



THE RICHMOND BAR

Volume 23, Number 7

A newsletter for members of The Bar Association of the City of Richmond

March 2015

Melody C. Barnes, former Director of the White House Domestic Policy Council, to speak at Bar's March 26 luncheon

Melody Barnes, former Director of the White House Domestic Policy Council and former advisor to President Barack Obama, will be the featured speaker at the Richmond Bar's luncheon on Thursday, March 26, 2015. The luncheon will be held at the Omni Hotel beginning at 12:30 p.m. Reservations may be made by returning the enclosed flier or by calling the Bar office at 780-0700. Additionally, you may make a reservation by visiting <http://www.richmondbar.org/events/luncheons/>. The deadline for reservations is 12:00 noon on Monday, March 23rd. Cost to attend is \$29.00. **If you require a vegetarian meal or have a dietary restriction, please inform us at the time you make the reservation.**

The following members of the judiciary will be hosting Judges' Tables at the March luncheon: **Hon. Keith L. Phillips, Hon. Phillip L. Hairston, and Hon. G. Barton Chucker.** At the time you make your reservation, please indicate if you would like to be seated at a judge's table.

continued on page 10



Melody C. Barnes

Joley L. Eason to receive Association's Young Lawyer of the Year Award

Joley L. Eason, an Associate at ThompsonMcMullan, is the 2015 recipient of the Association's Young Lawyer of the Year Award. The award is presented annually to a member of the Bar's Young Lawyers Section who has excelled in the practice of law to date and who has shown the potential to become a leader in the legal profession. The Association will convey the award to Ms. Eason on Thursday, March 26, 2015 at the RBA's monthly luncheon meeting at the Omni Hotel.

A native of Marion County, Georgia, Ms. Eason graduated from the College of William & Mary with a dual Bachelor of Arts degree in the Thomas Jefferson Program in Public Policy and Sociology. Thereafter, she attended the University of Pittsburgh, from which she received her Juris Doctorate and a Certificate in Health Law Administration, Finance and Governance.

While in law school, she interned for two state court judges. She also served as a certified legal intern for the University of Pittsburgh

continued on page 10

Notice:

Composition of Nominating Committee

The membership is hereby notified that the Nominating Committee is composed of the following members:

Anne G. Scher, Chair
Julie M. Cillo

Craig T. Merritt
W. Benjamin Pace
Robert S. Westermann

Tyler P. Brown
Nicole H. Brakstad

To be elected at the Annual Meeting of the Association, scheduled to take place on Wednesday, April 22, 2015 at 5:30 p.m. at Willow Oaks Country Club, are a President-Elect, a Vice President, an Honorary Vice President, a Secretary-Treasurer and three new at-large members of the Board of Directors, and such other at-large members of the Board of Directors, if any, as may be necessary to fill any vacancies. The Committee will receive and review recommendations for all available positions.

Nominations should be in writing and addressed to Anne G. Scher, c/o Richmond Bar Association, P.O. Box 1213, Richmond, VA 23218 and must be received by 12:00 noon on **Monday, February 23, 2015.**

Notice of RBA Annual Meeting

The Annual Meeting of The Bar Association of the City of Richmond will be held on Wednesday, April 22, 2015 beginning at 5:30 p.m. preceding the Bar's Spring Cocktail Party at Willow Oaks Country Club. Members will be asked to elect new officers and directors and transact other such business as may properly come before the meeting.

Share the news

If you've recently landed a new job or plum promotion, share the good news with the Richmond Bar. Include your full name, your company's name and location, your new title and your areas of concentration in your letter, press release, fax or e-mail. Announcements can be e-mailed to lmartin@richmondbar.org.

Hon. David Rigler, Chief Judge of the Chesterfield Juvenile & Domestic Relations District Court, has announced that **Laura G. Griffin** has accepted the position as Clerk of Court beginning February 10, 2015. Ms. Griffin previously served in the Richmond JDR Court from 2005-2008 as a post-court supervisor and as the Clerk of Court since 2008.

The Marrs Law Firm, PLLC is now **Marrs & Henry Law Firm**. The firm is located at 7202 Glen Forest Drive, Suite 307, Richmond, Virginia 23226. The phone number is 804-662-5711.

Stacy L. Haney has been elected a partner in the Richmond office of Reed Smith. She is a member of the firm's Global Regulatory Enforcement group.

In addition, the firm announces the promotion of **Edward A. Mullen** to counsel. He is a member of the firm's Global Regulatory Enforcement group.

Troutman Sanders LLP announces that **Chris Forstner** has joined the firm's Intellectual Property practice as Of Counsel in its Richmond office. He will counsel clients on a wide range of patent and trademark matters.

Additionally, **Jeremy M. McLean** has been elected partner. Mr. McLean represents lenders in the origination and servicing of loans under Freddie Mac, Fannie Mae, and private mortgage conduit multifamily programs secured by multifamily housing complexes.

Nathan Colarusso has been named Partner in Bowman and Brooke's Richmond office, where he focuses his practice on the defense of manufacturers in product liability claims, as well as other corporations involved in complex commercial litigation matters.

Mark Krudys announces the opening of **The Krudys Law Firm, PLC**. The firm is located in the SunTrust Center at 919 East main Street, Suite 960, Richmond, VA 23219. Phone and fax numbers are 804-774-7950 and 804-381-4458 respectively. The firm's website is www.krudys.com

The **Hon. Pamela S. Baskerville** (Ret.) and the **Hon. Richard D. Taylor, Jr.** (Ret.) have joined The McCammon Group where they will serve the mediation, arbitration and judge pro tempore needs of lawyers and litigants throughout the Commonwealth and beyond.



