

# BAR BULLETIN

Volume XLVI  
Number 7

January -  
February 2022

## INSIDE

Page 2 .....Announcements &  
New Members

Page 3 .....YLS

Page 4 .....Library Lines

Page 5..... NPBA Foundation

Page 6-7.....Special Feature

# NORFOLK & PORTSMOUTH BAR ASSOCIATION

## PRESIDENT'S MESSAGE



John Sawyer

Happy Holidays! I hope you all take a break from your busy schedules to enjoy time with family and friends during this special time of the year. Let us also take a moment to reflect on the past year and give thanks for our many blessings. While the NPBA is in a transition period between directors, we all continued to enjoy the benefits of NPBA membership. There are too many persons to recognize in this short note, but I would like to recognize a few for their contributions to the NPBA. First and foremost, a heartfelt thank you to Michelle Herbert. Most of you do not know Michelle, but we all have her to thank for the continued operation of the NPBA. Despite the fact that she is a part-time NPBA employee, Michelle stepped up and kept the ship running. There is a great deal of behind the scenes logistics that goes into all of the NPBA programming, including this bar bulletin, and Michelle is at the heart of it all. Thanks also to Kristen Pariser for her tireless efforts for the Norfolk Law Library. Please join me in thanking Michelle and Kristen for all they do for the NPBA and Norfolk Law Library.

Thank you to my fellow Executive Committee officers and members. Each EC member serves as a liaison to the various NPBA committees, attends the monthly EC meetings, and rises to the occasion to help when and where needed. Thanks to all of the committee chairs and members who have continued to meet and plan through this period of transition. Your efforts drive the NPBA forward. Thank you to the members of our judiciary who are generous with their time and expertise. Their participation in lunches, events and CLE's add great value to NPBA membership. Finally, I thank all of you for your membership and participation in the NPBA. The opportunity to meet and interact with fellow members of the bar is the greatest value of this association.

We also look forward to programming in the new year. Please plan to join us for lunch on January 20, 2022 in the eighth floor Rotunda. Go ahead and mark your calendars for the annual Bench Bar Conference scheduled for April 12, 2022. The Bench Bar Committee has a fantastic program planned for us. We plan to return to a live event at the downtown Marriott. Also, be on the lookout for announcements for other events and social opportunities.

This year has been a particular challenge for the NPBA. Transition is never easy, especially when coupled with a global pandemic. But through your membership and support, we enjoyed quality CLE's, a fantastic annual party at the NYCC, renewed lunches, a party at Judge Hall's lovely home, and so much more. Thank you for your membership, and Happy New Year!

## UPCOMING EVENTS

**NPBA Luncheon with Speaker: Dr. Michael Strunc, Sleep Medicine Specialist and Neurologist, Children's Hospital of the King's Daughters (CHKD)**

**Thursday, November 18, 2021 12:00 p.m.—1:00 p.m.**

City of Norfolk Courthouse  
150 St. Paul's Blvd., 2d Fl.  
Norfolk, Virginia 23510  
(757) 622-3152

[contact@norfolkandportsmouthbar.org](mailto:contact@norfolkandportsmouthbar.org)  
[www.norfolkandportsmouthbar.org](http://www.norfolkandportsmouthbar.org)

#### OFFICERS

**John F. Sawyer**

*President*  
497-6633  
[sawyer@wolriv.com](mailto:sawyer@wolriv.com)

**Lamont Maddox**

*Past President*  
454-2045  
[lmaddox@guidancelaw.com](mailto:lmaddox@guidancelaw.com)

**Kristan B. Burch**

*President-Elect*  
624-3000  
[kbburch@kaufcan.com](mailto:kbburch@kaufcan.com)

**Kellam T. Parks**

*Treasurer*  
453-7744  
[kparks@pzlzlaw.com](mailto:kparks@pzlzlaw.com)

**Anne G. Bibeau**

*Secretary*  
446-8600  
[abibeau@vanblacklaw.com](mailto:abibeau@vanblacklaw.com)

**Cartwright R. Reilly**

499-8800  
[creilly@williamsmullen.com](mailto:creilly@williamsmullen.com)

**Jason Ohana**

628-5519  
[johana@wilsav.com](mailto:johana@wilsav.com)

**Jamilah LeCruise**

627-5215  
[jdlecruise@lecruiselaw.com](mailto:jdlecruise@lecruiselaw.com)

**Griffin O'Hanlon**

333-3333  
[gohanlon@cooperhurley.com](mailto:gohanlon@cooperhurley.com)

**Rachel VanHorn**

*President, Library Board*  
533-5555 ext. 549  
[rvanhorn@glasserlaw.com](mailto:rvanhorn@glasserlaw.com)

**Margaret Kelly**

*Chair, Young Lawyers Section*  
664-4529  
[margaret.kelly@norfolk.org](mailto:margaret.kelly@norfolk.org)

