Vice-Chair, Bob Walker. Many thanks also to our member Anneshia Michel Miller Grant who is rolling off after her second term. Our committee members' passion and commitment have long been the foundation of our success, and I am confident that the coming year will bring new opportunities for growth and achievement. It has truly been a pleasure serving as your chair, and I am grateful for the opportunity to have worked with such an exceptional group of professionals!

Last, but not least, I would like to conclude by thanking Janet and Sylvia, the VSB staff liaisons, whose commitment to excellence, teamwork and innovation makes our good work possible.

Lawyer Insurance

David D. Hudgins, Chair

Since 2000, ALPS Property & Casualty Insurance Company has served as the VSB’s endorsed professional liability insurance carrier. The Lawyer Insurance Committee (LIC) continues its monitoring of ALPS’ financial stability, ALPS’ work to aid Virginia lawyers become better practitioners on the risk management front and oversee the VSB Members’ Insurance Center’s efforts to help VSB lawyers obtain and manage personal (health, life and disability) lines of insurance.

The LIC met 4 times in FY2023-2024:

September 26, 2023 held virtually via MS Teams
November 14, 2023 at the VSB office in Richmond
February 15, 2024 held virtually via MS Teams
May 9, 2024 at the VSB office in Richmond

VSB Lawyer Insurance Committee Members

Geiger, Jeffrey H.	(2024/2)
Hudgins, David D.	(2024/2)
Murphy, E. Stanley	(2024/1)
Williams, Alanna C.	(2024/2)
Richman, Louis R.	(2024/1)
Byrnes, Sr. Wells H. (“Hunter”)	(2026/2)
Cales III, James A.	(2026/2)
Davis, Joan B.	(2026/2)
Gallozzi, Marialuisa S.	(2028/2)
Gerlach, Jacquelyn F.	(2028/1)
Gerrish, Andrew S.	(2026/1)
Lee, Matthew W.	(2026/2)
Marks, David L.	(2025/2)
Porter, William B.	(2028/2)
Randolph, Althea H.	(2028/2)

The terms of Chair David Hudgins, Jeff Geiger, Stanley Murphy, Alanna Williams, and Louis Richman expired on June 30, 2024. William Porter’s term ended in fiscal year (FY) 2024 when he was appointed to serve as a U.S. Magistrate Judge. These members were replaced for upcoming five year terms by Timothy Baird, Kathryn Bonorchis, Danny Howell, Tamika Jones, Stewart Pollock, and Drake Hudgins.

VSB Members’ Insurance Center

Debbie Stocks, a Senior Client Executive for OneDigital and the Manager of VSB’s Members Insurance Center, along with Jennifer Stevens, continue outreach to enroll small law firms in group health insurance plans that have far surpassed individual coverage in popularity. The trend continues because group health insurance is a better purchase with stronger benefits and great provider networks than individual health insurance can provide. At the conclusion of last fiscal year, Debbie presented recommendations to change the third-party administrator (TPA) for the VSB Members’ life and long-term disability insurance plans and to offer new products including critical illness insurance. The Committee approved the change in TPA and the additional product offering on September 26, 2023, and the new TPA was transitioned as of January 1, 2024.

ALPS and Lawyer Malpractice Insurance

ALPS operates on a calendar-year (CY) basis. As of December 31, 2023, ALPS insured 1,993 Virginia firms out of 11,556 firms nationwide, and 3,973 Virginia lawyers of 22,066 lawyers insured by ALPS nationwide. The gross written premium in Virginia was \$10,317,477; net written premium was \$7,430,157. The ALPS Virginia book performed strongly in FY2023-2024 with respect to key insurance benchmarks such as combined ratio and claims frequency. ALPS posted assets of \$172,661,213 with a policyholder surplus of \$59,037,905. Reported Virginia claims decreased 8.5% in CY 2023 compared to 2022.

ALPS' AM Best Financial Strength Rating was upgraded in FY2022-2023 from A- (Excellent) to A (Excellent), a notable development for an insurance carrier. AM Best is generally regarded as the preeminent rating agency of insurance companies nationwide.

Risk Management Report for Calendar Year 2023

Pursuant to the VSB's endorsement agreement, ALPS sets aside 3% of Virginia gross written premiums to invest in activities designed to aid Virginia lawyers become better practitioners, reduce claims risk and otherwise be aware of growing malpractice traps. ALPS maintains risk management funds in its accounts pursuant to the endorsement agreement. In CY2023, ALPS set aside and expended, in full, in consultation with the LIC, nearly \$279,476 in funds. In CY2024, the risk management budget will increase to \$307,919.

FY 2023-2024 Risk Management Priorities

The LIC actively works with ALPS in a healthy collaboration to establish risk management priorities annually.

This year, risk management priorities fell into the following areas:

- **Annual VSB/ALPS Ethics and Professionalism Tour.** The 2023 tour was the third hybrid tour with 10 in-person live sessions in seven cities, and three live virtual webcasts which aired in three 1-hour sessions on October 3, 4, and 5 and then on-demand afterwards. The program, "The Firm Retreat," took participants behind the scenes as a law firm holds its annual staff retreat. A panel of members of the VSB Ethics Counsel, ALPS Risk Manager Mark Bassingthwaighe, and a Virginia private practice attorney applied the Virginia Rules of Professional Conduct to their analysis of the issues presented. "The Firm Retreat" was a 3-hour, in-person CLE Ethics Program offered free for Virginia lawyers in partnership with the VSB. Ultimately, the goal of the program was for attorneys to leave with greater sensitivity to the many ethical issues that can be in play any day of the week, be better prepared to view these issues as learning opportunities, and be more willing to take advantage of these opportunities in order to see that the issues are responsibly addressed and resolved.
- **Webinars.** ALPS generally offers 4-6 webinars to Virginia lawyers on trending ethics, professionalism, law practice management and wellness topics. In FY 2024, ALPS hosted 15 webinars. In CY2023, ALPS had 2,265 Virginia registrants for Webinars with 1,130 ALPS insureds and 1,135 non-ALPS insureds.
- **On-Demand Library.** Twenty-five programs exist in the Virginia on-demand library. They range in length from 60 to 90 minutes. New on-demand programs were added throughout the year. Charges for the on-demand seminars were: \$40 for insureds, \$70 for non-insured for 1-hour programs; \$50 for insureds, \$80 for non-insureds for 2-hour programs; and \$70 for insureds, and \$100 for non-insured for 3-hour programs. In 2023, ALPS had 213 VA registrants complete on-demand programs

- ***Operational Support for the Virginia Judges and Lawyers Assistance Program.*** For over 20 years, ALPS has provided \$30k annually to support this important Virginia program helping lawyers and judges in need at their most vulnerable point. This contribution continued in FY24/CY2023.
- ***Risk Management Prevention Hotline.*** ALPS contracts with Virginia attorney John Brandt to offer VSB members a free, confidential service in the event lawyers would like to discuss questions about a potential claim, preventative action to avoid a claim, best practices in law practice systems, etc. In 2023 the Committee confirmed its desire to continue investing in the Hotline and undertook additional initiatives to promote its awareness and use. Committed to the success of the hotline, Mr. Brandt sought an appropriate increase in his hourly rate, but also agreed to cap his fees per year to \$18,000. Chris Newbold and Cameron Rountree agreed to increase publicity for the Hotline and to track any corresponding increase in Hotline utilization.
- ***Speakers for Risk Management CLE Topics Sponsored by Local Bars, County Bars, Specialty Bars, VSB Sections and other Affinity Bars.*** Bars throughout the Commonwealth are actively encouraged to reach out to ALPS for content and speakers on subjects in the risk management field. ALPS will identify speakers, pay speakers and otherwise help such Bars offer this content at no cost to the organization and as a service to members.
- ***Local Bar Grant Program.*** ALPS administers a Local Bar Grant Program whereby local Bars can apply to ALPS for funding on initiatives with a nexus to risk management content. This may include inclusion of risk management content at conferences, mentorship programs, wellness programs, etc.
- ***Marketing Risk Management Offerings.*** ALPS sets aside approximately 10% of the budget to ensure all its quality offerings are known and ultimately utilized by VSB members.

Lawyer Referral

Joseph M. Bowen, Chair

The Virginia Lawyer Referral Service (VLRS) celebrated its 47th year of service as the consumer arm of the Virginia State Bar (VSB). The VLRS began operating on January 1, 1977.

The VLRS was established by the VSB to enhance and to support one of its core missions: “to advance the availability and quality of legal services provided to the people of Virginia.”

In the fiscal year 2023-2024, the VLRS answered 15,623 telephone calls, responded to 473 emails and, 36 written correspondences, and provided 498 online requests. VLRS staff assisted 5,346 of those consumers with prescreened and prepaid referrals to its active lawyer panel members, resulting in \$551,929 in revenue for the Bar. The VSB Special Committee on Lawyer Referral thanks the 214 VLRS lawyer panel members (past and present) for their service to the Bar and their communities. The VLRS welcomed 35 first-time lawyer panel members this fiscal year and five returning panel members that have not been a panelist for more than two years.

