

NORFOLK & PORTSMOUTH BAR ASSOCIATION

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See Flyers Inside for
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PRESIDENT'S MESSAGE



T. Wayne Williams

I would like to address an important but sobering topic that can affect members of our profession, the mental health issues of attorneys in the year 2015. It is not an easy topic to think about or discuss but I hope my brief article provides some information and something to think about should you or someone you know need assistance with any mental health issues. A 2009 study suggested that one in three Virginia attorneys have experienced adverse consequences as a result of substance abuse or mental health problems. A quick Internet search of lawyers and mental health brings up articles such as *Why Are Lawyers So Unhappy?* and even worse, *Why are Lawyers Killing Themselves?* As many of you know, often the practice of law can be stressful and difficult and lead to bigger problems that affect our daily lives, our health, our jobs and our relationships with our families and friends.

In the legal profession, adversity is often the nature of our game. Many other professions involve stress but usually there is not an adversary ready and willing to pounce on mistakes to their advantage. For example, as pointed out in one of the articles, no one wants the doctor or nurse to screw up in a medical procedure (except maybe our medical malpractice colleagues); no one wants the computer programmer's work to lead to a crash, or the engineer's design to cause a highway bridge to fail. Most of us are highly competitive and want to please the clients who pay our bills so losing cases, arguments and clients can be very hard and add to stress which for some lead to the point of spinning out of control. If the pressures involved with the practice of law are not dealt with and managed properly, lawyers, more than many other professionals are known to experience issues with depression, alcohol and drug abuse and in the worst case scenario, suicide. (Statistics from 2014 found that lawyers had the 4th highest suicide rate up from 12th highest in the '80's and 90's). Several states have even added a "mental health" component to their mandatory legal continuing education curriculum to combat the problems lawyers face with mental health issues.

Suicide has touched my career and a big part of the reason for writing this article. I have worked with or litigated cases with two lawyers in our area who took their own lives while I have been practicing; one of whom I considered a friend. Research indicates they are not alone as it is an issue all over our country. Sitting at the funeral of my friend I was overwhelmed with sorrow of what was left behind, children, family, friends, clients and colleagues. Since that time I have wondered if there was something I could have said or done for my friend, although the issues were not apparent on the surface, to me at least. I am in no way here to judge their decisions but perhaps more open discussions of the difficult topic like this article can turn their tragic decisions into different and

(continued on page 2)

UPCOMING EVENTS

MARCH LUNCHEON

Thursday, March 19, 2015, 11:45 AM

Hits at the Park, Harbor Park

Speaker: Cathie J. France

Chief Public Affairs Officer, Port of Virginia

EDUCATION LAW - 1 CLE Credit

Thursday, March 19, 2015, 1:00 PM

Faculty: Kamala Lannetti

Virginia Beach City Attorney's Office

BENCH BAR CONFERENCE

3 CLE (1 Ethics) Credits

Tuesday, April 21, 2015, Noon - 6:00 PM

Norfolk Waterside Marriott

Keynote: Hon. Mark R. Herring

Virginia Attorney General

ANNUAL DINNER

Thursday, May 14, 2015

Norfolk Yacht & Country Club

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(PRESIDENT'S MESSAGE CONTINUED)

healthier decisions for someone else. The good news is there is always help available.

There are many resources available to anyone struggling with mental health issues in our profession whether substance abuse, depression or other psychological issues. Local, state and national bars provide access to a multitude of services. Mental health and substance abuse assistance is available to attorneys through Virginia's Lawyers Helping Lawyers program (<http://dev.valhl.org>).

This article is not to imply that the practice of law is the only cause of mental health issues, depression and even suicide, but only that members of our profession are more prone to such issues than other professions due to the nature of our work. In writing this, I am hoping that it is only for information purposes and none of you is suffering from any of these thoughts or conditions or even know of anyone who is. However, as my life and professional experience has taught me, the topic cannot be ignored and if this article touches even one person then it was worth discussing. If you are struggling with any issues or notice a friend or colleague that you even suspect is struggling, do not wait to reach out for help. Even though we are in a combative and competitive profession it does not mean that we cannot watch out for each other's well-being. Quoting John Donne, "No man is an island, entire of itself...any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee." Good health.



NPBA FOUNDATION

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



Greg Summy

By the time you read this article, the celebration of the opening of the new Norfolk Courthouse will have concluded. I hope that many of you were able to attend the reception on February 26. Your Bar Foundation sponsored this event because we believed the opening of the new Courthouse is a significant and unique milestone in the history of the administration of justice in Norfolk.