#### STAFF

**Michelle Herbert**

*Administrative Assistant*  
622-3152  
[contact@norfolkandportsmouthbar.org](mailto:contact@norfolkandportsmouthbar.org)

## ANNOUNCEMENTS

**Darius K. A. Davenport, Sr.** has been elected Managing Partner of **Crenshaw, Ware & Martin, P.L.C.** He succeeds Donald C. Schultz, who previously served in this role. Mr. Schultz will continue his Commercial Bankruptcy and Creditors Rights Practice. Mr. Davenport joined the firm in 2012 and Chairs the firm's Cybersecurity and Data Privacy and Government and Public Sector practice groups. He received his Juris Doctor degree from the University of Wisconsin and received his Bachelors of Arts in History from Norfolk State University. He is admitted to the State Bars of Wisconsin and Virginia. Mr. Davenport is rated AV Preeminent by LexisNexis Martindale-Hubbell, has been listed as a Rising Star by Virginia Super Lawyers, and as one of Virginia's Legal Elite by Virginia Business Magazine.

...



#### Welcome New Members

**Landon Kemnitz**

*Student, Regent University School of Law*

**Samantha Bull**

*Montagna Klein Camden LLP*

**Melissa Moser**

*Moser Law PLLC*

**William Nexsen, Jr.**

*Rutter Mills*

## YOUNG LAWYERS SECTION

By Margaret Kelly, Chair • [margaret.kelly@norfolk.gov](mailto:margaret.kelly@norfolk.gov) • 664-4529



Margaret Kelly

Welcome to 2022! The YLS ended 2021 on an excellent note, as the Honorable Tasha Scott of the Norfolk Circuit Court virtually sat down with our young lawyers in the return of the Breakfast with the Bench series. Judge Scott provided wonderful advice and insights and shared some of her invaluable experiences from both her time on the bench and her time as a lawyer. The YLS extends our sincere thanks to Judge Scott for taking the time to speak with us and answer our questions: your wisdom and your support of our young lawyers are greatly appreciated.

The YLS plans to continue Breakfast with the Bench series, and our members are invited to keep an eye out for future invitations. We are also open to new ideas about other traditions to start. Attendance at meetings has dwindled to a core group who have been doing a amazing job planning all the YLS's events. But while it is exciting to meet other young lawyers at these events, we are looking for people to get more involved in YLS itself. We would love to see you at our meetings where we can all relax and get to know you better.

Work-life balance has always been a struggle for young lawyers and entering another year of the pandemic certainly has not helped. Our meetings are not

just for business planning! They are also a time to learn that your "simple" civil procedure question you have been afraid of asking is actually a point of common confusion. They are a time for sharing your jitters over your first federal court filing. And sometimes they are just a time to learn you were not the only one who took half of season one of a show to figure out its timeline was not linear. Connecting with people who have similar career demands and concerns can help ease some of the mental strain, even if- or sometimes especially when- the conversation deliberately steers away from work. I hope to see you at the next meeting or hear from you if you are unable to attend but still interested in getting involved.

Even though we are entering a new year with a hopefully fresh start, it can still seem like each day brings new challenges and uncertainties. To all our young lawyers: please remember that your fellow YLS members are here to support you. Our January meeting is switching back to the online videoconference format while we all try to regain our balance, which means we are just a mouse-click away. I look forward to seeing you then.

*Congratulations to*  
**John Baker**  
*on being named partner at*  
*Cooper Hurley Injury Lawyers!*

**(757) 333-3333 | [cooperhurley.com](http://cooperhurley.com)**

*Helping those injured in car, truck, and motorcycle wrecks  
or other serious injury and wrongful death cases.*





Contact Norfolk Law Library at (757) 622-2910 • [www.norfolklawlibrary.org](http://www.norfolklawlibrary.org)

Dear Members of the NPBA,

The Norfolk Law Library now provides direct access to LexisNexis Patron Access on library computers. Patrons can now directly browse both Westlaw and LexisNexis databases in the library.

Additionally, we are working to revise parts of our library catalog to make it easier to locate library materials including more detailed records for CLEs, links to Westlaw and Lexis resources within records, and a full inventory of our historical collection of 1950 Virginia Code Annotated hardbound and pocket part volumes. Please feel free to browse our online catalog and let us know if you have any questions:  
Norfolk Law Library Online Catalog

Library staff continue to be available to assist with research and citation retrieval both in-person and remotely.

Please contact us with any questions at (757) 622-2910, by email [staff@norfolklawlibrary.org](mailto:staff@norfolklawlibrary.org), or via the Contact Us page at <https://norfolklawlibrary.org/contact-us/>.