The Special Committee on Lawyer Referral met on November 9, 2023, and May 9, 2024. Committee Chair Joseph M. Bowen and committee members Tonia J. Drewery, Amy M. Harber, Deanna H. Hathaway, Mary K. Hayburn, Eden B. Heilman, Angela T. Isabell, and Lena S. Munasifi welcomed newest committee member Tamika Jones and look forward to her future service. The committee thanks the exiting committee chair and one of its founding service members, Jack L. Harris, for his many years of leadership and support to the committee and the service.

The VLRS goals for FY24:

1. Expand panel membership promotion by highlighting the benefits of panel membership and supporting the VSB mission.
2. Support VLRS panelists with additional services.

The goals were met by:

- Amending the VLRS Rules
- Discussion of the VLRS core mission - connecting consumers to lawyer panelist for a low-cost consultation and possible retention for a fee, connecting panelists in need of new business with paying clients and/or good cases. VLRS staff designed and distributed a Core Mission Survey which was sent to 30 current and former panelists, committee members, and VSB staff. Survey results will be analyzed in FY 2025.
- Offering current and joining panelists two free VSB Section memberships each bar year.
- VSB President Chidi James, bar leaders, and VLRS staff promoting the benefits of the VLRS panel membership at VSB-sponsored events throughout the Commonwealth.

In coordination with the VSB Conference of Local and Specialty Bar Associations (CLSBA) and Bar Services, the VLRS staff attended Solo and Small-Firm Practitioner Forums in Melfa (September 2023), at Washington & Lee University (October 2023), and in Big Stone Gap (May 2024).

Staff also attended the Bar Leaders Institute (BLI) in Richmond (March 2024) and the VSB Annual Meeting in Virginia Beach (May 2024).

The VLRS continued panel membership promotion with written materials at the VSB Professionalism

Courses in Roanoke (August 2023), Richmond (August & December 2023), Arlington (October 2023), Charlottesville (March 2024), and Norfolk (April 2024). The Committee thanks VSB President Chidi James for his support in highlighting the VLRS panel membership benefits at every event he attended.

VLRS Marketing Campaigns

With the assistance of the VSB Communications Department, the VLRS ran semi-monthly ads in Virginia Lawyer magazine: “*We take the calls, you get the clients – Membership Benefits*” (August and October 2023, and April 2024); “*People need lawyers across the state...*” (December 2023); “*Need New Clients?*” (February 2024); and our annual “*Thank You*” to our panelists for their past and continuing service to the citizens of Virginia (June 2024).

The VLRS also posted ads in VSB conference and section newsletters: “Criminal Law News” (November 2023, January 2024, and May 2024), “Trust and Estates Newsletter” (Spring 2024); and “Virginia Family Law Quarterly” (Spring and Summer 2024) — in addition to the *Virginia Lawyers Weekly* VSB Annual Meeting double May 2024 issues that generated much needed attention for the VLRS.

For consumer awareness, the VLRS advertised on Reddit and Google, and posted on LinkedIn with additional consumer awareness on Avvo as a result of these efforts. The VLRS also distributed 575 consumer facing bookmarks about the Service.

Resolution of Fee Disputes

Edward S. Whitlock III, Chair

The Virginia State Bar Fee Dispute Resolution Program (FDRP) was created as a voluntary program to help attorneys and clients resolve disputes over fees and costs paid, charged, or claimed for legal services provided by a member of the Virginia State Bar (VSB) through mediation or arbitration.

The FDRP benefits VSB members and the public by reducing needless litigation, spurious bar complaints, and Clients' Protection Fund petitions.

The FDRP volunteers include 11 circuit chairs, 116 arbitrators, and 38 mediators.

The VSB FDRP received 224 requests for information during fiscal year 2023-2024, which is up 120 from last year.

Geographical breakdown of requests:

- 27% were for attorneys practicing in eastern Virginia
- 31% were for attorneys practicing in NOVA
- 30% were for attorneys practicing in central Virginia; and
- 12% were for attorneys practicing in southside/southwest Virginia

The VSB Intake office coded 26 cases as referred to the FDRP. There is no code assigned to cases where someone says their lawyer did a poor job and Intake sends them FDRP information.

The leadership of the Special Committee on the Resolution of Fee Disputes for the upcoming year is Johneal White, chair; Timothy Baird; Michael Blumberg; Marialuisa Gallozzi; Jacquelyn Gerlach; Joseph Jacob; Curtis Schehr; Daniel Yates; and Marian Wiggins.

The program could not operate without the countless hours of work by our volunteers who are well supported by the dedication of our professional bar staff.

Technology and Future Practice of Law

Reid Trautz, Chair

The mission of the Special Committee on Technology and the Future Practice of Law is to educate and advise the Bar in areas where law and technology intersect, and to study and report on important developments that will affect the future of the legal profession.

The committee has 14 members: Reid Trautz, chair, Louis Antonacci, Anthony Bessette, Lisa Brook, Meredith Carpenter, Andrew Grindrod, Brittany Johnson, Sachin Kheterpal, Seth Lindberg, Brandon Osterbind, Austin Palmore, Jon Praed, Christopher Suarez, and Elizabeth Yusi. VSB staff liaisons are Emily Hedrick and Krista Mathis.

The committee continued its efforts to update CLE materials related to technology and the practice of law; submit articles for publication in the Virginia Lawyer, and to serve as the home for planning and implementation of the VSB Techshow. The 2025 VSB Techshow is currently scheduled for April 28, 2025.

Reid Trautz and Lisa Brook will serve as co-chairs for the upcoming year. The committee thanks Louis, Andrew, Brittany, Sachin, Brandon, and Beth for their service and welcomes new committee members Brandan Goodwin, John Koehler, Margaret Matavich, Kimberly Phillips, Zoe Pierce, and David Tisel.

REPORTS OF THE CONFERENCES

Conference of Local and Specialty Bar Associations Dillina Stickley, Chair

The Conference of Local and Specialty Bar Associations (CLSBA) continues to serve the needs of Virginia lawyers by maintaining a mutually beneficial relationship between the VSB and the local and specialty bar associations in the Commonwealth. It sponsors a Bar Leaders Institute each year to help new local and specialty bar officers plan their bar year and assists them with ethical issues, various programs and internal management policies and procedures; sponsors free Solo & Small-Firm Practitioner Forums open to all VSB members; sponsors the following awards: Awards of Merit, Local Bar Leader of the Year, Specialty Bar Leader of the Year, Bar Association of the Year, and Wellness Award; maintains an information database; and makes executive committee and staff members available for technical assistance or presentations to local and specialty bars. The conference publishes The Connection online newsletter with information of interest to bar leaders. The CLSBA also edits, prints and distributes the So You're 18 handbook, and provides the soyoure18.com website, both of which are used by many groups to inform young adults of their rights and responsibilities upon turning 18.

The CLSBA currently has 138 member bars. There are 3 bar associations in Virginia that are not members of the CLSBA. The CLSBA's annual budget for the past fiscal year was \$25,900 and has a remaining balance of \$125. This was due, in part, to the higher costs of food and travel. The annual budget for last fiscal year's Solo & Small-Firm Practitioner Forums was \$40,000 and has a remaining balance of \$16,879.

The CLSBA held the following events this year:

- The Bar Leaders Institute was presented on Friday, March 8, 2024, at the Virginia Museum of History and Culture. Justice Cleo E. Powell, Supreme Court of Virginia, was our keynote speaker. Topics for the day included Navigating the VSB and Understanding the Resources Available to Bar Leaders and Bar Associations; Fees and Fund Facts Each Bar Leader Should Know; Providing Access to Legal Services through Pro Bono; Bar Projects Showcase, Engaging Younger Attorneys in Your Bar Association, and The Ethical Duty to Prepare for the Three D's: Death, Disability, or Disbarment. We would like to thank the BLI subcommittee that put together another phenomenal program – Chris Mouglin-Boal, Llezelle Dugger, Lindsey Komisin, and Rex Flynn.
- The CLSBA presented three Solo & Small-Firm Practitioner Forums this year, as well as one Solo webinar. We started on the Eastern Shore on September 18, 2023, followed by Lexington on October 2, 2023, and ended in Big Stone Gap on May 17, 2024. Many thanks to the Virginia Supreme Court for their continued support of these programs.
- A webinar titled "Ethical Requirements to Implement Zero Trust Architecture" was presented live on September 28, 2023, and continues to be offered as a webinar through October 31, 2024. There were 219 live attendees and so far there have been 481 on-demand attendees.
- CLSBA Annual Meeting and Breakfast
The CLSBA Annual Meeting and Breakfast was held on Friday, May 31, 2024, at the Hilton Garden Inn, Virginia Beach. The 2024-2025 CLSBA Executive Committee was elected, Linda Choe received the Specialty Bar Leader of the Year Award, the Northern Virginia

Black Attorneys Association was named the Bar Association of the Year, The Virginia Law Foundation received the Award for Excellence in Wellness and Well-Being in the Legal Profession, and several bar associations were recognized for their projects with Awards of Merit.

The So You're 18 pamphlets continue being presented as part of driver's licensing ceremonies in the Juvenile & Domestic Relations District Courts in many venues across the state. They are also distributed through local bars, schools, detention centers, voter registrars, social services agencies, and other interested groups. Blueprints for a panel discussion also are available to local and statewide bar associations.