At the Bar's January luncheon, RBA President John K. Burke, Jr. (left) presented the Association's John C. Kenny pro Bono Award to John M. "Jack" Robb III. Mr. Robb has devoted hundreds of hours of pro bono work to the Legal Aid Justice Center, Richmond SPCA and the Legal Information Network for Cancer. A colleague at his law firm, LeClairRyan, states that Mr. Robb "has encouraged and inspired many others to carry on this critical commitment to pro bono service."



THE BAR ASSOCIATION OF THE CITY OF RICHMOND

Office Address

Eighth and Main Building
707 East Main Street
Suite 1620
Richmond, Virginia 23219

Mailing Address

P.O. Box 1213
Richmond, Virginia 23218-1213

www.richmondbar.org

Phone: (804) 780-0700

Fax: (804) 648-7118

Officers

John K. Burke, Jr., *President*
J. Tracy Walker IV, *President-Elect*
Hon. C.N. Jenkins, Jr., *Honorary Vice President*
Vernon E. Inge, Jr., *Vice President*
Douglas D. Callaway, *Secretary-Treasurer*
Anne G. Scher, *Immediate Past President*

Directors

Terrence L. Graves, *2011-2015*
Michael A. Montgomery, *2011-2015*
Vacant, *2011-2015*
Daniel E. Lynch, *2012-2016*
G. William Norris, Jr., *2012-2016*
Jennifer J. West, *2012-2016*
Cassandra C. Collins, *2013-2017*
T. O'Connor Johnson, *2013-2017*
Barbara A. Williams, *2013-2017*
John A. Anderson, *2014-2018*
Tara L. Casey, *2014-2018*
Paul D. Hux, *2014-2018*
Michael D. Mueller, *Bankruptcy Section*
Lisa J. Hedrick, *Business Law Section*
Kymberly T. Wellons, *Corporate Counsel Section*
T.J. Mascia, *Environmental & Energy Law Section*
Timothy O. Johnson, *Litigation Section*
Glenn E. Ayers, *Real Estate Section*
Jonathan L. Moore, *Young Lawyers Section*
Eric M. Page, *Virginia State Bar Council Representative*

Staff

Lelia N. Martin, *Executive Director*
Sharon R. Potter, *Administrative Assistant*

The views expressed in The Richmond Bar do not represent the policy or carry the endorsement of the Association unless specifically noted.

Edited by Lelia N. Martin

Luncheon Registration Form

Please reserve a place for me at the **Thursday, March 26, 2015** luncheon which will be held at the Omni Richmond Hotel at 12:30 p.m.

Name (please print): _____

Phone: _____

I would like to make reservations for the following guest(s): _____

Method of payment (check one):

- Firm billing. Firm: _____
- Check enclosed. (**\$29.00 per person, payable to "Bar Association of Richmond"**)
- At the door.
- Member of the Judiciary.

To comply with PCI regulations, credit card payment is not accepted by mail or Fax. For security purposes, you must register online at <http://www.richmondbar.org/events/luncheons/>.

If you require a vegetarian or special dietary meal, please inform us at the time you make the reservation.

Return this form to: Richmond Bar Association, P.O. Box 1213, Richmond, Virginia 23218-1213.

Reservations may be made by calling the Bar office at 780-0700 no later than noon on Monday, March 23, 2015.

IMPORTANT NOTE: Under the reservation policy, members who make reservations will be expected to pay whether or not they attend. No cancellations or refunds after noon on March 23rd. Reservations made by credit card payment are subject to a 5% service fee if cancelled by the appropriate cut-off date.

Hanover and Henrico Judges provide feedback to Bar's Administration of Justice Committee

In its continued effort to promote the administration of justice in the Richmond area and to facilitate cooperation between the bench and the bar, the Administration of Justice Committee recently concluded its annual interviews with the Honorable Judges of the Counties of Hanover and Henrico. As in years past, the Judges were gracious with their time and spoke with candor to Committee members regarding their respective Court's work and the performance of the bar in their courtrooms.

Honorable J. Overton Harris, Chief Judge, Hanover County Circuit Court

There are several changes in the Hanover County Circuit Court, according to presiding Judge J. Overton Harris. In response to a heavy caseload of criminal and civil cases, two courtrooms are available on Mondays and Tuesdays with Judge Harris and Judge Patricia Kelly, and on Fridays with Judge Harris and Judge Sarah L. Deneke.

The Court continues to move toward a paperless environment. It has complete electronic copies of cases, which the judge can access on the bench. Lawyers who have

tried cases in Circuit Court, including jury cases, are aware of the advantages of having electronic access to the file. Also, e-filing is now available from 7:00 a.m. to 7:00 p.m., Monday through Friday. Hanover is one of fourteen jurisdictions, including the City of Richmond, to have e-filing capability. If attorneys are already registered in another locality, they do not need to reregister to file cases in Hanover. Attorneys wanting more information on e-filing can contact Stuart Oskins, Systems Administrator, Hanover Circuit Court, (804) 365-6864. Despite its availability, e-filing has not been widely used.

The new Courthouse will be ready for occupancy in 2017. All of the Hanover Courts, and the Commonwealth's Attorney's Office, will be located in the new building, and the present buildings will be used for other county purposes.

