

# VIRGINIA BEACH BAR ASSOCIATION

## Newsletter

Volume 13

June 2004

Number 3

### PRESIDENT'S MESSAGE



#### *"A Simple Twist of Fate"*

Dwayne had never known his father and his mother was an addict. He was only in third grade and already had lived in four different houses with four different sets of parents and foster parents. Dwayne had been arrested for both stealing and arson in the past year and was failing nearly all his subjects at school. As he walked down the hall at Seatack Elementary, he dreaded meeting the stranger who his teacher said was going to see him once a week to help him with his math and spelling and to talk to him about the things that were going on in his life. What was the use? No adult in Dwayne's life had ever thought he had any value and this wouldn't be any different. Dwayne grabbed the door knob and opened the old wooden door anyway. As he entered the well lit room, Dwayne saw a tall, smiling man wearing a blue blazer and red tie which looked as if it was choking the man's neck. He told Dwayne his name was Bill Burnside and motioned Dwayne over to some empty seats at a small table in the corner of the room. Dwayne wasn't so sure that this weird older guy was going to have much to offer, but, heck, it got him out of class so he thought he might as well give it a try.

You'll have to read to the end of this President's Message to find out what happened to Dwayne. However, this type of scenario takes place on numerous occasions at the beginning of year-long commitments by mentors to "at risk" children attending Seatack Elementary School as part of the Virginia Beach Bar Association's Seatack Mentoring Program. The Program began five years ago based upon a senior thesis by Circuit Court Judge Thomas S. Shadrick's daughter, Ryan, while she was attending Princeton. Ryan discovered from her research for the thesis that students who are behind in their subjects at school at the end of

the third grade are highly likely to fail for the remainder of their academic years. Ryan then looked at the Virginia Beach school system and discovered that Seatack Elementary had the largest population of "at risk" kids. Accordingly, Ryan completed her project by devising a program for mentoring third graders at Seatack.

Judge Shadrick thought his daughter's senior thesis had a lot of merit and contacted Judy Cofield, who was President of the Virginia Beach Bar Association at that time. Judy and Judge Shadrick then met with the principal at Seatack, Kathryn Everett, who was very excited and supportive about establishing a mentoring program.

Since then, the Mentoring Program has become a tremendous success. Seatack is now a fully SOL accredited school and the test scores for its third and fourth graders have increased dramatically. The Mentoring Program, of course, has not been the sole cause of these achievements. Seatack has many fine, dedicated teachers and other professional educators who should be given much credit. However, the Mentoring Program has helped achieve these results and, more importantly, has changed the lives of many boys and girls at Seatack for the better.

Now comes the problem and the purpose of this President's Message. At the time the Program began, Judge Shadrick knew they would probably not get enough lawyers to provide mentors for all of the third graders at Seatack who might benefit from the Program, so he contacted the Chief of the Virginia Beach Police to see if some police officers would be interested in mentoring and presenting a positive image to kids who frequently grow up in neighborhoods where there is a negative attitude toward police. The police officers jumped at the opportunity and the Sheriff's Department also volunteered. However, the Program has grown since its inception and now needs more mentors, especially lawyers. Although the Mentoring Program was established and is sponsored by the Virginia Beach Bar Association, attorneys are becoming the least represented as mentors among the three professions.

The VBBA Seatack Mentoring Program needs you and so do the kids. Three levels of mentors have been established to make mentoring flexible and easy for you. "Sole mentors" are assigned to one student and commit to seeing that student at least once a week for an hour. "Shared mentors" are a team of two mentors assigned to one student and they alternate weekly meetings with the child. "Alternate mentors" are called upon by sole or shared mentors to fill in for them when

they are not able to make it to the school for some reason. In this day and age when educational experts ring their hands and social service agencies slump under the numbers of kids in trouble, the solution for most cases is relatively simple: All it takes is a little bit of time and belief in a kid. All it takes is one adult who cares. If you care, please contact Judge Shadrick's assistant, Norma Catoe, at 427-8680, or email her at [NL.Catoe@vbgov.com](mailto:NL.Catoe@vbgov.com) and sign up as a mentor. But now let's get back to Dwayne.

Dwayne wished the elevator from his 20<sup>th</sup> floor corner office at Troutman Sanders would go down faster. He didn't want to be late for his mentoring session with Bob, a third grader at the newly constructed Seatack Elementary School that was still located on the original site of the old school from which Dwayne and his children had graduated. The VBBA Seatack Mentoring Program had a special place in Dwayne's heart. His life was headed toward disaster before he began participating in the Mentoring Program when he was a third grader at Seatack. As Dwayne's new Mercedes convertible tightly hugged the corner turning toward the school, he noticed an old, haggard man dressed in soiled clothing apparently asking for spare change from people walking past him. "Wow", Dwayne thought, "if not for *A Simple Twist of Fate* as Dylan once sang, I could've been him". Bill Burnside was there for me as my mentor at the time in my life when I needed it most. He changed my life. I will be eternally grateful.