The leadership of the CLSBA for the upcoming year is Chris Mougin-Boal, chair; Nicholas Gehrig, chair-elect; Rachel Wolfe, secretary; Llezelle Dugger, treasurer; Dillina Stickley, immediate past chair; Allison Anders; Veronica Brown-Moseley; Chris Dadak; Rex Flynn; Lindsey Komisin; Patrick Murphrey; Levi Norton; Bruce Russell; and Fernando Villarroel.

The CLSBA continually seeks to improve its efforts to better serve the needs of Virginia's local, statewide and specialty bar associations, to identify best practices and inform bar leaders of developments and trends on issues of importance to association leadership.

On behalf of the Executive Committee of the CLSBA, the local and specialty bar associations, and the many lawyers who attended the events sponsored by the CLSBA this year I extend our heartfelt thanks to Paulette Davidson for her professionalism, attention to detail, guidance, patience, and ability to target and coordinate volunteers with just the perfect blend of talents and skills to implement high quality programming.

Diversity Conference

Candace A. Blydenburgh, Chair

The Diversity Conference brings together VSB members interested in increasing diversity in the legal profession and ensuring that Virginia meets the legal needs of an increasingly diverse population.

The Diversity Conference currently has 1,549 members. The annual budget for the past fiscal year was \$60,050 and has a remaining balance of \$7,386.01 as of end of April 2024.

The Diversity Conference held the following events this year:

- **Annual Forum for Diversity and Inclusion in the Legal Profession** – March 15, 2023 at the University of Mary Washington, Fredericksburg, VA. Topics included:
 1. *Best Practices and Encouraging a Culture of Improving Diversity in the Legal Profession*
 2. *The Impact of the U.S. Supreme Court's Affirmative Action Ruling on Employers, DEI Initiatives and What's Next*
 3. *Recognizing Generational, Cultural, and Gender Differences and How They Impact the Workforce*
 4. *Implicit Bias, Voir Dire, and Batson Reprised*

Participants were eligible to receive 6 hours of CLE credit.

- **Annual Showcase CLE at Annual Meeting** – May 31, 2024, Virginia Beach – Transgender Legal Issues and Access to Justice in Virginia (1.5 hours CLE; 1.0 Ethics) Panelists included: Wyatt Rolla, Professor Craig Kornott, Brian Goodman, and Sasha Buchert. Virginia law prohibits discrimination based on sexual orientation and gender identity and protects the rights of transgender people. Judges and lawyers must learn how to provide culturally competent services to transgender people consistent with their ethical responsibilities.
- **Diversity Conference Welcome Reception** – May 30, 2024, Virginia Beach – The Diversity Conference hosted a welcome reception for all attendees of the Annual Meeting. This was a great opportunity for the Law School Mentees to socialize and meet members of the bar, judges, and VSB council members in attendance.
- **2024 Law School Mentor/Mentee Initiative** – Two law school students from all 8 of Virginia's law schools were invited by the Diversity Conference to participate in the Mentor/Mentee Initiative. They were invited to various Annual Meeting events such as CLE sessions, law school alumni breakfasts, the Dunnaville Award presentation, and other networking events. This year, the Mentees had a variety of practicing attorneys to guide them and serve as mentors.
- **2023-2024 Clarence M. Dunnaville Jr. Achievement Award** – This year's recipient was former VSB Diversity Conference Chair, Luis A. Perez-Pietri. Luis was instrumental in obtaining VSB funding for the Conference and initiated the Annual Forum on Diversity in the Law.
- **Oliver Hill/Samuel Tucker Pre-Law Institute (HTI)** – July 7 - July 12, 2024 at the University of Richmond. HTI is a week-long camp that teaches high school students about a life and career in the law. Students learn how to put on a trial, meet local officials and judges, learn etiquette and social norms of attorney life, and apply their lessons through a mock trial and networking

reception. This program is a joint initiative between the Diversity Conference and Young Lawyers Conference. The HIT could not be a success without the help of co-directors Jazmine Allen, Maxie Lawton, and Courtney Frazier.

The Diversity Conference Board of Governors for the 2024-2025 year are:

Officers

Zaida C. Thompson, Chair
Debra L. Powers, Vice-Chair
Courtney M. Frazier, Secretary
Brian T. Wesley, Treasurer
Candace A. Blydenburgh, Immediate Past Chair

Newly elected Board Members

G. Rex Flynn
Doug Smith
Sara Tandy
Gershon Young

Senior Lawyers Conference

W. Carter Younger, Chair

The Senior Lawyers Conference (SLC) continues to serve the needs of Virginia lawyers by focusing on issues of interest to senior lawyers and promoting the welfare of senior Virginians.

The Senior Lawyers Conference currently has 24,878 members. The annual budget for the past fiscal year was \$43,700 and has a remaining balance of \$17,225.67 as of end of April 2024.

In addition to its regularly scheduled Governing Board meetings, the Senior Lawyers Conference held the following activities, meetings, and events between July 1, 2023, and June 30, 2024:

- SLC received a Virginia Law Foundation grant of \$6,000.00 to support creating a trailer for the film “*Civility and Professionalism for a Successful Litigation Practice*” (August 24, 2023). In October 2023, the trailer was released to publicize the film, and the one-hour film was released by the VSB on YouTube. A two-hour version of *Civility and Professionalism for a Successful Litigation Practice* was created and approved for two hours MCLE Ethics credit and was released for viewing on the VSB’s website. (April 3, 2024).
- SLC’s By-Laws Amendment reducing Governing Board meeting quorum was approved by Bar Council (October 13, 2023). SLC By-Laws Committee (Gary Hancock, Chair) proposed revisions to clarify term limits and conform By-Laws with actual practice, which were approved by the Governing Board, circulated, and approved by the SLC Membership at the 2024 Annual Meeting.
- There was a presentation on a panel of Conference Chairs at VSB Bar Leaders Conference in Richmond on SLC resources and activities (March 8, 2024)
- The Senior Law Day Committee provided support for Senior Law Day programs. A step-by-step guide to presenting a Senior Law Program, a sample agenda, and a list of curriculum modules on specific topics are available on request. (Bruce Robinson, Chair)
- SLC’s Pro Bono Committee initiated a study group to explore how the SLC can best assist senior lawyers in contributing to pro bono work. (Andrea Bridgeman, Chair)
- A new Committee on Succession Planning was established on April 18, 2024 (Barbara Anderson, Chair).
- *Senior Virginians Handbook* updates were solicited to reflect changes in Virginia law and create new print editions in English and Spanish (Veronica Williams, Editor).
- *Senior Lawyers Newsletter* Spring 2024 issue published on-line, with 45 pages of remembrances, articles, announcements, and color photographs. (Frank Brown, Editor) (May 2024)
- CLE program “*Combating Elder Abuse and Vulnerable Adult Exploitation in Virginia.*” was presented in collaboration with the Criminal Law Section at the VSB Annual Meeting, May 31, 2024. SLC Governing Board member Veronica Williams presented.
- SLC’s Annual Meeting was held at the VSB Annual Meeting on June 1, 2024. There were 560 50-year award recipients and plaques were presented to over 60 recipients in attendance.

It was a privilege to serve with the SLC Governing Board members over the past year. The Board members were fully engaged and committed to serving and improving the interests of senior lawyers, senior Virginia residents and the system of justice in the Commonwealth. Special thanks go to Immediate Past Chair Gary Hancock and Vice-Chair Tom Bell for their assistance and expertise, without which I could not have functioned as Chair this year. The Board sincerely appreciates the financial contributions and encouragement from the Virginia Law Foundation and its President,

Colleen Quinn, which provided crucial support for the creation and publicity for the SLC's signature film *Civility and Professionalism in a Successful Litigation Practice*. Similarly, we thank Chief Justice Bernard Goodwyn, and the other outstanding judges and lawyers who contributed their time and expert insights and appear in the film, as well as our excellent moderator, Glenn Kirschner, and our superlative filmmaker, Kevin Kertscher and Big Ocean Studios.

The leadership of the Senior Lawyers Conference for the upcoming year will be:

- Thomas Bell, Chair; Barbara S. Anderson, Vice-Chair; Richard Gray, Secretary; Veronica Williams, Treasurer; and W. Carter Younger, Immediate Past Chair.
- New Governing Board Members-at-Large: Eugene M. Elliott, Stephen D. Lentz, Mark Matney, Lynn L. Robinson, Hon. Deanis Simmons, Martin Wegbreit, Edward L. Weiner, John E. Whitfield.
- New Honorary Member: Hon. Colin R. Gibb (who completed his second two-year term as Member-at-Large).

Thanks to the Nominating Committee (Tom Bell, Chair) for the outstanding members.

The Senior Lawyers Conference owes a great debt of gratitude for the tremendous support it received from the VSB over the past year. On June 30, 2023, our previous VSB Staff Liaison, Sylvia Daniel, concluded her excellent support for the SLC to move up to a new position with the VSB, and Nancy Donner assumed Ms. Daniel's role as our Staff Liaison. Ms. Donner has been an outstanding supporter and resource for the Board. She has been extremely responsive, positive, and knowledgeable in every aspect of the Conference's activities. We also sincerely appreciate the support we have received from Director of Bar Services Maureen Stengel. Ms. Stengel provided crucial help with the film project, Board meetings and other issues. Thanks also to VSB Deputy Executive Director Janet Van Cuyk for help, especially on the By-Laws revisions. In closing, I want to express my personal appreciation to VSB President Chidi James and Executive Director Cameron Rountree for their leadership and support for the film and other Senior Lawyers Conference projects.