Judge Harris reminds the Bar that civil cases are set on an allotted-time basis, and he encourages attorneys to provide careful and realistic estimates of the time that will be required. If a scheduled jury case goes beyond its allotted time, the case will go

over to the next court day until it is resolved, but if a non-jury case goes beyond its allotted time, it will be continued, often to a non-consecutive day, for completion. This continued trial date could be weeks away. For this reason, Judge Harris encourages the use of court reporters in non-jury trials so that the judge hearing the case can refresh his memory. He also encourages the use of pre-trial conferences in civil cases.

While he is generally pleased with the conduct and performance of the lawyers practicing before the court, Judge Harris and the other judges are concerned that domestic relations cases "seem to impact attorneys more than any other type case," and they have observed an alarming lack of civility, including "rude and caustic" conduct, among some members of the Bar. He encourages lawyers to remain objective in these cases, be prepared, play by the rules, and be civil. Use of the standard pretrial order and referral to settlement judges for mediation are useful tools in domestic cases.

Attorneys wanting to set cases for trial or hearing can call the court's secretary,

continued on page 8

The McCammon Group

is pleased to announce our newest Neutral



Hon. Pamela S. Baskervill (Ret.)
Retired Chief Judge, Petersburg Circuit Court

The Honorable Pamela Baskervill retired recently after serving the Petersburg Circuit Court with distinction for thirteen years, concluding her service as the Chief Judge. Prior to her appointment to the bench, Judge Baskervill enjoyed a successful trial practice involving a wide variety of civil litigation. Judge Baskervill is a Fellow in the American College of Trial Lawyers and a Former Member of the Boyd-Graves Commission. She is a Past President of the Petersburg Bar Association and of the Prince George Bar Association. Judge Baskervill now brings her distinguished record of service and accomplishment to The McCammon Group to serve the mediation, arbitration, judge pro tempore, and special master needs of lawyers and litigants throughout the Commonwealth and beyond.



Dispute Resolution and Prevention

For a complete list of our services and Neutrals throughout VA, DC, and MD, call 1-888-343-0922 or visit www.McCammonGroup.com

- THOMAS E. ALBRO, ESQ.
- HON. MICHAEL C. ALLEN (RET.)
- HON. JOANNE F. ALPER (RET.)
- HON. PAMELA S. BASKERVILL (RET.)
- HON. J. MARTIN BASS (RET.)
- HON. B. WAUGH CRIGLER (RET.)
- HON. JEAN W. CUNNINGHAM
- HON. DENNIS W. DOHNAL (RET.)
- JOHN G. DOUGLASS, ESQ.
- CHESHIRE L'ANSON EVELEIGH, ESQ.
- HON. JOHANNA L. FITZPATRICK (RET.)
- HON. JEROME B. FRIEDMAN (RET.)
- RICHARD S. GLASSER, ESQ.
- ROBERT J. GREY, JR., ESQ.
- HON. E. PRESTON GRISSOM (RET.)
- ROBERT T. HALL, ESQ.
- GRAYSON P. HANES, ESQ.
- MICHAEL E. HARMAN, ESQ.
- SUSAN MASSIE HICKS, ESQ.
- HON. THOMAS B. HOOVER (RET.)
- HON. THOMAS D. HORNE (RET.)
- BARBARA L. HULBURT, ESQ.
- JOHN A.C. KEITH, ESQ.
- HON. DONALD H. KENT (RET.)
- HON. LARRY B. KIRKSEY (RET.)

- HON. STANLEY P. KLEIN (RET.)
- HON. LAWRENCE L. KOONTZ, JR. (RET.)
- HON. ELIZABETH B. LACY (RET.)
- HON. WILLIAM H. LEDBETTER, JR. (RET.)
- EDWARD B. LOWRY, ESQ.
- JOHN B. MCCAMMON, ESQ.
- HON. MICHAEL P. MCWEENY (RET.)
- ROBERT T. MITCHELL, JR., ESQ.
- JOHN H. OBRION, JR., ESQ.
- HON. BARRY R. PORETZ (RET.)
- HON. CHARLES E. POSTON (RET.)
- MARK E. RUBIN, ESQ.
- HENRY M. SACKETT, III, ESQ.
- HON. THOMAS S. SHADRICK (RET.)
- HON. PAUL F. SHERIDAN (RET.)
- HON. F. BRADFORD STILLMAN (RET.)
- SENATOR WALTER A. STOSCH
- HON. DIANE M. STRICKLAND (RET.)
- HON. ALFRED D. SWERSKY (RET.)
- HON. JAY T. SWETT (RET.)
- BRUCE E. TITUS, ESQ.
- GUY K. TOWER, ESQ.
- HON. ARTHUR B. VIAREGG (RET.)
- HON. ROBERT W. WOOLDRIDGE, JR. (RET.)