Okay, so now you know the story about Dwayne is hypothetical (except that Bill really volunteers as a mentor for the Program. Thanks, Bill!). It's not true, but what is true is that Bill, and mentors like him, are changing the fate of "at risk" kids like Dwayne through the VBBA Seatack Mentoring Program every year. You can change a kid's life for the better too. Lend a hand.

~ Mark Slaughter

**LIBERTY BELL AWARD** – *Annual Award Recognizes Non-Attorney's Efforts to Support Law, Improve Justice System* – VBBA is seeking nominees for its Liberty Bell Award. This award is to honor a deserving private individual or a community group. Judges, lawyers and elected and appointed members of the legislative and executive branches of the government are not eligible. The Liberty Bell Award recognizes outstanding service and activities that:

1. Promote a better understanding of our form of government;
2. Encourage greater respect for the law and the courts;
3. Stimulate a deeper sense of individual responsibility to the end that citizens recognize their duties as well as their rights;
4. Contribute to the effective functioning of our institutions of government; and/or

5. Convey a better understanding and appreciation of the rule of law.

Nominations should include a statement or other information as to why that person (or persons) should be considered for the 2004 Liberty Bell Award. If you have any questions or concerns, please contact Richard Beale either by Telephone: 687-7787; Fax: 687-1511, or e-mail: [richard.beale@troutmansanders.com](mailto:richard.beale@troutmansanders.com). Nominations packages are due on or before June 20, 2004.

## Committee Reports

**MENTOR COMMITTEE NEEDS VOLUNTEERS** – The Virginia Beach Association's Mentor Committee needs more interested lawyers to serve as mentors for new and young lawyers in Virginia Beach. Lawyers practicing in all areas of the law are needed so that appropriate matches can be made. If you or someone you know is available to provide advice and feedback to a new or young lawyer in the area, please contact Jim McKenry of McKenry, Dancigers, Warner, Dawson & Lake at 461-2500

**YOUNG LAWYERS' COMMITTEE** – The Young Lawyers' Committee is working on a community volunteer opportunity. Jim McElligott has secured a paint manufacturer who is willing to donate paint for a Habitat for Humanity construction project. We will need hands to help with the painting. The actual painting will be done in July or August. All members, not just young lawyers, may participate. If you're interested in this project, call Brad Goldizen, committee chair, at 490-1151.

**GDC JUDICIAL LIAISON COMMITTEE** – We are fortunate that the Bar enjoys a positive working relationship with the General District Courts and judges. Toward the goal of furthering that relationship, you may direct suggestions or concerns regarding the GDC courts to Kathryn Byler, chair of the GDC Judicial Liaison Committee, at 490-6292. The Committee facilitates communications between the bar members and the judges. Judge Simpson, chief judge, will keep us apprised of docketing changes as they develop. All communications will be disseminated to the membership as appropriate.

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## Court News

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### SHORT CIRCUITS

*Practice tips from the Circuit Court*

By: Amy H. Jones

Staff Attorney

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## NEWS YOU CAN USE ON SOME LEGISLATIVE CHANGES EFFECTIVE 7/1/04

As it does each year, the General Assembly produced volumes of changes to the Virginia Code. It would take a very "Long Circuit" to summarize *all* the changes. Therefore, I will only try to hit some of the highlights that will affect you in your dealings with the court, and in particular those changes which will impact orders submitted to the court.

With the increase in our military activity abroad, and especially with the heavy military presence in Hampton Roads, one significant change is the addition of a Virginia version of the Soldiers and Sailors Civil Relief Act. The Virginia act is titled "Servicemembers Civil Relief Act," and will be codified at § 8.01-15.2. Under § 8.01-15.2, a default judgment cannot be entered unless the plaintiff files an affidavit stating either the defendant's military status, or that the plaintiff is unable to determine that status. In the past, state courts have handled this issue under the federal act in different ways – some have required the affidavit, while others have not, viewing military status as an affirmative defense. Now it is clear that the affidavit is required.

Some changes were also made in statutes relating to service of process. Section 8.01-513, which addresses service on a corporation, now provides a definition for a "managing employee." This means an employee "charged by the corporation with the control of operations and supervision of employees at the business location of the corporation" where service is attempted. Section 8.01-294 has also been amended to clarify that failure by *anyone* to make a return of service within 72 hours of service shall not invalidate the service. The previous version appeared to apply this "cure" only to service by the sheriff.