REPORTS OF THE SECTIONS

Administrative Law Section

Eric J. Wallace, Chair

The Administrative Law Section continues to serve the needs of Virginia lawyers by focusing on the practices and interests of Administrative Law and regulatory industries.

The Administrative Law Section currently has 546 members. The annual budget for the past fiscal year was \$7,840.00, with a remaining balance of \$ 7,509.00 as of May 31, 2024.

The Board of Governors is pleased to report that, along with the Virginia State Corporation Commission, the Section developed a reimagined version of the annual National Regulatory Conference. Many thanks to Mitch Burton for spearheading this effort to bring us together again for legal education, networking, and a chance to reconnect.

This year's conference was held at the Science Museum of Virginia in Richmond on May 30, 2024. We began the day with opening remarks from the Honorable Jehmal T. Hudson, Chair of the State Corporation, as well as the Honorable Samule T. Towell and the Honorable Kelsey A. Bagot, our two new Commissioners serving in their first terms.

Following the introductions, we proceeded with a morning of continuing legal education panels with leaders from utility, policy, law, and business communities, as well as academia. First, panelists discussed the key ethical considerations in a revolving landscape of administrative practice that often involves advocates changing roles among state agencies, private practice, and in-house legal roles, with conflicts, loyalty, and confidentiality considerations to navigate along the way.

The second panel examined the shifting energy landscape in Virginia, discussing forecast for increasing load in our growing Virginia economy. The discussion looked at major drivers of increased load, including artificial intelligence, data centers, and electric vehicle adoption. The panelists also discussed the implications for these load growth drivers for an increasingly carbon-free generation mix.

Looking forward, the leadership of the Administrative Law Section for the upcoming year is the Hon. C. Mitch Burton, Jr. as Chair; Timothy G. L. McCormick as Vice Chair; and Kati Kitts Dean as Secretary.

The Section will continue to explore options to continue the National Regulatory Conference into 2025 and beyond.

I wish our new leadership all the best. I remain thankful to everyone who served on the Board and the NRC planning committee this year for another successful year serving our membership.

Bankruptcy Law Section Andrea C. Davison, Chair

The Bankruptcy Law Section continues to serve the needs of Virginia lawyers by enhancing the communication and exchange of ideas and information involving bankruptcy issues.

The Bankruptcy Law Section currently has 499 members. The annual budget for the past fiscal year was \$9984.00 and has a remaining balance of \$4570.98.

The Board met almost every month during the year through virtual Zoom meetings and had one informal meeting of the Board during the Annual Mid-Atlantic seminar. On March 8, 2024, the Bankruptcy Section along with the VACLE put on its *Annual Bankruptcy Practice Seminar 2024* live at the Bobzien-Gaither Education Center with a networking lunch and a virtual option to attend via Zoom. The section was able to meet in person on April 27, 2024, at The Local in Charlottesville, where they held their Annual Dinner/Meeting.

The section sponsored an *Inaugural Bankruptcy DREAMS Event* at Howard Law School on November 9, 2023 and ended their year with a sponsorship to the Bankruptcy Conference held at Roanoke College in June 2024 by the Western District of Virginia. The Bankruptcy Section put out the *Bankruptcy Law Newsletter* – Winter Edition on February 12, 2024 and a Summer Edition that went out at in July 2024.

The leadership of the Bankruptcy Law Section for the upcoming year includes the following board members and officers:

Janice R. Hansen, *Chair*
Nancy R. Schlichting, *Vice Chair*
Dana S. Power, *Secretary*
Andrea C. Davison, *Imm. Past Chair*
Caleb Chaplain, *Newsletter Editor*

Paula S. Beran
Michael E. Hastings
Stephan W. Milo
Richard Scott
Jennifer J. West
David W. Gaffey
Veronica Brown-Moseley

Business Law Section

John M. Huddle, Chair

The Business Law Section continues to serve the needs of Virginia lawyers by providing programming and collaboration for those members who practice or have interest in substantive areas relevant to business law practice.

During the 2023-2024 bar year, the Business Law Section had 1,675 members and an annual budget of \$12,800. Membership in the section declined this year partially due to the new VSB membership database and added steps in renewing section membership. The board will work with VSB staff to retain and recruit new section members. The board suggested a section dues increase from \$10 per member to \$35 per member and bylaws change to increase the board membership from 12 to 15 members. The section members approved both changes at its annual meeting in May 2024.

This year, the section hosted the 49th Annual Business Law Conference as an in-person event coordinated by VSB Staff. The section received permission to solicit sponsors for the event and were successful in obtaining over \$10,000 in sponsorships. VACLE was not a co-sponsor for the first time. The ABLC was held December 8 & 9, 2023 at the Hyatt Regency Reston Town Center and qualified for 10 hours of CLE credit. Twenty speakers spoke on topics including A Litigation Perspective on Hot Business Law Topics; Legal Trends, Best Practices, and New Strategies to Tackle Challenges in Fundraising, Incentive Compensation, and Exits for Emerging Companies; Commercial Contracts Update: A Transactional, IP & Antitrust Perspective; Digital Commerce Essentials; Government Contracts Update & Recurring Traps for the Unwary; and What Every Business Lawyer Must Know About Export Controls and Sanctions Laws. The board began planning the 50th Annual Advanced Business Law Seminar which will be held September 20 and 21, 2024 at the Williamsburg Lodge. The VBA Business Law Section will be a Platinum Sponsor.

Additionally, the board hosted two webinars with on-demand replays titled The Corporate Transparency Act: New Disclosures on the Immediate Horizon and The Corporate Transparency Act Part II: Lessons Learned So Far. Over 500 members attended the two webinars.

Board members for the 2024-2025 year will be Joseph B. Allen, Chair; Todd M. Lynn, Vice Chair; Jonathan D. Puvak, Secretary; Tatsiana Y. Seliazniova, Treasurer; and John M. Huddle, Immediate Past Chair. Erin D. Johnson will join board members, Andrew B. Stockment, Charles E. McWilliams, Jr.; Daniel E. Howell; Matthew A. Clary, III and Steven J Keeler.

Construction Law and Public Contracts Section

Jonathan J. Straw, Chair

The Construction Law and Public Contracts Section continues to meet and exceed the needs of Virginia lawyers by providing a forum for its members to share research, experiences, and ideas. Section members receive a discounted registration fee for its annual Fall seminar in Charlottesville, which fulfills the complete annual requirement for Virginia continuing legal education credit. Members also receive the Construction Law and Public Contracts News, the Section's semiannual newsletter, and the Construction Law Handbook, an online compilation of construction and public contracts-related case summaries from Virginia state and federal courts updated annually. In addition to the Section's annual Fall seminar, the Section also sponsors a seminar on Federal Contracting in Fairfax.

The Construction Law and Public Contracts Section ended the year with 718 members. The annual budget for the past fiscal year was \$11,856 and has a remaining balance of \$4,318.23.

The Construction Law and Public Contracts Section held the following events this year:

- **44th Annual Construction Law and Public Contracts Seminar**
This seminar was held at Boar's Head Inn, Charlottesville on November 2 and 3, 2023. There were 135 attendees at the live seminar, 2 on the phone and 31 on the webcast plus 21 faculty members, moderator, and planners. The committee for this program included Tara Chadbourn, Josh Johnson, Jesse Gordon, and Joe Guarino.
- **Annual Federal Contracting Seminar**
This year, in lieu of the Annual Federal Contracting Seminar, the Board partnered with the ABA Construction Forum for its Fall Meeting entitled Navigating Government Construction in Washington, DC. The event was held September 27-29, 2023, which was around the same time as our annual seminar.

The Section continues to provide valuable written materials to its membership. The Section published its Spring edition of its newsletter under the editorship of Chandra Lantz and Arnie Mason. The Section updated its Construction Law Handbook to include recent Virginia state and federal court decisions affecting our members' practices under the leadership of Mark Burgin.

The December 2023 Issue of the Virginia Lawyer Magazine featured the Section and some of its talented authors. Dan Rounds wrote about domestic preferences in the Build America, Buy America Act included in the Infrastructure Investment and Jobs Act and how such requirements extend to projects involving federal funding without a federal party to the contract. Jim Harvey and Gaela Normile wrote about Federal Enclave Law and whether recent changes in Virginia construction law apply on Federal land when not preempted by the Supremacy Clause. Spencer Wiegard examined Virginia's contractor licensing requirements and the unenforceability of mechanics liens or contracts without valid licenses. All this was coordinated by Board Member Quinton Callahan.

The leadership of the Construction Law and Public Contracts Section for the upcoming year is Spencer Wiegard, Chair; Lauren McLaughlin, Vice Chair; Arnie Mason, Secretary; Tara Chadbourn, Treasurer; Jonathan Straw, Immediate Past Chair; Mark Burgin; Quinton Callahan; Andrew Gay; James Harvey; Chris Hill; Joshua Johnson; Dan Rounds; Sarah Kathryn Stahling; Jonathan Wright; Hon. Scott Geddes, Ex-Officio Judicial; and Hon. David Lannetti, Ex-Officio Judicial. Emma Greger and Zahra Abrams will continue as YLC liaisons to the section.