CLE Registration Form

Name: _____
 Address: _____

 Phone Number: _____
 E-mail Address: _____

<u>Date</u>	<u>Seminar Title</u>	<u>CLE Hours</u>	<u>Members</u>	<u>Non-Members</u>	
			(Registration/Late Registration)		
April 7	2015 Legislative Update	2.0	\$50/\$60	\$65/\$75	\$_____
April 28	Death, Divorce, Nosy Neighbors and Disgruntled Employees	2.0	\$50/\$60	\$65/\$75	\$_____
April 30	Personal Injury Cases in GDC	2.0	\$50/\$60	\$65/\$75	\$_____
May 7	Defamation, Business Conspiracy and Tortious Interference	2.0	\$50/\$60	\$65/\$75	\$_____
May 14	Electronic Records: Discovery, Production and Protection	2.0	\$50/\$60	\$65/\$75	\$_____
				Total	\$_____

Payment:

_____ I participate in the CLE Discount Program. Please deduct _____ hours from my balance.

_____ I wish to pay by credit card: Visa or Mastercard

card number expiration date name on card

_____ I have enclosed a check or money order.

Detach and send form and check to: Richmond Bar Association, P.O. Box 1213, Richmond, VA 23218-1213.

Register online at <http://www.richmondbar.org/cle/schedule-class-descriptions/>

Cancellation of registration for continuing legal education seminars is allowed up to one week prior to the seminar. Reservations made by credit card payment are subject to a 5% service fee if cancelled by the appropriate cut-off date. Refunds or credits to a member's discount program account will be given up to one week prior to the date of the seminar.

RBA members -- Take advantage of the Association's CLE Discount Program and save money! Purchase 6 hours of credit for \$100 or a 12 hour block for \$180, and then register for any RBA seminars (excludes some Section-sponsored CLE and Bench-Bar Conference) conducted through October 31, 2015. Visit <http://www.richmondbar.org/cle/cle-discount-program/> or call 780-0700 for more details.

Continuing Legal Education courses

2015 Legislative Update

The Bar's Legislative Update seminar is back by popular demand! Meade A. Spotts of Spotts Fain PC is assembling and will moderate a panel covering the legislation enacted or amended by the General Assembly during the 2015 legislative session. Join him and a panel of Senators and Delegates as they bring you up to date on the hot topics in business, real estate, commerce and labor legislation.

DATE: Tuesday, April 7, 2015
TIME: 4:00 p.m. to 6:00 p.m.
LOCATION: 2nd Floor Conference Room, 707 E. Main Street
COST: \$50 for members (\$60 after March 31)
\$65 for non-members (\$75 after March 31)

MCLE CREDIT: THIS PROGRAM HAS BEEN APPROVED BY THE VIRGINIA MCLE BOARD FOR 2.0 HOURS OF CREDIT

Cocktail Party Law II

The Not-So-Civil Side of Civil Law—Death, Divorce, Nosy Neighbors, and Disgruntled Employees: A Basic Primer in Trust/Estates, Family, Community Association, and Employment Law

This CLE, second in a two-part series on common legal questions which nonlawyers may ask lawyers in a social context, will provide basic knowledge to all practitioners about the relevant law and procedures when a client contemplates divorce or needs a will. The CLE will also include basic information about strategies and responsibilities related to inconsiderate neighbors and difficult associations, and it will address basic issues of which all employers should be mindful. Speakers include Bruce Mertens of Sands Anderson, Alicia Finley of Barnes and Diehl, Lucia Anna "Pia" Trigiani of Mercer Trigiani, and Annemarie Cleary of Eckert Seamans.

DATE: Tuesday, April 28, 2015
TIME: 4:00 p.m. to 6:00 p.m.
LOCATION: 2nd Floor Conference Room, 707 E. Main Street
COST: \$50 for members (\$60 after April 21)
\$65 for non-members (\$75 after April 21)

MCLE CREDIT: THIS PROGRAM HAS BEEN APPROVED BY THE VIRGINIA MCLE BOARD FOR 2.0 HOURS OF CREDIT

Trying Personal Injury Cases in General District Court—No Longer the Wild, Wild West

This seminar will cover trying personal injury cases in General District Court, with a particular emphasis on aspects of personal injury litigation unique to that forum. Given the rise of personal injury litigation in General District Court, this seminar is intended for both new and more seasoned practitioners. Presenters will be The Hon. Barbara J. Gaden, City of Richmond General District Court, Kelly Martin, Tronfeld West & Durrett, and Chris Jones, Morris & Morris.

DATE: Thursday, April 30, 2015
TIME: 4:00 p.m. to 6:00 p.m.
LOCATION: 2nd Floor Conference Room, 707 E. Main Street
COST: \$50 for members (\$60 after April 23)
\$65 for non-members (\$75 after April 23)

MCLE CREDIT: THIS PROGRAM HAS BEEN APPROVED BY THE VIRGINIA MCLE BOARD FOR 2.0 HOURS OF CREDIT

Continuing Legal Education courses

Defamation, Business Conspiracy, and Tortious Interference With Contractual Relations or Economic Advantage: The Triple Crown of Virginia Business Torts

Join us as for an insightful combination of perspectives—from both the bench and bar—on three of the most common business torts pled under Virginia law. The Honorable Catherine C. Hammond (Circuit Court of the County of Henrico), having prosecuted and defended business torts in private practice before joining the judiciary, and Thomas E. Spahn (Partner, McGuireWoods LLP), one of the foremost experts on Virginia defamation law, will provide a practical overview on these seminal business torts, including providing strategies to implement and pitfalls to avoid to effectively pursue and defend litigation in these areas.