In a similar service-related change, the General Assembly eliminated the requirement that attorney-issued subpoenas be issued at least five days prior to trial. Attorney-issued subpoenas are now subject to the same issuance time frame as all other subpoenas, BUT the sheriff is not required to serve attorney-issued subpoenas issued less than five business days prior to the date of the requested appearance. See §§ 8.01-407, 8.01-413.

The legal and judgment rates of interest have finally been amended to reflect the recent lowered bank rates. The rates are now six percent, reduced from eight percent. Application of the judgment rate to determine prejudgment interest has been clarified and expanded to apply to "other instruments" besides contracts, at least where no rate is set forth in the instrument at issue. See §§ 6.1-330.53, 6.1-330.54.

The "relation back" statute for misnomer, § 8.01-6, has been amended to clarify that an amendment will relate back to the filing date of the original pleading if the party's *agent* (not just the party) received notice of the

commencement of the action.

If you think you might want to nonsuit your case on the eve of trial, you will need to do it a little sooner after July 1, or else risk having witness fees and travel costs of experts assessed against you. Section 8.01-380 has been amended to require that notice of nonsuit be given no later than *seven* days prior to trial in order to avoid the possibility of assessment of these costs.

A few changes were made to the guardian/conservator statutes as well. Section 37.1-137.4(A)(6) was amended to bar a conservator from initiating a proceeding for a divorce. Instead, prior court approval must be obtained before attempting to change the marital status of an incapacitated person. And, § 37.1-134.17, which provides for a standby guardianship/conservatorship, was finally changed so that a child can seek to have a standby guardian or conservator appointed for his parent. Previously, the statute only allowed a parent to have a standby fiduciary appointed for his child. This often left attorneys in the lurch, as they would seek to have a standby fiduciary appointed for a parent only to find that the court did not have the power to make that appointment. Now that problem has been resolved.

Finally, for domestic relations, the bad news is that changes were made to the notices in § 20-60.3. Subsection (7)(b) was amended to require a statement regarding payment of "*unreimbursed*" medical expenses, rather than "extraordinary" medical expenses. This change arises because of the replacement of the "extraordinary medical expense" provisions of the child support guidelines with the concept of unreimbursed medical expenses. Under new § 20-108.2(D), child support orders must provide that parents pay, in proportion to their gross incomes, unreimbursed medical expenses. The triggers for application of this requirement are that the expenses be "reasonable and necessary," and that they exceed \$250.00 for the calendar year. The order must also set forth the method for payment of those expenses. These requirements apply in the absence of an agreement between the parties or a show of good cause – an "out" not provided by the prior version of § 20-108.2.

The good news – or at least what many will probably consider good news – is that the parental educational seminar requirements of § 20-103 have been changed so that the seminar is statutorily required only in contested cases. The court does have the power to require seminar attendance in uncontested cases, but good cause must be shown for this to be ordered.

If you want more details on the changes summarized here, or to check on other legislative changes which may impact your practice, visit the Legislative Information System at <http://leg1.state.va.us/>. This is a great website which provides information on session legislation going back to 1994. It's one of the best places to start for any legislative history inquiries.

**Court's Web Site:** This article and prior Short Circuits articles are available on the Courts' Web site at [www.vbgov.com/courts](http://www.vbgov.com/courts). Select Circuit Court from the side bar, then select Bar News.

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
[www.vaed.uscourts.gov](http://www.vaed.uscourts.gov)

FEDERAL PRACTICE MADE EASY –  
CLERK’S OFFICE SUGGESTIONS FOR ATTORNEYS  
NORFOLK AND NEWPORT NEWS DIVISIONS

1. **Try to have the case number when you call the Clerk’s Office with a case-specific question.** We can find cases by name, but it is much faster to use the case number. Our cases are assigned to case managers by the last digit in the docket number, so knowing the number enables you to talk with the specific case manager who will be able to answer your question right away.
2. **If signing a filing for another attorney, be sure your name is below your signature.** We must verify that every pleading is signed by an attorney who is admitted to practice in this court. Another attorney in your firm may sign for you, but the name of the signing attorney must be clearly indicated on the pleading. Often, an attorney will sign another attorney’s name and then indicate his or her initials. We then have to call your office and inquire as to who actually signed the filing to verify admittance to practice. It is never permissible for a secretary or paralegal to sign an attorney’s name on a document to be filed in this Court.
3. **Attorneys cannot sign for opposing counsel or counsel for other parties.** Our Court does not allow an attorney to sign for an attorney representing another party, even if the signer has the permission of the other attorney. Our Court requires the signature of an admitted attorney for each party submitting a pleading or order.
4. **Agreed orders need the signatures of all.** Our Court requires an “agreed” order for unopposed motions, extensions of time, dismissal of parties/cases, etc. The agreed order must contain the original signature of an admitted attorney for each party who has entered an appearance. Even if the order grants an extension of time for only one party in the action or dismisses one party, counsel for each party in the case must endorse the order.
5. **Do not file discovery documents.** Discovery is not filed in this court. Pursuant to Federal Rule 5(d) and the 16(b) scheduling order, disclosures do not need to be filed. Disclosures under 26(a)(1) and (2) are to be made among counsel only. Disclosures under 26(a)(3) are to be made among counsel and included as a part of the final pretrial order, but are not to be filed earlier. Generally, we receive a copy of correspondence indicating the serving of discovery requests or responses. We place these on