It has been my privilege to serve as this Section's Chair the past year, and to have had the opportunity to work with so many fine people across the Commonwealth who contribute their time and effort to ensure our Section's continued success. I would like to heartily thank the Construction Law and Public Contracts Section Board of Governors for their tireless work on behalf of our Section. Also, many thanks to Asha Holloman, Tanya Morris, and their team members at Virginia CLE, without whom the Section's in-person and virtual CLE programs would not have been possible. Finally, I wanted to extend a special thank you to our VSB liaison, Paulette Davidson, who helps keep the Section running smoothly. We wish Ms. Davidson all the best in her retirement.

Corporate Counsel Section

Donald Francis Lynch, III (“Frank”), Chair

The Corporate Counsel Section continues to serve the needs of Virginia lawyers by sponsoring events and facilitating the exchange of information and ideas among in-house attorneys.

The Corporate Counsel Section currently has 1,360 members. The annual budget for the past fiscal year was \$24,816.00 and has a remaining balance of \$13,695.77 (as of June 2024).

The Corporate Counsel Section held six board meetings this year, including the section’s annual meeting that was held as part of the Virginia State Bar’s 2024 Annual Meeting in Virginia Beach. The section coordinated the following programs this year:

- The section continued to offer Corporate Counsel Panels at several of Virginia’s law schools.
- The Board awarded one Corporate Counsel Award this year, to law student Michael A. Harris who sat for the July 2023 Virginia bar exam. This is a monetary award in the amount of \$3,000.00 given to a law student or recent law school grad who intends to sit for the Virginia Bar Exam and take an in-house position. The award is intended to help the recipient offset costs of the bar exam, study materials, first year bar dues, etc. This will continue to be offered for both the February and July bar exams each year.
- The Corporate Counsel Section released one newsletter this year. (Spring 2024)
- Together with the Real Property and Business Law Sections, the Corporate Counsel section also co-sponsored a CLE program on Friday, May 31, as part of the VSB Annual Meeting: The Corporate Transparency Act from Three Perspectives: Practical Guidance.
- Was a sponsor of the Business Law Section 2023 Annual Business Law Conference.

Finally, the section hosted a luncheon at the VSB’s Annual Meeting on May 31, 2024, to which section members were invited to participate in year-end business.

The Board of Governors of the Corporate Counsel Section for the upcoming year includes the following members and officers:

George L. Washington, Jr., Chair	Naoina C. Gartee
Taylor A. Brown, Vice Chair	Bjoern Hansen
Peter V. Hilton, Secretary	Lisa C. White
Donald “Frank” Lynch, III, Imm. Past Chair	Blake Hegeman
Ross L. Hays	Bill Norris
Mason E. Heidt	Adam B. Hark
Emily S. Petrovic L	

Thank you to the entire Board for their support and dedication to the Section. Each member contributed significantly, and the Board’s successful year is a direct result of everyone’s hard work and commitment to Section members. I am looking forward to remaining on the Board in my capacity as immediate past chair to further collaborate on moving the Section forward. Allow me also to congratulate the new officers for 2023-2024, George L. Washington, Jr., Taylor Brown, and Peter Hilton, who I know will all provide excellent leadership!

Criminal Law

George S. Neskis, Chair

It has been an honor to serve as chair of the Virginia State Bar's Section on Criminal Law for the 2023-2024 bar year. The section continues to serve the needs for Virginia lawyers by bringing together both defense and prosecution attorneys to produce programming for Virginia lawyers and to share knowledge of the profession.

With a membership of 1700 members, including 200 judicial members, the section remains the second largest section of the Virginia State Bar. Membership has declined and the board will work with the VSB staff to retain current and recruit new section members. The Section operating budget for 2023-2024 was \$41,600.

Newsletter editor Professor Ron Bacigal, of the University of Richmond, published three issues of *Criminal Law News* during the year and assisted with the annual seminar. He announced his retirement from the Board in June 2025.

The section enjoyed a phenomenal 54th Annual Criminal Law Seminar in both Williamsburg and Charlottesville and awarded our prestigious Harry L. Carrico Professionalism Award to Howard E. Gwynn, Commonwealth's Attorney for the City of Newport News.

The Criminal Law Section continued to offer 5 scholarships to the Young Lawyers Conference for the Annual Seminar. The YLC liaison vetted the applications and proposed 5 recipients who the Board approved. The selection criteria placed some emphasis in the selection process on financial need and practice location/access to live CLEs. Tuition to one of the two seminars was waived and if the recipient lived more than 30 miles away then mileage and hotel fees were also covered. The section will continue to encourage other VSB sections to offer the same opportunity in their field to our YLC colleagues.

This year the section sponsored one CLE at the VA Beach Annual Meeting in conjunction with the Senior Lawyers Conference. Board member Chuck Slemper organized four speakers on the topic of Combating Elder Abuse and Vulnerable Adult Exploitation in Virginia. The CLE was well attended and well received.

As part of its ongoing partnership with Virginia law schools, the Section awarded stipends of \$1000 in June 2024 to the Antonin Scalia Law School and the William & Mary Law School to fund student internships in the field of criminal justice for the summer of 2025. University of Virginia declined to accept the 2024 and ongoing stipend assistance.

Leadership for the 2024-2025 year will be: Joseph D. Platania, Chair; Alison G. Powers, Vice-Chair and Seminar Coordinator and George A. Neskis, Immediate Past Chair. Ron Bacigal will continue as newsletter editor. The new Board members will be Anna R. Lindemann, Benjamin H. Garrison, Shemeka C. Hankins and the Hon. William W. Eldridge. Staff member Maureen Stengel will retire in the Fall and a new staff liaison will be assigned.

On behalf of the board, I extend our sincere appreciation to Jacqueline Reiner, past chair and whose board terms ended on June 30th.

Education of Lawyers in Virginia

Kristine H. Smith, Chair

The Section on the Education of Lawyers continues to serve the needs of Virginia lawyers by bringing together law school deans and professors, members of the judiciary and practicing lawyers in a collaborative effort to provide programs that improve every phase of legal education in Virginia.

The Section currently has 193 members. The annual budget for the 2023-2024 fiscal year was \$6,464.00. The Section ended this fiscal year with a balance of 2,340.70. The Section's 2024-2025 Budget will begin with a \$6,080.00 balance.

The Section met via video conference in September and November of 2023 and in January and March of 2024 to conduct standard business and develop ways to better-serve section members.

The Section's 2023-2024 programs and accomplishments were as follows:

- The Section released one newsletter this year: Winter 23-24 with contributions submitted by Virginia's law schools.
- The Professionalism for Law Students program presented to each of the Virginia law schools.
- The Legal Writing Workshop was hosted by this section and Virginia CLE on April 26 at the American University Washington College of Law in Washington, D.C. The seminar covered basic grammar and writing strategies and offered 7.5 hours of live CLE credit, including 1.0 hour of ethics.
- The Section hosted a CLE program, approved for 1.0 hour of live CLE credit, at the VSB's 2024 Annual Meeting in Virginia Beach: "Recipes for Resolution". Speakers: James W. Barkley, Hon. Douglas E. Miller, Justice Jane M. Roush (ret.), and Dillina W. Stickley.
- B. Keith Faulkner, former law dean of Appalachian School of Law and Liberty University School of Law, was selected as the 2024 recipient of the William R. Rakes Leadership in Education Award. Mr. Rakes presented the award to Dean Faulkner during a reception underwritten by Gentry Locke at the 2024 VSB Annual Meeting in Virginia Beach.

The Section held its annual meeting virtually, via Microsoft Teams, in June 2024. Section members were invited to participate in the year-end business that included voting in the 2024-2025 board of governors.

The leadership of the Section on the Education of Lawyers for the upcoming year includes the following board members:

R. Lee Livingston, Chair
TBD, Vice Chair
TBD, Secretary
Kristine H. Smith, Imm. Past Chair
Leslie A.T. Haley, Newsletter Editor
Hon. Linda L. Bryant
Prof. Henry L. Chambers, Jr.
Prof. Katherine G. Mims Crocker

Michael J. Finney
Prof. Laura A. Heymann
Bryson J. Hunter
Hannah M. Lester
Hon. Cleo E. Powell
Melissa W. Robinson
Hon. Wesley G. Russell, Jr.
Sherry Q. Scott

Thomas A. Edmonds
Sharon K. Eimer

Thomas R. Scott, Jr.
David H. Spratt

Dean Leslie C. Kendrick
Dean Bradley J. Lingo
Dean Wendy Collins Perdue
Dean Kenneth C. Randall

Dean A. Benjamin Spencer
Dean Timothy M. Todd, Jr.
Dean D.J. Western
Dean Melanie D. Wilson

I am grateful for the opportunity to serve as Chair of the Section on the Education of Lawyers for 2023-2024, and enjoyed it immensely! Our Professionalism for Law Students, Legal Writing Workshop, and Annual Meeting CLE were well attended and well received, and we are hopeful to continue that trend in the 2024-2025 year. I believe it is important for the Section on the Education of Lawyers to present a CLE at the Annual Meeting, and am available to assist in that endeavor for the upcoming year.