DATE: Thursday, May 7, 2015
TIME: 4:00 p.m. to 6:00 p.m.
LOCATION: 2nd Floor Conference Room, 707 E. Main Street
COST: \$50 for members (\$60 after April 30)
\$65 for non-members (\$75 after April 30)

MCLE CREDIT: THIS PROGRAM HAS BEEN APPROVED BY THE VIRGINIA MCLE BOARD FOR 2.0 HOURS OF CREDIT

Electronic Records: Discovery, Production, and Protection

As more records are maintained electronically, attorneys are faced with increasing requests for electronic versions of documents and the data tied to their storage and accessibility. From medical records to corporate policies and procedures to social media, electronic records are rapidly emerging at the center of discovery conflicts. Hear from a panel of experienced practitioners about how to investigate electronically maintained records, what discovery requests to issue and how to respond to requests, and how much protection is afforded to this type of data.

DATE: Thursday, May 14, 2015
TIME: 4:00 p.m. to 6:00 p.m.
LOCATION: 2nd Floor Conference Room, 707 E. Main Street
COST: \$50 for members (\$60 after May 7)
\$65 for non-members (\$75 after May 7)

MCLE CREDIT: THIS PROGRAM HAS BEEN APPROVED BY THE VIRGINIA MCLE BOARD FOR 2.0 HOURS OF CREDIT

2014-2015 luncheon dates announced

Mark your calendar! The RBA luncheon dates and the Holiday Cocktail Party date for the upcoming Bar year are:

Luncheons - all held at the Omni Hotel beginning at 12:30 p.m.:

Thursday, September 17, 2015
Thursday, October 22, 2015 (Bench-Bar Conference)
Thursday, November 19, 2015
Thursday, January 21, 2016
Friday, February 19, 2016
Thursday, March 17, 2016
Monday, May 2, 2016 (Law Day)

The Holiday Cocktail Party will be held at the Virginia Museum of Fine Arts beginning at 6:00 p.m. on Wednesday, December 16, 2015.

Chief Judges from Hanover and Henrico Courts offer

continued from page 3

Sue Bowen (804-365-6161), or can appear at the monthly docket call. Depending on the availability of counsel, jury trials can be scheduled within five to six months.

Honorable Hugh S. Campbell, Hanover County General District Court

In July, Judge Campbell completed his first year on the bench. Since taking the bench, the pace of his legal education has accelerated by a factor of five, he said, but he has enjoyed the transition—particularly the opportunity to hear on a regular basis the creative arguments that well-prepared lawyers can make.

As the only judge who sits daily in the busy Hanover General District Court, Judge Campbell hears a lot of arguments, creative or otherwise. Relief has arrived. Lawyers, particularly volume civil filers, should know that on the fourth Monday of each month, Hanover will have two judges handling the docket. Newly appointed Judge Robert E. Reibach will preside on those dates in the basement courtroom.

In felony cases, retained defense lawyers normally appear at the arraignment with their client to set the matter for preliminary hearing. In the event an attorney has not been retained by arraignment, the Court will set a "name attorney" date out approximately three weeks for the defendant to reappear to demonstrate counsel and to set the preliminary hearing date. For efficiency, subsequent to arraignment and in lieu of appearing on the name attorney date, lawyers may send the Clerk a retainer letter setting the matter for hearing on one of the arresting officer's available trial dates. If this procedure is properly followed, neither the defendant nor his/her counsel need appear on the name attorney date and their first appearance will be at the preliminary hearing. It is important to note that attorney error in this procedure may result in a violation of a defendant's bond terms with regard to their normally required appearance in Court. Confirmation of compliance by phone call with the Clerk's office staff is recommended until counsel becomes familiar with the waived appearance procedure.

Judge Campbell stresses that "good dates" for trial are dates available to both the arresting officer and the lawyer. A letter is counter-productive if the only dates

the lawyer provides are dates that conflict with the officer's calendar. Call the clerk's office to find out what dates the officer has available. Generally, trial will be scheduled within 90 days of the offense, but exceptions may be made for good cause.

Judge Campbell offers two tips to criminal defense lawyers. Those attorneys not familiar with King v. Commonwealth should read that opinion regarding hearsay. In King, 18 Va. App. 57, 441 S.E.2d 704 (Va. App. 1994), the Court of Appeals held that the trial court did not err in refusing to admit defendant's out-of-court statements when offered by the defendant. And if they are not aware of it already, criminal defense lawyers should ask the Hanover Commonwealth's Attorney's office about its open file policy. Traveling to Hanover to review the file is likely to reveal much more than formal discovery.

Regarding the civil docket, Judge Campbell asks that lawyers come to court with the available trial dates of the lawyer likely to try a contested case. Those "available" dates should also be dates that are available to the Court. In civil cases, attorneys should bring Monday available dates. Finally, Judge Campbell echoed a refrain common among most general district court judges—if a lawyer is running late, call the Clerk's office.

Honorable Shannon O. Hoehl, Presiding Judge, Hanover County Juvenile and Domestic Relations Court

Judge Hoehl prides herself on efficient docket management. She credits a good Clerk's Office and cooperative attorneys. Every Monday, from 9:00 a.m. to 12:30 p.m., is reserved for pre-trial matters. The pre-trial docket presents an opportunity to resolve disputes without setting a hearing. For example, there may be custody or support petitions where the parties do not have any substantial disagreement or where it is simply a matter of applying the statutory child support guideline formula. Using this time to resolve uncontested matters clears the docket for resolution of cases that are truly contested. Disputed matters will generally be set between 30 to 60 days from the pre-trial date, depending on the attorneys' availability. Contested matters are normally set for a maximum of three hours. On rare occasions when it is necessary to conduct a hearing beyond

three hours, additional time may be allotted.

