

NORFOLK & PORTSMOUTH

BAR ASSOCIATION

BAR BULLETIN

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

PRESIDENT'S MESSAGE



Robert V. Timms, Jr.

I am honored to assume the role of President of the Bar Association and with your help I look forward to accomplishing many things this year.

For my first President's Message, I'd like to relate my experiences working with Legal Aid representing their clients. As many of you are aware, in 2000 then Virginia Supreme Court Justice Leroy Rountree Hassell, Sr. began an effort to expand free legal services for those unable to afford an attorney. Current Chief Justice Donald W. Lemons and Justice S. Bernard Goodwyn continue this expansion effort today.

The Legal Aid Society of Eastern Virginia, being crafty marketers, began to offer free CLE training in handling uncontested divorces. I, being cost conscious (i.e. cheap), jumped at this opportunity. In exchange for the free CLE, I agreed to handle two uncontested divorce cases.

I had not handled a divorce case in twenty-five years. My practice focuses on estate planning and transactional matters. I was a bit nervous in agreeing to undertake these cases. However, with the help of forms given to me at the seminar and procedural assistance from colleagues experienced in divorce matters, I am happy to report that I successfully concluded my first two divorce cases.

I learned a couple of things assisting Legal Aid. First, my divorce clients were some of the kindest and most appreciative clients I have met in my career. They had been separated for a long time, but did not have the resources or knowledge to legally end the relationship. When I asked them to provide information and to get documents signed, they eagerly provided me with the assistance I requested.

In addition to the divorce cases, the Legal Aid office asked me to assist a couple of clients in matters with which I have more experience. I had a real estate question offered to me, which I could answer by telephone. I also was asked to assist a couple on the Middle Peninsula with some estate planning involving a potential Special Needs trust component. I met the couple in the Legal Aid Hampton office. I determined from that meeting that they did not require a Special Needs Trust for their adult son, who suffered a severe brain injury and is receiving full-time treatment in a residential assisted living facility. They wanted to just benefit their other two children. So, instead, I prepared simple estate planning documents for them.

The second thing I learned, and what I found most interesting, came from a discussion with the husband. He told me that he was born in Eastern Europe shortly before the start of World War II. During World War II his country was overrun by Germany. As a young child he was separated from his parents, relocated from his town, and was forced to work without pay in a factory that produced goods to assist the Nazi war effort. After the war, he emigrated to the United States and

(continued on page 2)

UPCOMING EVENTS

NPBA LUNCHEONS

Hits at the Park, Harbor Park

Thursday, September 15 • 11:45 AM

Thursday, October 20 • 11:45 AM

SEPTEMBER CLE SEMINARS

Thursday, September 15, 2016

Nuisance Law - 1 CLE Credit

Thursday, September 22, 2016

Civil Suits Against the U.S. Government
and Medical Care Recovery Act Claims
3 CLE Credits

Thursday, September 29, 2016

Injury Litigation Practice: Demands,
Negotiations and Settlements
3 CLE (including 1 Ethics) Credits

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(PRESIDENT'S MESSAGE CONTINUED)

met his wife. He then became a civilian employee of the Air Force working as a facilities mechanic. The couple currently lives in a mobile home on a small parcel in the country. As with my divorce clients, this couple was very appreciative of my assistance. I was not aware of the extent to which Nazi Germany used children as slave labor based on their ethnic background. I was happy to assist them and I realized, that in addition to learning something about the past of which I was not aware, I was able to help someone whose life experiences were much different than mine. All in all, my Legal Aid experience has been an enriching one. So, I urge you to sign up to take some cases from Legal Aid. Your clients will appreciate your assistance and you will occasionally come across someone who has led a fascinating life.

For more information or to volunteer, contact Tameeka Williams, Esq., Director of Pro Bono Involvement at the Legal Aid Society of Eastern Virginia. She can be reached at 627-5423 or tameekaw@laseva.org.