During the past year, I focused on law student involvement in the Section. I forwarded an email to all law school deans, asking them to encourage students to join the Section via the link on the Section's webpage. I also focused on filling openings for the Sections board and for its officers. We were successful in obtaining a Vice-Chair who is now the Chair of the Section, and in obtaining 2 new board members, and one returning member, to fill the three vacancies on the board for the 2024-2025 year.

The Section may continue discussion of a third Conclave to provide an opportunity for dialogue between the academy, the bench, and the bar. In my opinion, the conclave would be most successful with a specific focus on one or two specific issues. A conclave would be a large undertaking, both monetarily and in terms of time commitment. I am available to participate in these discussions and assist if the Section decides to move forward.

I know the Section and its new leadership will continue to thrive. Thank you to the VSB for allowing me to promote legal education in Virginia and elsewhere.

Environmental Law Section

Lindsey Rhoten, Chair

The Environmental Law Section had another outstanding year serving the needs of Virginia lawyers by providing opportunities for continuing education, sponsoring projects and programs related to environmental law in Virginia, and keeping section members up to date with recent environmental law changes so they can better serve the public.

The Environmental Law Section currently has 361 members. The annual budget for the past fiscal year was \$5,760.00 and has a remaining balance of \$4,427.34.

The Environmental Law Section Board of Governors held seven meetings via video conference and one in-person meeting to further the rejuvenation of the section in 2023-2024. Three committees continued to provide beneficial services throughout the year: a CLE committee, a Newsletter committee, and a Public Service committee.

- The Newsletter committee continues to produce a monthly issue of *The Oyster*. This news update filters many different sources that share environmental law updates such as the DEQ, EPA, the Courts, etc. and shares pearls of information with section members monthly, via email.
- The section offered a free webinar CLE program to VSB members in July 2023. The topic was an update on and a look at what's coming from the DEQ regarding Virginia's Erosion and Stormwater Management Program. 241 people attended the live CLE course. 301 people viewed the on-demand CLE course.
- The Public Service committee hosted an Earth Day River Cleanup on April 22, 2024, followed by a networking event at Triple Crossing in Richmond.
- The section established a new committee, the Environmental Lawyers' Road Show, that will coordinate a panel of environmental lawyers to travel to each Virginia law school, starting with those that have an environmental law club, and talk with students about different career paths within environmental law. A panel went to UVA in Spring 2024 and hosted a successful panel.
- The Section established a \$2,000 Fellowship to award a law student who is interning with an environmental firm or organization, but no applications were received in its inaugural year. It will be offered again in the 2024-2025 bar year.

The Section held its annual meeting in May 2024 in Richmond. Section members were invited to participate in the year-end business that included voting in the 2024-2025 board of governors.

The Environmental Law Section continued to offer timely and substantive updates on legal developments impacting all of our members. The Oyster newsletter remained an asset to section membership as the field of environmental law experienced rapid changes. We were delighted that our CLEs reached such a broad audience, and we hope that they continue to be well attended. This year, we prioritized offering in-person events, such as the Earth Day River Cleanup and the Section's Annual Meeting. We also established a Fellowship with the goal of expanding and encouraging the practice of environmental law in Virginia. The hope is that this fellowship will continue to grow attention and applicants throughout the years. The only disappointment, from the

Chair's perspective, is that we continue to have such a healthy bank balance at the conclusion of the Bar year. This is due in large part to all the volunteer efforts of the Section's board and the VSB staff in pulling together our CLEs, the Oyster, and our networking sessions. We anticipate that the leftover balance will dwindle in the coming years as we host more in-person events and the Fellowship gains traction in the community.

I want to thank the Virginia State Bar for enabling the Section to be of service to all our members.

The leadership of the Environmental Law Section for the upcoming year includes:

Michael W. McLaughlin, Chair
TBD, Vice Chair
Marvi R. Ali, Secretary
Alexander G. Cattermole
D. Nelson Daniel
Peyton Nicole Farley

Susan L. French
Jerald R. Hess
Kerry B. Hutcherson
Rachel M. James
Emile P. Khatter, YLC Liaison
Christopher J. McDonald

Family Law

Robert E. Henley III, Chair

Among the most visible duties of the Board of Governors for the Family Law Section is coordinating the Annual Family Law Seminar in the Fall and the Advanced Family Law Seminar in the Spring. Both seminars are provided in conjunction with Virginia CLE.

In October, 2023, the 42nd Annual Family Law Seminar was presented in Richmond, Fairfax, and Virginia Beach. The topics covered were the Bi-Annual Case Law Update, the Bi-Annual Legislative Update, as well as Medical Records as Evidence; Digital Evidence: Preservation, Authenticity, and Objections; Best Practices in Trial Preparation; and Ethical Considerations in Family Law Pleadings.

The 40th Annual Advanced Family Law Seminar took place at the Jefferson Hotel in Richmond on April 18, 2024, and was a great success. 200 attorneys attended in person, 250 attended by webcast, and 5 attended by phone. Craig Sampson of Barnes & Diehl, P.C., delivered the Bi-Annual Case Law Update, which was a thorough review of significant family law cases affecting Virginia attorneys from the prior six months. Daniel Gray of Cooper Ginsberg Gray presented the Bi-Annual Legislative Update, which was a comprehensive summary of the status of recent legislative changes affecting family law in Virginia. Eric Rollinger, tax attorney and CPA of Stein Sperling Bennett De Jong Driscoll PC, addressed complex deferred compensation and definitions of income. The Honorable Dennis J. Smith, Retired Fairfax Circuit Court, Brian Hirsh of Hirsch & Ehlenberger, P.C., Natalie Goldberg of DC Academy of Collaborative Professionals, and Nanda Davis of Davis Law Practice PLLC participated in a panel discussion on best practices in mediating child custody disputes. Larry Vance of Buchbauer & McGuire, PC, presented on the topic of asserting privileges and how privileges are waived. Finally, Barry Waldman of Waldman & Associates, PLLC, and Bruce Russell of Bruce H. Russell, II, PC, presented the Ethics portion of the day.

The 2024 Family Law Awards were presented at the Advanced Family Law Seminar. James Cottrell received The Betty A. Thompson Lifetime Achievement Award, and Charles “Chuck” Powers received the Service Award. The winners of the Third Annual Family Law Writing Competition were recognized and received certificates, while the first-place winner received a cash prize provided and presented by the American Academy of Matrimonial Lawyers. The winning law students were:

- 1st place – Madison Neale
- 2nd place – Alyssa Schiefer
- 3rd place – Alexandra Voehringer

At the Virginia State Bar Annual Meeting in June in Virginia Beach, the Family Law Section joined forces with the Real Estate Section and the Tax Section to present the Three-Headed Dragon: The Intersection of Real Estate Deeds, Divorce, and Taxes. This was a very well-attended event presented by myself - Regina F. Amick of Wolcott Rivers Gates, Andrew Richmond of Mahoney Richmond Thurston, Rebekah Green of Pesner Altmiller Melnick DeMers & Steele PLC, and G. Christopher Wright of Shannon & Wright LLP.

The Family Law Section currently has 1,860 members. The annual budget for the past fiscal year was \$40,224.00, and there was a remaining balance of \$443.86 as of June 30, 2023.

I wish to thank the members of the Board of Governors for their service, enthusiasm, and organizational skills. Craig Sampson will take over as Chair on July 1st, and Carole Krogmann will become Vice Chair. Our liaison, Dolly Shaffner, continues to provide valuable guidance and help with planning.

It has been my privilege and honor to serve as Chair of the Board of Governors of the Family Law Section for the 2023-2024 term.

General Practice Section

Thomas W. Nesbitt, Chair

The General Practice Section continues to serve the needs of attorneys in the general practice of law and has done so since 1986. We continue to conduct legal education seminars and other activities to enhance the skills of Virginia lawyers.

This year, the General Practice Section continued to offer webinars in lieu of in-person events.

- Virginia Residential Landlord-Tenant Law – (130 attendees) - Marty Wegbreit of Central Virginia Legal Aid Society
- Income Tax Nuances for Estate Planning (256 live attendees/289 on-demand attendees) – Jake Snow and Peter Davies from the Davies and Davies Law Firm

The leadership of the General Practice Section for the upcoming year is: Thomas W. Nesbitt, chair; Hunter R. Wells, vice chair; Jeffrey C. Flax, secretary; Esther S. McGuinn, immediate past chair; Christopher C. Johnson, John C. Johnson; Ronald A. Page, Jr.; Matthew J. Zwerdling; Grayson S. Johnson; Hon. John Tandy Cook, ex-officio judicial; Hon. Bonnie C. Davis, ex-officio judicial; and Hon. Bryan C. Dunkum, ex-officio judicial.

As of June 30, 2022, the section had 679 members. The budget for Fiscal Year 2023-2024 was \$9,904 and there is a remaining budget of \$680.29.

The General Practice Section would like to express our sincerest appreciation to our section liaison, Paulette Davidson as we look forward to next year.