Judge Hoehl says that most of her guardians ad litem are performing capably. She appreciates attorneys who are direct and to the point. "Tell me what you want me to do," she requests. She adds that the matters that she hears are usually questions of common sense which do not require arcane legal arguments.

She notes that the hardest part of her job involves cases where dealing with abuse or neglect of children. She describes as "very touching" the good jobs that schools do alerting and dealing with such cases.

She offers a few suggestions. She asks that attorneys appearing for pre-trial matters let the deputy know that they are present so that their cases can be called without undue delay. She stresses that it is important that attorneys discourage their clients from seeking protective orders for the sole purpose of obtaining possession of the marital home or custody of the children. The protective order process, she reminds, is reserved for people who are afraid for their safety and should not be used for other purposes.

Honorable Catherine C. Hammond, Chief Judge, Henrico County Circuit Court

Judge Hammond serves as Chief Judge of the Henrico County Circuit Court. She truly appreciates the great work of the Richmond Bar Association and its relationship with the Court.

Effective January 1, 2014, the Court began to maintain all of its civil and criminal cases in digital format. Attorneys can subscribe for remote access through the Court's website at www.henrico.us/clerk.

She cautions that attorneys who bring briefs, GAL reports, records on appeal or any other papers to judges' chambers or to the courtroom have not filed them. Attorneys must bring them to the Clerk.

Judge Hammond advises that the rules governing courthouse security, cell phone use and electronic calendars are set by Order of the Court, and are posted on the Court's website at www.henrico.us/clerk.

Judge Hammond shared that she is retiring from the Court. She appreciates the opportunity to serve, and extends an invitation to members of the Bar to her retirement reception at the Cultural Arts Center at 3:00 p.m. on Tuesday, March 31, 2015.

continued on page 9

comments and suggestions to Bar members

continued from page 8

Honorable Mary B. Malveaux, Presiding Judge, Chief Judge, Henrico County General District Court

Chief Judge Malveaux praises the attorneys appearing before the Court's four judges in civil and criminal matters. "By and large we really have an incredible bar," she states. She finds that the attorneys are well prepared and she commends the high level of collegiality which she and the other judges have observed. She is particularly complimentary of the work of court-appointed counsel in criminal cases.

Both prosecuting and defense attorneys do a good job of getting to the point. In civil cases, she observes that attorneys do a good job of streamlining the issues involved in litigation, emphasizing that "getting to the real issues" of a case is essential to the smooth operation of a busy court.

Judge Malveaux notes that the court is seeing a lot of newer lawyers. The judges find it helpful if lawyers would introduce themselves at the beginning of the case as it is becoming increasingly difficult to remember the names of all of the attorneys who appear in the four courtrooms.

Some changes that the Bar generally may not be aware of include the following:

Continuing criminal cases often can be done in advance of a hearing by the circulation of an order endorsed by the Commonwealth's Attorney, by defense counsel and by the defendant. The reason the Court wants the defendant to endorse the order is to make sure that the defendant has notice of the new date. If an order is fully endorsed, it will not be necessary for counsel or the defendant to appear on the date of trial.

On the civil side of the Court, the biggest change is that civil trials are conducted five days a week instead of the former two days a week. There is no longer an afternoon criminal/traffic docket as civil cases are now heard Monday through Friday at 1:30 p.m., and at 11:00 a.m. on Fridays and Mondays. Criminal and traffic matters are heard at 9:30 a.m. and 11:00 a.m. on Tuesday, Wednesday and Thursday. By freeing up late afternoon, this new schedule gives a busy clerk's office time to process the day's work. Arraignments and bond hearings in criminal cases are still heard at 9:00 a.m. Monday through Friday. Judge Malveaux comments that the Henrico Bar's collegiality makes her work enjoyable.

Honorable Rondelle D. Herman, Presiding Judge, Chief Judge, Henrico Juvenile and Domestic Relations District Court

Judge Herman serves as Chief Judge of the Henrico County Juvenile and Domestic Relations Court. The Henrico County J&DR judges appreciate the bar and the lawyers who appear before them. It is a pleasure to sit on the bench in Henrico.

In the constant effort by the Court to provide prompt, efficient, quality judicial services to the population of Henrico County, she reminds lawyers that docket control is extremely important for the public's access to justice and that it is imperative that all lawyers consider their own calendar control as an important component of the overall system. She raises the Court's concern with attorneys' docket and calendar control activities. She notes that attorneys often double- or triple-book hearings (sometimes in more than one jurisdiction), which means that the judges, parties and other attorneys are required to wait. Delays in appearing should be a rare occurrence and not a regular routine of practice. Oftentimes, judges will try to help to resolve this by calling the attorney, in order to avoid multiple occurrences and placing attorneys on probation. Attorneys can help by avoiding overscheduling where possible and by giving Sheriff's Deputies their cell number and/or e-mail information so that in the unanticipated situation where a scheduling conflict arises, the Court can reach the attorney. The court can keep this information off the "public" court-appointed attorney/GAL list upon request. It is also an important part of professionalism among the bench and the bar for a lawyer to show respect to the Court, other attorneys and the litigants if he or she is late through no fault of their own.