The reception couldn't have happened without significant financial support, and I want to publicly thank the sponsoring law firms and other entities that helped to make the reception enjoyable for all.

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YOUNG LAWYERS SECTION

By Cart Rixey Reilly, Chair

We hope everyone is staying warm this winter. I know I am looking forward to spring! I am sure you are too and the YLS is hard at work planning exciting events for the coming months.

As I write this column, we are looking forward to having The Honorable David Lannetti, of the Norfolk Circuit Court, join us for our next installment of Breakfast with the Bench. Judge Lannetti is new to the Norfolk Circuit Court bench and we are excited to hear from him! I have no doubt that this will be another wonderful Breakfast with the Bench.



Cart Rixey Reilly

look forward to another exciting evening there.

The YLS is also looking forward to participating in the middle school mock trial

On Monday, March 9, 2015, the YLS will prepare and serve dinner to the residents of the Ronald McDonald House on Colley Avenue. We have enjoyed nurturing our partnership with the Ronald McDonald House and

program this spring. The YLS has enjoyed its involvement in this program for the past few years and is excited to participate again this year!

We are planning a networking happy hour for this spring and another CLE for the summer, so stayed tuned for more details. As we approach springtime, I invite all interested "young" lawyers to join us for a YLS meeting. If you are interested in becoming involved with, or have ideas for, the YLS, please reach out to me at creilly@wolriv.com.

THE NEW NORFOLK COURTHOUSE

The Honorable David Lannetti, Norfolk Circuit Court Judge

Phase one of the new Norfolk Courthouse (which houses the Norfolk Circuit Court and the Norfolk General District Court) opened to the public on January 24, 2015, and construction on phase two (which will house the Norfolk Juvenile and Domestic Relations District Court and the Norfolk Law Library) will begin shortly. The building is magnificent, incorporating a thoughtful and intricate design. With ubiquitous marble, open and accessible public spaces that include floor-to-ceiling windows, high-technology courtrooms trimmed in limestone and dark wood, and a grand eighth-floor public rotunda, Norfolk's citizens have much of which to be proud. In addition to beauty and functionality, the building offers needed state-of-the-art security features, something woefully lacking in Norfolk's previous courthouses.

Amidst an economy that still is recovering and a city with many needs, questions almost certainly will arise regarding why the City of Norfolk elected to construct such a grand structure. Such questions regarding investments in judicial infrastructure are not new. In commissioning the construction of what would become a four-story neoclassical marble edifice in Washington, D.C., then U.S. Supreme Court Chief Justice William Howard Taft directed famed architect Cass Gilbert to design "a building of dignity and importance suitable for its use as the permanent home of the Supreme Court of the United States." According to a booklet later prepared by the Court, "[t]he building was designed on a scale in keeping with the importance and dignity of the Court and the Judiciary as a coequal, independent branch of the United States Government, and as a symbol of 'the national ideal of justice in the highest sphere of activity.'" The structure's iconic portico, with its sixteen massive Corinthian columns and overhead inscription proclaiming "Equal Justice Under Law," makes the stately building both immediately recognizable and unmistakably symbolic. The 82-foot by 91-foot Court Chamber in which cases are argued, with its 44-foot ceiling, is a far cry from the small basement room in the U.S. Capitol the Court occupied when the federal government was first established in Washington.

Our federal and state courts play a critical role in American government,

dispensing justice and restraining abuse by the executive and legislative branches. Courthouses are seen and used by local residents and visitors on a daily basis, and it is imperative that the structures reflect the solemnity and significance of the work that takes place therein. For many individuals, their experiences with local courts comprise their only exposure to the judicial system. As U.S. Supreme Court Justice Stephen Breyer wrote in the forward to a courthouse architectural guide, "Both in function and in design, the buildings architects design will embody and reflect principles that tell the public who use or see them something about themselves, their government, and their nation. In so doing, those buildings can help us live together better as a community." According to John O. Peters, author of several books on Virginia courthouses, courthouses within the Commonwealth historically were designed and built for inspiration and awe, a tradition stemming from Thomas Jefferson, who designed at least three Virginia courthouses. Justice Breyer and Peters share the same sentiment, that a courthouse is not just a building; it has a symbolic function as the center of public life.

Erected fifty years ago, the prior Norfolk courthouses survived well beyond their expected lives, and the cost of corrective maintenance had increased greatly over recent years. More importantly, the national trend of increased incidents of random violence in courthouses made continued commingling of inmates, litigants, attorneys, and judges in unsecure, open courthouse spaces unacceptable. The new courthouse solves these problems and highlights the priority the City places in local justice and the judiciary's role in ensuring adherence to the rule of law.