Health Law Section

Amy B. Mogetz, Chair

The Health Law Section continues to serve the needs of Virginia lawyers by promoting pro bono publico objectives of the Virginia State Bar within the field of health law, to foster interest, activity and research in health law and affairs, to furnish the public with an understanding of its rights and obligations, to enhance friendship and understanding among lawyers having interest in health law, and to cooperate with other bar organizations in such areas of law. Additionally, the purposes of this Section are to sponsor programs and seminars on health law; develop and provide to members bibliographies of materials on health law, lists of experts and consultants; to provide a forum where Section members can share in research; and to publish a health law newsletter.

The Health Law Section had 580 members as of June 30, 2024. The annual budget for the past fiscal year was \$9,792, and there is a remaining budget of \$6,688.

The leadership of the Health Law Section for the upcoming year is Karla L. Palmer, chair; Robert H. Gibbs, Jr., vice chair; Amy B. Mogetz, immediate past chair; Kimberly S. Day; Kyle R. Elliott; Sarah C. Jessee; Troy R. Johnson, Jr.; Kambria T. Lannetti; Heather W. Miller; Michael R. Newby; Andrew G. Schutte.

Intellectual Property Section

Charles B. Molster, III, Chair

The Intellectual Property Section continues to serve the needs of Virginia lawyers by providing continuing legal education and striving to create opportunities for its members.

The Intellectual Property Section had 1,432 members this year. The annual budget for the past fiscal year was \$22,352.00 and has a remaining balance of \$21,773.08.

The Intellectual Property Section hosted the Annual Fall VA IP CLE Seminar in Richmond in October 2023, and co-sponsored a CLE during the VSB Annual Meeting on May 31, 2024 AI's Huge Momentum in the Legal Sector: How to Use AI Ethically and Effectively, which was both very well attended, and very well received by attendees.

The Board plans to grow section programming in the coming year, including additional CLEs and the like.

The Intellectual Property Section for the upcoming year includes the following Board members and Officers:

Philip A. Riley, Chair

Robert D. Michaux, *Vice Chair*

Amy G. Pruett, Chair Elect

Charles B. Molster, III, *Imm. Past Chair*

John A. Morrisett

Martha A. Weis

Andrea Z. Warmbier

Coke M. Stewart

Shawna M. Yashar

Aaron L. Parker

International Practice Section

Megan A. Barnhill, Chair

The International Practice Section continues to serve the needs of Virginia lawyers by encountering matters that are international in nature or which have transnational implications, and their clients require proactive expertise to meet the dramatic opportunities and challenges of this dynamic and complex business and regulatory environment.

The International Practice Section had 1763 members. The annual budget for the past fiscal year was \$3,136.00 and has a remaining balance of \$2,390.76.

The International Practice Section held eight board meetings this past year. The section offered its members a free CLE/ Hybrid event that took place at White & Case in D.C. (who co-sponsored the event) on April 16, 2024, titled *Trade Remedies Demystified: What the Non-Practitioner Needs to Know*. On May 23, 2024, the board held a hybrid Annual Meeting (at Café Riggs in D.C.), to which section members were invited to participate and to elect the 2024-20235 Board of Governors.

The leadership of the International Practice Section for the upcoming year includes the following board members and officers:

Geoffrey M. Goodale, *Chair*
Melissa S. Gorsline, *Vice Chair*
Jennifer K. Mammen, *Secretary*
Megan A. Barnhill, *Imm. Past Chair*

Bradley A. Haneberg
Chenxi Lu
Brian H. Pandya
Tatsiana Y. Sellazniova

Litigation Section

Carl R. Schwertz, Chair

The Litigation Section continues to serve the needs of Virginia lawyers by providing a forum for the discussion of matters affecting the way in which litigation is conducted in the Commonwealth of Virginia, to sponsor projects and programs of educational value or special interest and relevance to the members of the Section; and to promote efforts aimed at improving the efficient, affordable, ethical, and just resolution of societal disputes.

The Litigation Section's membership as of June 30, 2024, was 2,960 making this the largest section of the Virginia State Bar. Our budget for 2023-24 was \$39,436 and there is a remaining balance of \$23,912.

The Litigation Section held four board meetings this year to coordinate its programs. The board had its dinner/meeting at Steinhilber's in Virginia Beach on May 30, 2024, where the new board of governors was approved.

The section co-sponsored a 1-hour CLE during the VSB Annual Meeting on the topic of *Recipes for Resolution*. Speakers were James Barkley, the Honorable Douglas Miller, the Honorable Jane Roush, and Dillina Stickley.

The Rule of Law programs at local schools are led by the Honorable Cleo E. Powell. The section earmarks \$5,000 to assist every year.

The Litigation Section provided another \$5,000 to assist the Senior Lawyers Conference with final production of a video titled *Civility and Professionalism in a Successful Litigation Practice*. That video is now available for viewing.

The leadership of the Litigation Section for the upcoming year is: Jonathan P. Lienhard, chair; Darius K.A. Davenport, vice chair; Brian J. Schneider, secretary; Carl R. Schwertz, immediate past chair; Prof. Jennifer R. Franklin, newsletter editor; Ashley T. Davis, appellate committee chair; Tara A. Enix; Amy S. Griggs; Stephen A. Grim; William B. Jackson; Macel H. Janoschka; Roy M. Jessee; Erin E. Jewell; David W. Thomas; Melissa Y. York; Brian S. Wheeler; Hon. James P. Fisher, ex-officio judicial; and Hon. Jane M. Reynolds, ex-officio judicial.

Local Government Law

Michael W. Lockaby, Chair

The Local Government Section continues to serve Virginia lawyers by providing a forum to share resources for public and private practitioners of local government law.

The Section currently has 758 members. The annual budget for the past fiscal year was \$18,300.00 and expense reports indicate that there is a negative balance of \$2,261.50 as of April 2024. Section revenue for the year is not fully incorporated into the expense reports.

The Section held four board meetings this year and released Summer 2023, Fall 2023, and Spring 2024 issues of its newsletter, *The Journal*.

The Section hosted five free CLE webinars this past year:

September 19, 2024: **What Local Government Practitioners Need to Know About Cable Franchises and Broadband: Regulations, Implementation and Funding**

Panelists: Matthew C. Ames, Hubacher & Ames, PLLC
Michael W. Lockaby, Spilman, Thomas & Battle, PLLC
Wahaj Memon, Moderator
2.0 CLE credit hours
136 attended

January 18, 2024: **Public Meetings Under the Freedom of Information Act**

Panelist: Cynthia A. Bailey, Deputy County Attorney, Fairfax County
Wade T. Anderson, Moderator
1.0 CLE credit hour
251 attended
175 have viewed on-demand course as of July 18, 2024

March 21, 2024: **Virginia State and Local Government Conflict of Interests Act: Written Advisory Opinions**

Panelist: Roderick R. Ingram, Deputy City Attorney, Virginia Beach
Kathleen A. Dooley, Moderator
1.0 CLE credit hour
218 attended live course
80 have viewed on-demand course as of July 18, 2024

May 9, 2024: **Governing Bodies**

Panelist: Cheran C. Ivery, City Attorney of Alexandria
Ellen F. Bergren, Moderator
1.0 CLE credit hour
101 attended live course
67 have viewed on-demand course as of July 18, 2024

June 6, 2024: **Legal Ethics for Local Government Chief Counsel**

Panelists: Emily F. Hedrick, Ethics Counsel for the Virginia State Bar
Michelle R. Robl, Prince William County Attorney
Wade T. Anderson, Moderator
1.0 CLE credit hour, including 1.0 hour ethics
242 attended live course

The Webinar Committee is planning additional webinars for the coming months, including another Election Law update in August.

The Section continues to offer a Fellowship to a law school student who works for a local government office during the summer months. The Section received several applications this year. One applicant stood out, and the Section awarded the budgeted amount of \$4,000.00. This year's recipient was Chloe Lyda of the Charleston School of Law, who will be working at the Goochland County Attorney's Office this summer.

The Section hosted its annual meeting on June 6, 2024, in a hybrid format at the Virginia State Bar offices in Richmond and via Microsoft Teams. This method seems to be more practical for both board and section members to attend, since the section does not usually sponsor a CLE at the VSB's Annual Meeting. All section members were invited to attend this meeting and participate in end-of-year business.

The initiative of which I am most proud this past year was partnering with Local Government Attorneys, Inc. ("LGA") and the Virginia Institute of Government, to develop and sponsor a Leadership Training program for up-and-coming lawyers in the local government area of practice. The demands of a chief legal counsel for a governmental entity include many of the skillsets of a transactional attorney, a litigator, a corporate general counsel, an administrator, and a politician. Learning this skillset has historically been a matter of having the right temperament, on-the-job training, and not a small amount of luck. Having a structured program for those who wish to become chief or deputy chief counsel to local governments and private practitioners who represent government entities or deal with them on major cases and transactional situations on a regular basis was an extraordinary achievement for which the section can be proud for this year.

The leadership of the Section for the upcoming year consists of the following board members and officers:

Brian J. Lubkeman, Chair	Lavonda N. Graham-Williams
Wahaj Memon, Vice Chair	Meredith C. Harlow
Wade T. Anderson, Secretary	Megan E. Kelly
Michael W.S. Lockaby, Imm. Past Chair	Blaire H. O'Brien
Susan W. Custer, Newsletter Editor	Timothy R. Spencer
Ellen F. Bergren	Dennis A. Walter

Finally, I want to express my appreciation for the opportunity to serve the Virginia State Bar as Chair of the Board of Governors of the Local Government Section for the 2023–24 year. I am constantly in awe of the skills and insights of the people I have served with on the Board, as well as the diligence of Mallory Ralston, our coordinator. I hope to work with all of these individuals more in the future.
Sincerely yours, Michael W.S. Lockaby.