The Court has noticed that, in some cases, attorneys have not met or spoken with their clients prior to their court date. Judge Herman suggests that attorneys prepare themselves by knowing their case and their parties and being ready to present before the court date. She also suggests that attorneys take good notes during proceedings and bring the file with them to court. If an attorney is not prepared by the court date, the best course of action is to request a continuance in order to do further work to represent a client.

Judge Herman also added these suggestions:

- Younger attorneys should get pointers and

coaching from more seasoned attorneys.

- Attorneys who are late for a court date should acknowledge it at the outset.
 - Negotiations with opposing counsel should occur before the court date. If attorneys require additional time to try to reach a resolution, they should request a continuance, and let the judge decide how to proceed. Negotiations that occur after a hearing is called will be counted against the time set aside for the hearing.
 - If a juvenile needs assistance, attorneys should do their legwork. Attorneys should be specific with respect to the program(s) they recommend, understand the resources available, the scope of the services, and do their due diligence with respect to cost, transportation arrangements and logistics.
- Judge Herman shared the following:
- A CLE will be offered in March 2015 as a multiagency presentation involving GALs, the Department of Social Services, the Court Service Unit and schools. Judge Herman recommends the CLE for all attorneys who represent juveniles.
 - The Court has a new clerk, Jacob "Jay" Wilkins. Mr. Wilkins is a retired military veteran who has lent great cheer to his colleagues and is already implementing great changes to make the Court more user friendly to litigants and counsel. Judge Herman will ask him to forward his periodic e-mail announcements to the Richmond Bar Association for distribution to its members.
 - Courtroom 6 is up and running. It is a large courtroom that can accommodate more special needs.
 - Judge Herman and Mr. Wilkins continue to review all suggestions made in the suggestion box in the attorneys' room. Suggestions can be made anonymously.
 - The Court is continually making improvements at the attorney window to help the clerks serve attorneys effectively and in its pre-court systems to help increase efficiency.
 - The Court now has a Twitter page, and has been making announcements since July 2014. It now has 93 followers, and certainly would like to expand its reach. Follow the Court on Twitter: @HenricoJDRct.

Joley Eason to receive Young Lawyer of the Year Award

continued from page 1

Elder Law Clinic, where she gained experience in seeking guardianship appointments, drafting estate planning documents, and resolving Social Security, Medicare, and Medicaid issues. Upon graduation in 2012, she joined ThompsonMcMullan as an associate.

Ms. Eason received numerous nominations for this award. One colleague writes: "As we know, an attorney in the beginning years of practice must devote considerable time and energy to building her practice and supporting the work of more senior attorneys in the firm. In the past two years of practice (her first two years), Joley has been able to carve out time from firm commitments to participate in bar activities and serve on bar committees, to leap into community service, and to be a prolific author of many articles and blogs. Most importantly, her commitment to pro bono service sets her apart. She is a volunteer attorney for the following organizations: Aging with Grace, Paredez



Joley L. Eason

Breast Cancer Foundation, Jewish Family Services, Virginia Insurance Counseling and Assistance Program, Legal Aid Justice Cen-

ter, Central Virginia Legal Aid Society, and the Legal Information Network for Cancer."

The Executive Director of a nonprofit at which Ms. Eason volunteers states: "There is no doubt that some people harbor negative impressions about lawyers. Many television shows and movies portray lawyers as ruthless, uncaring individuals who are in this profession just to make money. Joley Eason is the antithesis of this picture. Even though Joley is very busy in her personal practice at Thompson McMullan, she takes on many pro bono cases and spends hours of time working on them. She considers these pro bono cases to be just as important as the revenue generating cases in her law firm. The minute you meet Joley you can feel warmth and sincerity generating from her. Once you get to know her, you are amazed by how much she cares for the Greater Richmond community, especially those who are less fortunate than her."

Melody Barnes to speak in March

continued from page 1

Melody Barnes is CEO of Melody Barnes Solutions LLC, a domestic strategy firm, and Vice Provost for Global Student Leadership Initiatives and Senior Fellow at the Robert F. Wagner School of Public Service at New York University. Ms. Barnes also serves as a Senior Director at the Albright Stonebridge Group, a global strategy firm, and Chair of the Aspen Institute Forum for Community Solutions. From January 2009 until January 2012, she was Assistant to the President and Director of the White House Domestic Policy Council where she worked closely with Cabinet members to address significant national challenges, including education, health care and the federal government's relationship with local governments and communities.

Ms. Barnes' media appearances include This Week with George Stephanopoulos, The Daily Show with Jon Stewart, Charlie Rose, Morning Joe and NewsHour with Jim Lehrer.

Judges are invited to attend the luncheon as guests of the Association. Judges who would like to be picked up at either the John Marshall Courts Building or the Supreme Court Building are asked to notify the Bar office by 1:00 p.m. on the day before the luncheon.

Announcements

Bankruptcy Section Annual Meeting scheduled for May 14

Mark your calendar and plan to attend the Bankruptcy Section's Annual Meeting set for Thursday, May 14, 2015 at the Hilton Garden Inn. Members will receive a flyer with more information in the coming weeks.

The Section is also making preparations for its popular Judges' Roundtable. Additional details will be sent to Section members soon.

Litigation Section sets Annual Meeting for May 13 at The Boathouse

Save the date! The Litigation Section will hold its Annual Meeting on Wednesday, May 13, 2015 at The Boathouse at Rocketts Landing. Additional information will be sent to Section members in April.