A PLETHORA OF PAST PRESIDENTS APRIL 2016 GATHERING



Seated, L to R: Mary Morgan, Jim Metcalfe, Virginia Van Valkenburg
Standing, L to R: Anita Poston, Judge Dave Lannetti, Chip Beaman, Howard Martin, Martha McGann, Guil Ware, Donna Bausch, Conrad Shumadine, John Deal, Cheshire Eveleigh, Don Schultz

EMPLOYMENT OPPORTUNITY

The Norfolk City Attorney seeks applicants for a position as a civil litigator in the Norfolk City Attorney's office. Position will handle cases in both state and federal courts. Litigation primarily involves liability claims against the City or its employees, including police activities, civil rights matters, premises liability, automobile accidents, and worker's compensation. Responsibilities may also include other types of civil litigation matters, administrative proceedings, claims adjustment, and preparation of legal opinions for the City. Jury trial experience preferred. Admission to Virginia State Bar required, plus admission or eligibility for admission to bar of United States District Court for the Eastern District of Virginia. Position will be filled as either Assistant City Attorney or Deputy City Attorney. Salary commensurate with experience. Generous benefits package. Applicants should submit a resume and cover letter addressed to:

Heather Mullen

Deputy City Attorney

810 Union Street, Suite 900

Norfolk, VA 23501

Heather.Mullen@norfolk.gov

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Patrick Hagen

Regent University law student

Darcy Reed

Regent University law student

NPBA FOUNDATION HIGH SCHOOL SCHOLARSHIP PROGRAM

by Robert H. Powell, III, Member, Norfolk & Portsmouth Bar Association Foundation Board

The NPBA Foundation's high school scholarship competition is one of the Foundation's longest running and most successful programs. Each year the Foundation awards two scholarships to deserving high school seniors who submit applications and an essay on a topic selected by the Foundation. One of the purposes of the essay is to show students that the law affects people of high school age. This year's essay topic involved the recent U. S. District Court decision involving Gavin Grimm, a transgender student from Gloucester. A distinguished panel of judges chaired by Chief Judge Rebecca Beach Smith of the U. S. District Court included, in addition to Judge Smith, Justice S. Bernard Goodwyn of the Supreme Court of Virginia, and Judge Carl E. Eason, Jr., Chief Circuit Court Judge for the 5th Circuit. As usual, the selection committee chose two outstanding students.

Shelby Shearon was the \$2,500 scholarship winner. Shelby, valedictorian at Princess Anne High, has a GPA of 4.8296 on 4.0 scale. During her high school career, she has taken 11 AP classes, was captain of both the crew team as well as the debate team, National AP Scholar, was an AP Scholar with Distinction, won the Princeton Book Award and the Virginian-Pilot Scholastic Achievement Award, was a Virginia Zoo junior docent volunteer as well as a Sentara & CHKD summer volunteer, a Virginia Beach SPCA

volunteer, and a Norfolk Forum volunteer. She also served as a summer intern at Jefferson Lab.

Teacher comments submitted with her application included the following: "Shelby stands out because of her overall academic promise, her genuine intellectual curiosity, and her respect for others. *** It is not often that I have seen a student who has developed the social skills that Shelby has. *** From her successes in crew to her love of horses, and her myriad other interests, Shelby is someone who manifests many of the great characteristics of this community. She is honest, caring, intellectually gifted, and hopeful about the future." This fall, Shelby plans to attend Princeton where she will participate on the crew team.

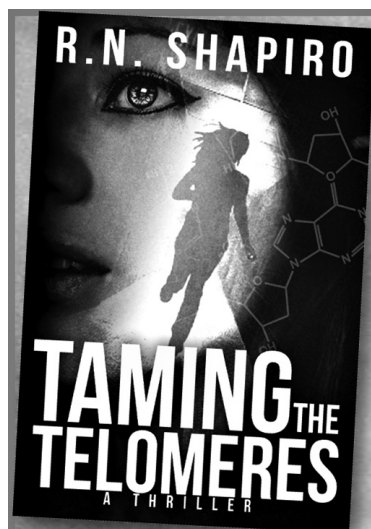
Kristen Ferguson was the Foundation's \$1,000 scholarship winner. As salutatorian at Hickory High, she had an impressive GPA of 4.7800 on 4.0 scale. During her high school career, she has taken 10 AP classes. In addition to her impressive academic accomplishments, Kristen is widely recognized for her athletic prowess on the field hockey circuit. She played 4 years of varsity field hockey at Hickory. As Senior Captain, was selected to be a member of the First Team All-Tidewater field hockey team, and was selected by Chesapeake Sports Club as the field hockey player of the year.

Kristen was an AP Scholar with Distinc-

tion, received the Virginian-Pilot Scholars Award, the Princeton Book Award, and the William & Mary Leadership Award. One of the highlights of her high school career was a Nicaragua Mission Trip through Young Life. She has served as a 4-H Camp Counselor and was a member of National Honor Society and a Senior Class officer.