Military Law Section

James S. McNider, III, Chair

The Military Law Section continues to serve the needs of Virginia lawyers by providing continuing education programs and publishing and distributing an educational newsletter to its members. The Military Law Section serves attorneys who practice in areas likely to be impacted by laws unique to the military and its members.

The Military Law Section currently had 246 members. The annual budget for the past fiscal year was \$11,148 and the section has a remaining balance of \$7,709.

The Military Law Section held five board meetings this past Bar year to coordinate its programs. This year's Annual Military Law Symposium was held in the 3rd Floor Conference Room of the Bank of America Building in Richmond on April 12, 2024. A virtual attendance option was also available.

This year, the section teamed up with the Access to Legal Services Committee to present the Military Law Pro Bono Award at the committee's Pro Bono Awards Luncheon during the Annual Meeting. This year's winner, James Ilijevich, was unable to attend the ceremony. However, we took the opportunity at the luncheon to make other pro bono attorneys aware of the good work being done and the need for more representation for our veterans. The Military Law Section's Annual Meeting was held just prior to the Pro Bono Luncheon. Section members were invited to participate and to elect the 2024-2025 Board of Governors.

Many thanks go out to the Board members as well as those who contributed their time and efforts to help maintain our Section's viability, performance, and service to our military community. Thanks also go to the other members of our Section who provided unswerving support during this past year.

The leadership of the Military Law Section for the upcoming year is Wilson T. Mustian, Chair; Brandy M. Disbennett, Vice Chair; James S. McNider III, Immediate Past Chair; Robert G. Bracknell; John A. Chudoba; Jason C. Foster; Kathryn D. Freiburger; Thomas K. Liu; Scott M. Perry; Richard J. Prevost; and Stacy A. Tromble.

Real Property Section

Sarah Louppe Petcher, Chair

It has been a great honor for me to serve as Chair of the Real Property Section, to follow a long line of outstanding former chairs, and to lead the Section for the 2023-2024 year, along with my terrific colleagues, Vice Chair Robert E. Hawthorne, Jr. and Secretary-Treasurer Richard B. Chess. The section currently has 1,864 members. The annual budget for 2023-2024 was \$53,596 with a balance of \$26,499 as of April 30, 2024.

This year, we honored the 2024 recipient of The Traver Scholar Award, James L. Windsor. The award is named for Courtland L. Traver, whose outstanding legal ability and willingness to share his knowledge and experience was an inspiration to others. James L. Windsor is an attorney at Kaufman & Canoles, P.C., where he has worked since 1987. He is the chairman of the Real Estate Claims & Title Insurance Solutions Group and the co-chair of Government & Municipal Law Group at the firm. He has over 38 years of experience in real estate, real property, title insurance, and civil litigation.

Windsor graduated cum laude from James Madison University with a B.S. in 1982 and received his J.D. in 1985 from the University of Richmond School of Law. He has previously received the Distinguished Service Award from the Virginia Land Title Association in 2015. He is an AV Preeminent® rated lawyer by Martindale-Hubbell and a dedicated, zealous, and strong advocate for his clients.

The Membership Committee of the Virginia State Bar Real Property Section is pleased to announce another exciting “Chapter” of the Living Library video series! Attorneys Vanessa Steltenpohl Carter and Ray W. King of Woods Rogers Vandeventer Black speak at length about the practice of Fore-closure law in Virginia.

In the first video of the Chapter, Vanessa provides a quick overview of residential real estate foreclosures in Virginia, discussing the intersection of contract law, federal regulations, and statutory requirements. Click here or visit <https://www.youtube.com/watch?v=gXImiupqamo> to watch the full video.

In part two, Ray discusses commercial real estate foreclosures, including the various roles an attorney can serve. He covers the benefits of additional advertisement sources for unique commercial properties and touches on commercial foreclosure roadblocks. Click here or visit <https://www.youtube.com/watch?v=VElngQq1z8> to watch the full video.

In part three, Vanessa and Ray team up to present tips and potential minefields for practitioners of residential and commercial real estate foreclosures in Virginia, including a discussion of super-priority liens, title issues, and the bidding and sale process. Click here or visit <https://www.youtube.com/watch?v=PiaEZ75MBkA> to watch the full video.

For more information, please visit the [Virginia State Bar website](#) and gain access to past Living Library Chapters on Easements, Title Insurance, and Real Estate Litigation.

The Membership Committee plans on releasing exciting new Chapters on Environmental Law, Land Use, Common Interest Communities and Eminent Domain and Condemnation. Check it out – no library card is needed!

The *Fee Tail* is an email newsletter with current and timely updates to case law pertinent to the practice of real estate law in the Commonwealth. The *Fee Tail* is meant to be a “junior” form of the *Fee Simple*—it is a short update with very current cases, preferably drawn from the section membership!

If you have recently litigated (or are aware of) a current real estate case, either at the trial court or appeals level, and would like to share your story with the section, please contact us to be featured in the *Fee Tail*.

It has been my pleasure to serve as Section Chair. I am looking forward to passing the gavel to Robert E. Hawthorne, Jr. on July 1, 2024.

Taxation Law

Tiffany L. Burton, Chair

The Taxation Section continues to encourage improvement and efficient administration of the tax law of the state and promotes the exchange of ideas between practitioners and administrators.

The Virginia State Bar's Taxation Law Practice Section had 588 members this year. The annual budget for the 2023-2024 fiscal year was \$11,200.00 and a remaining balance of \$8,040.22.

The Taxation Law Section held several board meetings this past year virtually. The section offered its members a free CLE on April 25, 2024. This was a live webinar titled *S Corporation Basics and Transaction Considerations – Part I*. This initial webinar started a series on S Corporations. The section co-sponsored a CLE during the Annual Meeting on May 31, 2024 intitled *The Three-Headed Dragon: The Intersections of Real Estate Deeds, Divorce, and Taxes*.

The Taxation Law Section put out their Spring Edition of the *Taxation Law Reporter* on May 10, 2024. The section also provided a sponsorship to the Business Law Section Meeting and the Virginia Tax Conference at UVA Law School. The Taxation Section plans to start a Law Student Writing Competition next year.

The leadership of the Taxation Law Section for the upcoming year includes the following board members and officers:

Scott Seymour, *Chair*
Jake Snow, *Vice Chair*
Henrik Haeckel, *Secretary*
Tiffany Burton, *Imm. Past Chair*

Stephen Grim
Richard Howard-Smith
Aaron Moshiaswili
Brandon Mourges
Timothy Todd
Thomas Moses
Chris Wright

Mark Lansing, *Ex-Officio*
Chenxi Lu, *Ex-Officio*
Jennifer Lucey, *Ex-Officio*
John Morgan, *Ex-Officio*
Kelly Scanlon, *Ex-Officio*

Trusts & Estates Section

Kevin L. Stemple, Chair

The Trusts & Estates Section continues to serve the needs of Virginia lawyers by sponsoring educational programs and seminars on trusts and estates law; developing and providing to members bibliographies of materials on trusts and estates law, lists of experts, consultants, research, and standards associations; and providing a forum where section members can share research, source materials, and experiences.

The Trusts & Estates Section currently has 2,027 members. The annual budget for the past fiscal year was \$ 15,776.00 and has a remaining balance of \$11,268.00

In October, the Trusts and Estates Section co-sponsored the 42nd Annual Trusts & Estates Seminar with Virginia CLE. This year's conference featured topics extremely important for your estate planning practice.

The downloadable e-book seminar materials are simply invaluable: "Priceless." They serve as a great reference tool for many, many years in your office.

This year's topics include:

- Important updates on federal and Virginia tax developments, cases, and legislation
- An examination of the top 5 pressing issues for estate planners
- Binding parties in trusts and estates matters
- A review of practical issues in drafting and executing Advance Medical Directives
- The ethics of unraveling irrevocable trusts

The Trusts and Estates Sections published two newsletters in fiscal year 2023 - 24. Our Fall 2023 issue featured articles like "Estate Planning for Individuals with Mental Illness – Considerations for Practitioners" and "What Most Estate Planning Attorneys Don't Know about Death: Burial and Funeral Issues" Our Spring 2024 Issue contained three articles on "Terminating Noncharitable Irrevocable Trusts by Consent"; Tips for Improving Your T & E Practice" and What Trust and Estate Practitioners Need to Know About CCA 202352018: Practical Impacts and Planning Considerations".

We appreciate the hard work and dedication of Emily A. Martin as our newsletter editor and Peter Holstead Davies as our assistant newsletter editor.

The officers of the Trusts and Estates Section for the 2024 - 25 bar year are: Brooke C. Tansill as Chair, Emily A. Martin as Vice Chair, and Peter Holstead Davies as Secretary/Newsletter editor. I thank them for their ongoing service to our Section, and wish them luck in the upcoming year. I also wish to thank Dolly Shaffner at the VSB for all of her invaluable support, and for keeping us organized and on track during a busy year.