The Norfolk Law Library would like to thank the following Friends for their generous support:

**Platinum (\$750+)**

Cooper Hurley Injury Lawyers

**Gold (\$500-\$749)**

Paul R. Hernandez  
Willcox & Savage, P.C.  
William C. Bischoff

**Silver (\$250-\$499)**

ADS, Inc.  
Lollar Law, PLLC  
Hon. Everett A. Martin Jr.  
David J. Pierce  
James R. Theuer  
Jonathan L. Thornton

**Bronze (\$100-\$249)**

Woody and Katie Anderson  
Anonymous  
Anonymous  
Bangel, Bangel & Bangel, L.L.P.  
Harold E. Bell  
Carlton F. Bennett  
Bruce T. Bishop  
Patrick & Ann Brogan  
Kristan B. Burch  
David A. Buzard  
Paul K. Campsen  
James L. Chapman IV  
John A. Coggeshall  
Davis Law, PLC  
Hon. Mark S. Davis  
Terry H. Davis Jr.  
John Deal  
Marie A. Finch  
John R. Fletcher  
Hon. Robert & Dorothy Doumar  
Foundation

B. Cullen Gibson  
Edward F. Halloran  
Aaron F. Kass

R. Larry Lambert  
Bonnie P. Lane

Hon. David Lannetti and Kamala Lannetti

Stephen A. Leon  
Lamont Maddox

Howard W. Martin Jr.  
Vincent J. Mastracco, Jr.  
Hon. James S. Matthews  
Joseph T. McFadden, Jr.

John D. McIntyre  
John C. McLemore  
James A. Metcalfe  
Daniel J. Miller  
Hon. Douglas E. Miller  
William H. Monroe Jr.

John E. Pappas  
Anita O. Poston  
Ralph Rabinowitz  
Harriet T. Reynolds  
Martha G. Rollins  
C. Edward Russell Jr.  
Joseph V. Sherman  
Greg E. Summy  
Seymour M. Teach  
Tiffany & Brown  
Charles E. Vogan  
Peter G. Zemanian

**Other contributors**

Thomas A. Connor  
Lauren A. Martin  
William H. Swan, III  
Mark F. Williams

This list includes donors September 1, 2020, through November 1, 2021.

## **NPBA JOB BOARD**

**Find a Job: [Click Here](#)**

**Post a Job: Contact NPBA Staff at  
[contact@norfolkandportsmouthbar.org](mailto:contact@norfolkandportsmouthbar.org) or  
(757) 622-3152**



## Available for In-Person Mediations and Arbitrations\*

Zoom sessions are also  
available upon request



757.403.8150



[judgepadrick@theretiredjudge.com](mailto:judgepadrick@theretiredjudge.com)

\*fully vaccinated and Covid safe

RETIRED JUDGE  
DISPUTE RESOLUTION  
SERVICES LLC

JUDGE H. THOMAS PADRICK, JR. (RET)

[jpadrick.com](http://jpadrick.com)

## ***SPECIAL FEATURE:***

### **Norfolk Circuit Court Reentry Docket**

The Honorable David W. Lannetti, Judge, Norfolk Circuit Court  
Emma A. Cleary, Esquire, Law Clerk, Norfolk Circuit Court

Specialty docket programs have long been utilized in Virginia courts to facilitate community-based treatment and oversight for certain criminal offenders, with the ultimate goal of rehabilitating and reintegrating participants into society. These programs are characterized by extensive interagency coordination; team members include representatives of the court, the commonwealth's attorney, the public defender or defense bar, the sheriff or police department, probation and parole office, and local treatment clinicians. The first Virginia specialty program, Drug Court, was established in 1995. Its success ushered in a wave of federal and state funding, as other jurisdictions began their own drug courts. In 2004, the General Assembly passed the Drug Treatment Court Act with the overall goal of enhancing public safety.

The widespread success of Drug Courts in Virginia inspired the formation of other specialty courts, including Juvenile Drug Court, Mental/Behavioral Health Court, and Veterans Treatment Court (often implemented as a specialty track within an existing drug or mental health court program). While Norfolk Circuit Court has active Drug, Mental Health, and Veterans Treatment programs, it also has a specialty program that no other Virginia court has: a "reentry" docket.

The Norfolk Circuit Court Reentry Docket ("Reentry Docket") began as a pilot program in 2010 after then-Governor Bob McDonnell established the Virginia Prisoner and Juvenile Offender Reentry Council. With the stated goals of reducing recidivism—thereby increasing public safety—and reducing incarceration costs, Reentry Docket offers a systemic and multi-faceted approach to reintegrating incarcerated individuals into society.