Norfolk Mayor Paul Fraim's eloquent words at the new courthouse ribbon-cutting ceremony aptly summed up the importance of the building: "Courts are perhaps our most important community asset. Residents come here to conduct business, obtain marriage licenses, register wills, record deeds—the comings and goings of the City. Here justice is also dispensed. Where this occurs says much about the community's commitment to the quality of justice. This building speaks well of our commitment."

Norfolk Circuit Court Judge John R. Doyle, III followed up by saying: "[T]his building's dignified beauty proclaims to all that we citizens of Norfolk treasure our shared values and remain committed to our sense of justice and the orderly resolution of our disputes according to the rule of law. It truly is a beacon proclaiming to all that the bedrock of our nation is that we are a democracy of laws with accessible and equal justice to all." Indeed, the new courthouse building clearly reflects the importance and dignity of Norfolk's courts. We all should be proud.

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 my opinion as a circuit court judge in the context of any specific case. Portions of this article were included in an NPBA President's Message in the January-February 2010 Bar Bulletin.



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Milena Radovic

University of Richmond law student

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Regent University law student

MARCH LUNCHEON MEETING

Thursday, March 19, 2015

Hits at The Park, Harbor Park

11:45 AM



Cathie J. France

Chief Public Affairs Officer, Port of Virginia

Cathie France was named Chief Public Affairs Officer for the Virginia Port Authority (VPA) in January 2014. She oversees The port of Virginia government relations, community outreach, economic development, business analysis, communications and media relations.

Cathie is an experienced lobbyist with a background in both the public and private sides of government relations. Prior to joining VPA, she served as deputy director for energy policy in the Virginia Department of Mines, Minerals and Energy. She also

worked as Director of Government Relations for Virginia Natural Gas and was with Vectre Corporation.

Cathie takes an active role in political and civic life. She serves on boards including the Virginia Aquarium, the Salvation Army, and the Future of Hampton Roads. She also Chairs the Virginia Beach Division, and serves on the Executive Committee, of the Hampton Roads Chamber.

Cathie is a 2005 Fellow of the Sorenson Institute of Political Leadership and a 2009 graduate of LEAD Hampton Roads and was named by Inside Business as one of the Top 40 under 40 in 2005 and Top Women in Business in 2010. In June 2014, Cathie was honored by Lead Hampton Roads with their Hirst Alumni Leader Award.

Cathie earned her J.D. from Georgia State University College of Law and her B.A. in Political Science and Communications from James Madison University.

For luncheon reservations, call the NPBA office at 622-3152 or email your reservation to npbamail@gmail.com

NORFOLK CASA VOLUNTEERS,

STANDING IN THE GAP

By Bronwen A. Joyner, Norfolk CASA, Inc.

It is a busy morning on a typical day in the Norfolk Juvenile and Domestic Relations Court. Sitting in the back rows are several people waiting for cases to be called. They are not lawyers, social workers or CPS workers. They are ordinary people, devoted to doing an extraordinary job.

CASA volunteers – court-appointed special advocates – put their passion for the well-being of children into action. Each CASA volunteer is appointed in cases where a Judge believes they can fill a unique role in making sure kids don't get lost in the overburdened legal and social service systems or languish in unsupportive foster homes. Unlike the many lawyers who may become involved in their case, CASA volunteers stay with children until their court case is closed and the child is placed in a safe, permanent home. A trained CASA volunteer can make independent and informed recommendations that help the Judge decide what's best for the child.

For many abused children, their CASA volunteer is the one constant adult presence in their lives.

(Continued on page 7)

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ANNOUNCEMENTS

Crenshaw, Ware & Martin is pleased to announce that two of their attorneys have been appointed to new board positions.

Elaine Inman Hogan was appointed to the 2015 Board of Directors for the Hampton Roads Society for Human Resource Management, as Director of Legal Affairs. Ms. Hogan chairs the firm's Employment Law Practice Group. She represents employers and management in a wide range of employment law matters and is author of the Virginia Employer Law blog (www.vaemployerlaw.com).

Amy McClure has been appointed to the 2015 Board of Directors for the Hampton Roads Green Building Council, a chapter of the U.S. Green Building Council, which advances sustainable planning, design, construction and operations. Ms. McClure is a member of the firm's Construction Law Practice Group, where she represents owners, contractors and subcontractors.