YLS: Notice of Appointment of Nominating Committee

Pursuant to Section 4.07 of the Bylaws of the Young Lawyers Section of The Bar Association of the City of Richmond, notice is hereby given that a Nominating Committee has been appointed to consider candidates and nominate officers and Executive Committee members for election at the Section's Annual Meeting. The members of the Nominating Committee are as follows:

Nicole H. Brakstad
Neil R. Gibson
Kimberly A. Skiba-Rokosky

John M. Erbach
Jonathan L. Moore
Lauren M. Wheeling

Any group of 10 or more members of the Section may make nominations by submitting the name of any nominee to the undersigned Secretary of the Section by 5:00 p.m. on February 27, 2015. In addition, any member of the Section may suggest candidates for consideration by the Nominating Committee. Suggestions for consideration shall be made by notifying the undersigned.

Antoinette M. Walker, Secretary
Morris & Morris
P.O. Box 30
Richmond, Virginia 23218
awalker@morrismorris.com

Spring Cocktail Party
Wednesday, April 22, 2015
at Willow Oaks Country Club from 6:00 p.m. to 8:00 p.m.
Cost to attend is \$45 per RBA member
First non-member guest - \$45
additional non-member guests - \$60
Includes an open bar and heavy hors d'oeuvres. Attire is business casual. Invitations will be mailed soon.

Welcome new members

The Richmond Bar Association welcomes the following new members:

Annie Cai
Daniel P. Callahan
Katherine E. Collins
Caroline N. Lamberti
John P. O'Herron
Whitney C. Marshall
Christopher J. Pitera
Matthew S. Throop

Get involved - serve on a RBA committee

Members who volunteer to serve on Committees and participate in events are the lifeblood of the Association. The new Bar year will begin on June 1, and President-Elect Tracy Walker will be making new appointments to the Committees listed below. If you are interested in serving on a Committee, please contact him at 775-1131 or twalker@mcguirewoods.com.

Administration of Justice
Communications
Continuing Legal Education
Finance
Judiciary
Membership
Pro Bono

Try the Bar's online Pictorial Directory

Manage your own membership information using the Bar's on-line Pictorial Directory. You can also use the Directory to search for members' contact information, undergraduate and law school affiliations and areas of practice listings, as well as photos if they were previously provided.

To access the Directory visit <http://www.richmondbar.org/> and enter your username (your Virginia State Bar number) and password (default password is RBA2012) in the Membership Directory login box on the right side of the page. You will have the opportunity to change the default password from your personal page. If you do not have a VSB number or have questions, contact the Bar office at 780-0700.

The Richmond Bar appreciates the patronage of its 2014-2015 Select Sponsors:

- First Capital Bank
- Halasz Court Reporting
- MINNESOTA LAWYERS MUTUAL
- Protiviti, Inc.
- Superior Document Services
- Tranzon Fox

CALENDAR

March

- 2 Executive Committee meeting, 12:30 p.m., Bar office
- 5 Board of Directors meeting, 12:30 p.m., Hunton & Williams
- 9 Pro Bono Committee meeting, 12:30 p.m., 2nd floor conference room
- 10 CLE Committee meeting, 12:30 p.m., 2nd floor conference room
- 26 RBA Luncheon, 12:30 p.m., Omni Hotel
Speaker: Melody C. Barnes, former Director of the Domestic Policy Council and former advisor to President Obama
- 30 Executive Committee meeting, 12:30 p.m., Bar office

April

- 1 Bench-Bar Conference Committee meeting, 5:30 p.m., 2nd floor conference room
- 2 Board of Directors meeting, 12:30 p.m., Hunton & Williams
- 7 CLE seminar: "2015 Legislative Update," 4:00 p.m., 2nd floor conference room
- 13 Executive Committee meeting, 12:30 p.m., Bar office
- 22 Annual Meeting, 5:30 p.m., Willow Oaks Country Club
- 22 Spring Cocktail Party, 6:00 p.m., Willow Oaks Country Club
- 28 CLE seminar: "Death, Divorce, Nosy Neighbors, and Disgruntled Employees," 4:00 p.m., 2nd floor conference room
- 30 CLE seminar: "Trying Personal Injury Cases in General District Court," 4:00 p.m., 2nd floor conference room

May

- 1 RBA Luncheon, 12:30 p.m., Omni Hotel
Speaker: Chief Justice Donald W. Lemons
- 4 Executive Committee meeting, 12:30 p.m., Bar office
- 5 Bench-Bar Conference Committee meeting, 5:30 p.m., 2nd floor conference room
- 7 Board of Directors meeting, 12:30 p.m., Hunton & Williams
- 7 CLE seminar: "Defamation, Business Conspiracy, and Tortious Interference," 4:00 p.m., 2nd floor conference room
- 11 Pro Bono Committee meeting, 12:30 p.m., 2nd floor conference room
- 12 CLE Committee meeting, 12:30 p.m., 2nd floor conference room
- 13 Litigation Section Annual Meeting, 6:00 p.m., The Boathouse
- 14 Bankruptcy Section Luncheon/Annual Meeting, 12:30 p.m., Hilton Garden Inn
- 14 CLE seminar: "Electronic Records: Discovery, Production, and Protection," 4:00 p.m., 2nd floor conference room

PRESORTED
STANDARD
U.S. POSTAGE
PAID
RICHMOND, VA
PERMIT NO. 2929

The Bar Association of the
City of Richmond
P.O. Box 1213
Richmond, Virginia 23218-1213