A few of the teacher comments that accompanied her application read as follows: "I honestly rank her among the top three students I have known in my 26 year teaching career. Witty, intelligent, humble, diligent, purposeful, poised, enthusiastic, mature, organized, and driven, she stands head and shoulders above her peers. *** While she certainly dedicates untold hours to her studies, she also remains deeply involved in her school and the surrounding community. Her prowess on the field hockey pitch is borderline legendary in this part of the world, with accolades pouring in from conference, region, state, and national bodies. *** She's smart. She's athletic. She has a servant's heart. She has an unparalleled work ethic. She's articulate and organized, and involved, and charismatic and everything you look for in an outstanding student – and *human*." This fall, Kristen will attend Cornell where she'll join the field hockey team.

— — — — —



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- Bloomberg Businessweek

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- AAJ Attorney Marc Wietzke



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YOUNG LAWYERS SECTION

By Jennifer L. Fuschetti, Chair

I am both honored and excited to be serving as the Young Lawyers' Section Chair for year 2016-2017. During my time with the NPBA, I have been impressed with the energy and activity of the Young Lawyers' Section. Our members have made service to the community and fellowship with each other priorities in their busy careers. Thanks to the dedicated leadership of our outgoing chair **Zach Simmons**, our members' enthusiastic participation in section events grew last year. I'm sure that trend will continue. I believe that it is my responsibility as chair to ensure that we maintain an atmosphere where every voice is heard.

One of the ways we're encouraging those voices is through the creation of subcommittees. **Alex Cloud, Anna Ernest, Daniel McNamara, Darden Barrett, Jamilah LeCruise, Jessica Dixon, Margaret Kelly** and **Nicholas Raffaele**, have all volunteered their time and energy to engage our membership with new projects. Less than one month into the year, they have started a section softball team, developed a plan to grow our presence on social media and opened discussions to develop opportunities for our members to provide pro-bono legal

services to those who need them. **Andrea Ruege**, our Treasurer and President-Elect, and I are anxious to see all the great new projects created by and available to our members this year!

As we are each year, we are so excited by the success of this year's Annual Golf Tournament, held at Bide-A-Wee Golf Course on June 30. **Kyle Martin** and **Brianna Weber-Wakelam** generously donated their time and energy to organize another amazing day for all the participants, and we cannot thank them enough. The proceeds from this tournament support the sections programming throughout the year. Without it, our volunteering days at the Ronald McDonald House, Breakfast with the Bench sessions, CLE courses, and social events simply would not be possible.

Our most recent Breakfast with the Bench on June 21, 2016 featured **Judge Jerrauld C. Jones**. Judge Jones offered the group advice founded upon a distinguished career in public service, beginning with his



clerkship for the Justices of the Supreme Court of Virginia, and continuing through his time as a prosecutor, a Delegate to the Virginia General Assembly, the Director of the Department of Juvenile Justice for the Commonwealth of Virginia, and as a Judge of the Juvenile and Domestic Relations District Court and then the Circuit Court of the City of Norfolk. Buoyed by the continued success and popularity of the Breakfast with the Bench series, the committee is already hard at work scheduling speakers for the rest of the year. These breakfasts are open to all NPBA members, and we certainly hope you will join us for breakfast at Brickhouse.

The Young Lawyers' Section has a busy year ahead. Please keep an eye out for announcements about events open to young lawyers as well as more experienced attorneys. If you are under 36 or have been practicing for five years or less, I highly encourage you to become active in our section. Meetings are usually held one Tuesday each month at 6:00 at a local establishment offering early-evening specials. For more information, please contact me at npbayounglawyers@gmail.com. I'm looking forward to meeting you.



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Mary T. Morgan Wins VSB Local Bar Leader of the Year Award

The Virginia State Bar Conference of Local Bar Associations presented the 2016 Local Bar Leader of the Year Award to Mary T. Morgan, a partner in Golightly Mulligan & Morgan PLC.

Morgan is immediate past president of the Norfolk & Portsmouth Bar Association (NPBA) and has served in leadership roles in a number of other bar organizations including the James Kent Inn of Court, the Virginia Women Attorneys Association, the Virginia Association of Defense Attorneys, the Federal Bar Association, and the Portsmouth Bar Association.

In nominating Morgan, Judge David W. Lannetti wrote that, "Although this nomination is for a bar leader award, true bar leaders take their legal training out into the community." Lannetti noted that Morgan volunteers throughout her community in schools, churches, and the Edmarc Hospice for Children, where Morgan is chair of the board of directors.