Inman & Strickler, PLC is proud to announce that **Robert V. Timms, Jr.** has been recognized in 2014 Virginia Super Lawyers in estate planning and probate and has been selected for the 2014 Legal Elite by Virginia Business Magazine in Taxes/Estates/Trusts/Elder Law. Mr. Timms


advises clients in business and corporate law, estate planning and administration, and real estate law.

Kaufman & Canoles, P.C. is pleased to announce that **Christy L. Murphy** was recently elected a Member at the firm. Ms. Murphy is in the Norfolk office, where she concentrates her practice on the representation of banks, credit unions and other secured and unsecured lenders in complex commercial litigation. Ms. Murphy also regularly represents trustees, families, and entities in trust and estate litigation. Ms. Murphy received her B.S. from Old Dominion University and her J.D. from Regent University School of Law.

Pender & Coward is pleased to announce the addition of **Robert L. Samuel** as a new firm shareholder. Mr. Samuel brings more than 35 years of experience in litigation, focusing on personal injury law and workers compensation. He is a Virginia Super Lawyer and has also been recognized as one of the Best Lawyers in America. Mr. Samuel earned his J.D. from the T.C. Williams School of Law at the University of Richmond.

Poole Mahoney, P.C. was named a Tier 1 Best Law Firm by U.S. News – Best Lawyers in the category of Family Law. Members of the Divorce/Family Law Group include: **Reeves Mahoney** is a shareholder and Chair of the firm's Divorce/Family Law Group. His areas of expertise include divorce/family law (with an emphasis on divorce involving substantial assets, complex equitable distribution and contested custody issues). Mr. Mahoney has been repeatedly elected to Virginia Super Lawyers list in Family Law and was named as one of the top 50 attorneys in Virginia. He is also included in the Best Lawyers in America, was selected as Family Lawyer of the Year in 2010 and holds an AV Preeminent rating from Martindale Hubbell. **Shantell Nashatka** is a Shareholder of the firm and has extensive experience in all facets of family law litigation, to include high asset equitable distribution, military divorces, and complex custody cases. Ms. Nashatka also assists individuals with family-related settlement negotiations and has been trained to use a collaborative law model. She has been selected as a Virginia Rising Star by Virginia Super Lawyers magazine

(continued on next page)




PENDER & COWARD

ATTORNEYS AND COUNSELLORS AT LAW

IS PLEASED TO ANNOUNCE THE ADDITION OF

ROBERT L. SAMUEL

Mr. Samuel has joined Pender & Coward as a shareholder, bringing more than 35 years of litigation experience to the firm. He represents individuals and corporations in the areas of Personal Injury Law and Workers Compensation. He is a Virginia Super Lawyer and has also been recognized as one of the Best Lawyers in America for personal injury litigation.



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(Announcements continued)

and has been included in Virginia Business' Legal Elite in the category of Young Attorney. **Ryan Thum** is an Associate in the Divorce/Family Law Practice Group. His practice focuses primarily on litigating contested custody and divorce cases and serving as Guardian ad litem. Mr. Thum also has experience advising clients in negotiating pre-marital and separation agreements. He is licensed in Virginia and North Carolina. **Nicole Thurston** is an Associate in the Divorce/Family Law Practice Group. Her practice includes contested divorce, custody/visitation, adoptions and drafting and negotiating separation agreements. Ms. Thurston is a certified Guardian ad litem for children and is fluent in Spanish.

Reid H. Ervin and Associates, P.C. is pleased to announce the inclusion of **Reid H. Ervin** in the December 2014 issue of Virginia Business as one of Virginia's Legal Elite in the field of employment and labor law.

Vandeventer Black LLP is pleased to announce that commercial litigator **Ellen F. Bergren** has joined its Norfolk office. Bergren's primary practice will focus on complex commercial litigation and general commercial litigation, as well as creditors' rights and bankruptcy. Bergren has expertise in federal trial and appellate practice, and

has previous litigation experience involving products liability, mass tort, insurance, and reinsurance defense. Bergren is an active member of the Norfolk & Portsmouth Bar Association and the Tidewater section of the Federal Bar Association.