Reentry Docket has four core components: (1) pre-release assessment and planning, (2) active judicial oversight, (3) management of various support services, and (4) participant accountability. Like other specialty programs, an initial eligibility evaluation is usually conducted prior to sentencing, preliminarily by attorneys handling the potential participant's criminal case and team members; jail liaison staff screen existing inmates for eligibility as well. Reentry Docket diverges from other specialty courts at sentencing. Instead of deferring a participant's sentence pending completion of the program, judges sentence Reentry Docket participants to a split sentence—partially with the Virginia Department of Corrections and partially with the Probation and Parole office.

Like in other specialty programs, Reentry Docket participants work through graduated phases, usually over the course of eighteen months. The first phase begins six months prior to a participant's release from incarceration. Because Reentry Docket is designed to prepare offenders to successfully reenter society and not reoffend, Reentry Docket's pre-release phase is a hallmark of the program; it consists of substance abuse counseling, GED preparation, life skills training, and cognitive thinking programming, all of which participants must complete prior to release. The programs in this pre-release phase, while similar to other reentry services offered to incarcerated individuals, are mandatory—as opposed to encouraged—for Reentry Docket participants.

Following release from incarceration (and completion of Phase I), the program has four additional phases that must be completed prior to a participant's graduation. As participants progress through these phases, they continue to receive treatment, attend counseling, undergo drug screening, and appear regularly in court. The consistent oversight and structure help participants achieve milestones set out in their individual treatment plans, which are developed before beginning the program. Milestones relate to housing, employment, sobriety, family counseling, healthy decision-making, and relapse prevention. As in other programs, Reentry Docket participants are provided incentives to promote compliance with treatment plans and program rules; they also are subject to sanctions to address any rule violations. A unique aspect of Reentry Docket is the requirement that participants must have the vote of not only treatment team members, but also fellow participants, before graduating through the program phases.

Successful completion of Reentry Docket results in the graduate's release from the remainder of their supervised probation. Those who do not complete the program either remain on supervised probation or face additional consequences, depending on the specific nature of their charges and/or their performance in Reentry Docket.

(continued on page 7)

## ***SPECIAL FEATURE:***

### **Norfolk Circuit Court Reentry Docket**

The Honorable David W. Lannetti, Judge, Norfolk Circuit Court

Emma A. Cleary, Esquire, Law Clerk, Norfolk Circuit Court

(continued from page 6)

All Virginia specialty courts are designed to reduce recidivism and promote eligible participants' healthy reintegration into society, regardless of their charges, addictions, illnesses, or other struggles. Although specialty courts are not unique to Virginia, the Commonwealth's concentrated effort to facilitate rehabilitation has yielded positive results. As of May 2021, Virginia's recidivism rate for state-responsible inmates after three years of release is 23.9 percent. Of the forty-two states that report re-incarceration rates, Virginia is second lowest (behind South Carolina), and Virginia has had either the lowest or second lowest rate for the last five years of reporting. In addressing this success, Virginia Department of Corrections Director Harold Clarke cited the important role of "evidence-based programming" (including cognitive skills programming), academic and vocational education, and substance abuse treatment.

Reentry Docket utilizes the above programs for the sole purpose of successfully reintegrating those newly released from incarceration back into society, thereby reducing recidivism, and in turn contributing to overall public safety. The unique focus of Reentry Docket, as opposed to Drug Court and Mental Health Court, creates an opportunity to help a broader segment of citizens than simply those suffering from substance dependence or mental illness. Ideal candidates include those facing non-violent felonies—including property crimes, drug possession or sale, and prostitution—who have indefinite or long periods of supervised probation following release, as well as those with repeated violations of probation. Participants must be at least eighteen years old and reside in the City of Norfolk. Those facing violent, firearm, or gang charges, as well as those convicted of such crimes within ten years of evaluation, are not eligible to participate in Reentry Docket.

By focusing on the transition stage between incarceration and freedom from supervised probation, and by maintaining structure and oversight, Reentry Docket sets participants up for success in a way that could be applied to nearly everyone going through the criminal justice system, not just those with specified needs. Norfolk's Reentry Docket currently has capacity for additional participants, so keep this important program in mind when assisting criminal defendants.

*The views advanced in this Article represent commentary "concerning the law, the legal system, [and] the administration of justice" as authorized by Virginia Canon of Judicial Conduct 4(B) (permitting judges to speak, write, lecture, teach, and otherwise participate in extrajudicial efforts to improve the legal system). These views, therefore, should not be mistaken for the official views of the Norfolk Circuit Court or the opinion of a circuit court judge in the context of any specific case.*

# CATCH OUR SUPER BOWL COMMERCIAL!



*The legal team at Cooper Hurley Injury Lawyers is proud to be featured in our 2nd Super Bowl commercial. Catch us on screen!*

**CH** COOPER HURLEY  
INJURY LAWYERS 

*Helping those injured in car, truck, and  
motorcycle wrecks or other serious  
injury and wrongful death cases.*

**(757) 333-3333**

**COOPERHURLEY.COM**