T. Wayne Williams, past president of NPBA, wrote that, "Mary handled almost all leadership roles in our organization and has done so with full commitment and

excellence whether it be chairing the Bench Bar Committee, assisting with CLE programs, assisting with the Mock Trial program for the Norfolk Public Schools as a teacher and judge, or chairing committees for the NPBA recommendation for judicial nominees."

Morgan is a graduate of the University of Richmond School of Law and her practice focuses in professional liability defense, bar complaint defense, and general civil litigation.

The Virginia State Bar Conference of Local Bar Associations' recognition of a Local Bar Leader of the Year identifies past and presently active leaders of local bar associations who have continued to offer important service to the bench, bar, and public. The award is a continuing monument to the dedication of local bar leaders. It also emphasizes the importance of close cooperation between the Virginia State Bar and local bar leaders.

NPBA FALL CALENDAR

All information below subject to change. Check our website for most current information.

NPBA Luncheon

Thursday, September 15th • 11:45 AM

Hits at the Park, Harbor Park

Speaker: James A. Squires
Chairman, President, and CEO
Norfolk Southern

Nuisance Law

1 CLE Credit

Thursday, September 15th • 1:00 PM

(immediately following NPBA Luncheon)

Hits at the Park, Harbor Park

Faculty: Stephen W. Brewer
Willcox & Savage, P.C.

Civil Suits Against the U.S. Government and Medical Care Recovery Act Claims

3 CLE Credits

Thursday, September 22nd • 1:00 - 4:00 PM

Faculty: Virginia Van Valkenburg
U.S. Attorney's Office
Randy Russell
U. S. Navy

Injury Litigation Practice: Demands, Negotiations and Settlements

3 CLE (including 1 Ethics) Credits

Thursday, September 29th • 1:00 - 4:00 PM

Dominion Tower, Suite 400

Faculty: John Cooper
Jim Hurley
Bill O'Mara
Cooper Hurley Injury Lawyers

Confidentiality: Part III

Non-Clients' Misunderstanding and Mistakes

2 CLE Ethics Credits

Tuesday, October 11th • 1:00 - 3:00 PM

Faculty: Thomas E. Spahn
McGuireWoods, LLP

Landlord Tenant Law Primer for the General Practitioner

3 CLE Credits

Friday, October 14th • 2:00 - 5:00 PM

Faculty: Jessica Klein
Paraclete Legal
Chris Galloway
Legal Aid Society of
Eastern Virginia
Hon. Douglas B. Ottinger
Chief Judge, Portsmouth
General District Court

Creative Strategies for "Selling" Your Case: Secrets Hiding in Plain Sight

2 CLE Credits

Tuesday, October 18th • 1:00 - 3:00 PM

Dominion Tower, Suite 400

Faculty: Raymond White, Exec. Dir.
Virginia CLE Foundation

NPBA Luncheon

Thursday, October 20th • 11:45 AM

Hits at the Park, Harbor Park

Speaker: Steve Gunn, Editor
The Virginian-Pilot

Social Media Ethics

1 CLE Ethics Credit

Thursday, October 20th • 1:00 PM

(immediately following NPBA Luncheon)

Hits at the Park, Harbor Park

Faculty: Tom Auth
Minnesota Lawyers Mutual

Depression in the Legal Community

2 CLE Ethics Credits

Tuesday, October 25th

Faculty: Jim Leffler
Lawyers Helping Lawyers
Bill Bischoff
Bischoff Martingayle

NPBA Luncheon

Thursday, November 17th • 11:45 AM

Hits at the Park, Harbor Park

Hon. Glen A. Huff

Chief Judge, Virginia Court of Appeals

Rule 68 Offers of Judgment

1 CLE Credit

Thursday, November 17th • 1:00 PM

(immediately following NPBA Luncheon)

Hits at the Park, Harbor Park

Faculty: Gary A. Bryant
Willcox & Savage, PC

For further information or to register for
any of these events, please call 622-3152
or email npbamail@gmail.com

ANNOUNCEMENTS

Crenshaw, Ware & Martin is proud to announce that **Howard W. Martin, Jr.** received the Suffolk Redevelopment and Housing Authority Clarissa E. McAdoo Houser Award for Distinguished Service. The Houser Award is given once every five years to recognize exemplary service to the Authority. Branch Lawson, Chairman of SRHA, presented the award to Mr. Martin at the Authority's 45th Anniversary Celebration on April 23, 2016. Mr. Martin has served as legal counsel to SRHA for almost fifteen years. Mr. Martin focuses his practice in the areas of Real Estate, Land Use, and Redevelopment and Housing Law. He joined the firm in 1971, after serving four years in the U.S. Navy, including tours at sea and two years in the Navy JAG Corps. During his 45 years in practice with CWM, Mr. Martin has served as Managing Partner of the firm, President of the Virginia State Bar, President of the Norfolk & Portsmouth Bar Association, and President of the Virginia Law Foundation.