Williams Mullen is pleased to announce that **Alyssa Embree** and **Shane Smith** have been elected Partners. Alyssa Embree's practice focuses on the acquisition, financing, leasing and disposition of commercial and multifamily real estate. She has represented national and regional clients in transactions involving office, multifamily, industrial, retail, and mixed use developments, and has significant experience with development, ground leasing, retail leasing and landlord/tenant negotiations. Ms. Embree has also represented financial institutions and creditors in bankruptcy and in workouts of distressed debt secured by real estate. **Shane Smith** focuses his practice on commercial litigation, particularly real and personal property tax disputes. For more than 12 years prior to practicing law, Shane held several positions with Texas-based Valero Energy Corporation and its acquired companies, including Manager, eCommerce Marketing and Manager, Credit Card Marketing. Shane joined the firm after a judicial clerkship with the Honorable D. Arthur

Kelsey, then Judge of the Court of Appeals of Virginia.

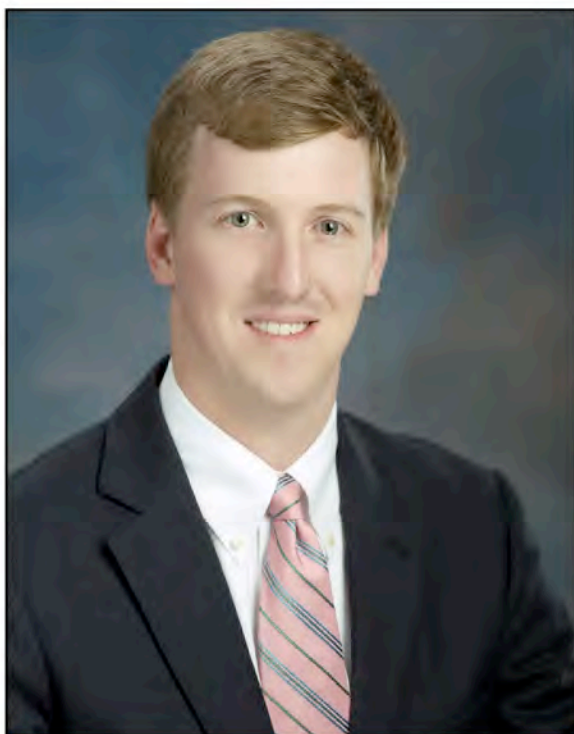
Wolcott Rivers Gates is pleased to introduce **Adam M. Carroll** as the firm's newest partner. Mr. Carroll received his J.D. from Campbell University, Norman Adrian Wiggins School of Law and was admitted into practice in Virginia in 2004. He is an experienced litigator who represents individuals and companies.

(NORFOLK CASA VOLUNTEERS CONTINUED)

CASA volunteers are carefully selected, well trained members of the community, who work entirely for free. CASA volunteers believe their intense advocacy can break the cycle of abuse and neglect. When children grow up in homes where their only adult role models respond to them with violence and disregard for their needs, they repeat that cycle with their own children.

This year Norfolk CASA has served 98 children with 34 volunteers. To become involved, sponsor a table at the annual Mother's Day Luncheon on Friday, May 8, 2015, go to www.norfolkcasa.com or call 664-7649.

Bronwen Joyner is the Secretary for the Board of Directors for Norfolk CASA, Inc., and a lawyer for the firm of Tavss Fletcher.



WELCOME ALEX H. BELL



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The law firm of Bischoff Martingayle P.C. is proud to welcome attorney **Alex H. Bell** to the team. Bell will practice civil and commercial litigation as well as workers' compensation.

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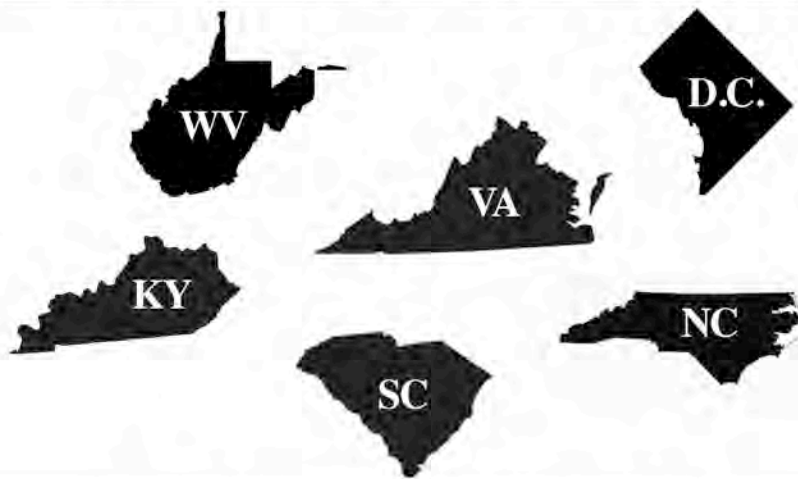


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