Williams Mullen is pleased to announce that 26 of the firm's attorneys and 11 of its practice areas have received recognition in the 2016 edition of Chambers USA,

America's Leading Lawyers for Business. Chambers bases its rankings on market research into the strengths and reputations of U.S. attorneys and law firms. Interviews are conducted with clients and attorneys across the nation to enable Chambers to assess technical legal ability, professional conduct, client service, commercial astuteness, diligence, commitment and other valued qualities. NPBA members included are: **David C. Burton** – Labor & Employment, **Howard E. Gordon** – Real Estate and **Craig L. Mytelka** – Intellectual Property.

Williams Mullen is pleased to announce that **Cartwright "Cart" Reilly** has joined the firm's Finance & Real Estate section. Ms. Reilly joins Williams Mullen after more than five years as an associate at Wolcott Rivers Gates. Ms. Reilly represents businesses, banks, individuals and other clients in real estate and financing matters and other business transactions, including sales and acquisitions, real estate development, financing and leasing. Ms. Reilly was named among Virginia's "Legal Elite" for Real Estate/Land Use law by Virginia Business magazine in 2015. She serves on the Future Generations Board for Children's

Hospital of the King's Daughters; on the Norfolk & Portsmouth Bar Association Foundation's board of directors; on the FestEvents board of directors; and on the Professional Advisors Committee of the Hampton Roads Community Foundation. She received her undergraduate degree from the University of North Carolina and her law degree from the Catholic University of America's Columbus School of Law.

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Stephen M. Smith, Esq.

Out of thousands of trial lawyers in the United States, Stephen M. Smith was one of the select few invited to be trained in the Neuro-Anatomical Dissection of the Human Brain and Spinal Cord at Marquette University College of Health Sciences. This advanced medical training, coupled with his 42 years of national and international complex medical litigation experience, provides his clients with an advantage in the court room.

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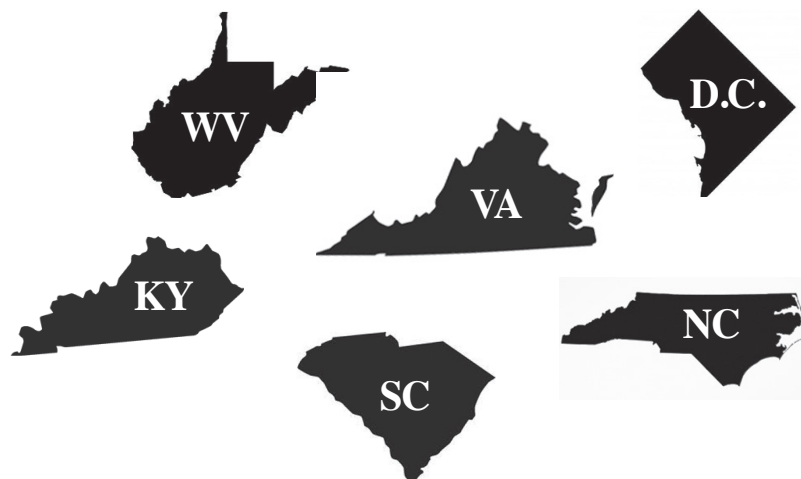


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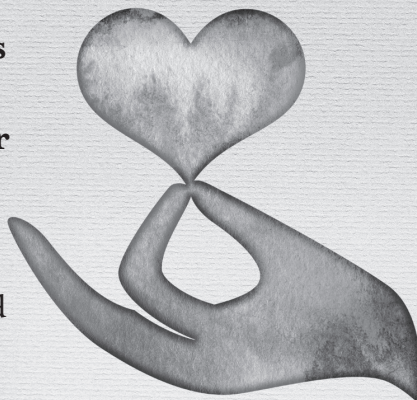
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