the correspondence side of the file in case the information is needed by the Court. If discovery documents are submitted, we return them.

6. **Local counsel must sign all documents submitted by foreign counsel.** Foreign attorneys who are admitted *pro hac vice* may endorse pleadings; however, our Local Rules require the endorsement of local (admitted) counsel on all pleadings. If documents are submitted without the original signature of local counsel and on the last day of a deadline, the documents will be considered defective and an agreed order will be required (as well as the signature of local counsel on the documents) to consider the documents timely filed.
7. **Interpreting rules and orders.** We are prohibited from interpreting the Federal Rules, Local Rules, and judges’ rulings for counsel or their staff. We may refer someone to a particular rule, but the attorney or assistant must make his or her own interpretation.
8. **No last minute drop-off filings before hearings or trials.** When we receive filings just minutes before a hearing or trial, we must scramble to file and record the documents and take them into the courtroom for delivery to the judge. Documents related to a hearing or trial should be filed early enough to allow for filing, recording, and review by the judge. It’s even worse if you drop off pleadings on the way to a hearing and do not advise us that they are pertinent to the hearing that is about commence. The person who takes in the documents at the counter may not know a hearing is being held in that case.
9. **Timeliness in filing is appreciated.** It is a given that attorneys often file documents at the last possible moment; however, our office is open from 8:30 a.m. to 4:45 p.m. for filing documents. Absolutely no financial transactions are allowed after 4:45 p.m.. If you are filing a new complaint, please arrive here in sufficient time for the complaint to be processed and the receipt issued prior to 4:45 p.m.
10. **Files are usually not available immediately before or during hearings or trials.** Our judges and their staff need case files prior to and during hearings and trials. If you need to review a file, please visit the courthouse to request the file a few days ahead of time.
11. **Be sure to request entry of default before moving for default judgment.** Pursuant to Federal Rule 55(a), counsel must request entry of default prior to moving for default judgment. Attorneys consistently reverse these two steps.
12. **Is it real or is it Memorex? That’s a fax!** We cannot accept fax filings. Anything faxed to us will not become part of the file until the original arrives in the Clerk’s Office. Your time limit for filing is not protected by a faxed document. All pleadings must contain an original signature. Copies are not acceptable.

13. **We cannot answer legal questions.** Our staff has had extensive training as to what constitutes a legal (as opposed to a procedural) question. We will always help you if we can, so if we tell you that your question is legal in nature and we cannot answer it – please believe us.
14. **Reminders regarding rules and procedures.** We are required to make certain that each filing complies with all Federal Rules, Local Rules, and court practices. If we call to advise you that there is a defect in your paperwork, please don't shoot the messenger! We cannot change the rules. (Even if we agree with you!)
15. **It's not an extension of time until the Court agrees it's an extension of time.** When a document is not filed at the proper time, we inquire as to its whereabouts and are often told that counsel has agreed to an extension of time. If that is the case, our Court requires an agreed order extending the time for the document to be filed. Without the approval of the Court, the agreement of counsel has no effect.
16. **Please be on time for 16(b) conferences.** These initial pretrial conferences are set before court begins for the day, so please be on time so that later conferences, hearings, or trials are not delayed. The number one reason counsel give for being late is that they forgot that their cell phone or palm pilot wasn't allowed in the courthouse and had to return it to their car. Please leave all electronic devices in your car or at your office.
17. **Bring your schedule to 16(b) conferences.** Several dates and deadlines are set at the initial pretrial conference, so please be sure to bring your calendar with you. Also, due to the ban on electronics in the courthouse you may need to print your calendar for a six month period before the conference, so it will be readily accessible.
18. **Try to have available dates ready when scheduling hearings.** It expedites the process if you have available dates ready for both yourself and, if applicable, opposing counsel, when you call a courtroom deputy to schedule a hearing
19. **Juror information may be reviewed three days before trial.** Juror cards may be reviewed in the Clerk's Office three work days before the trial, but not sooner because the juror pool for a trial date is not finalized before that. The cards cannot be copied, so be prepared to write down information you want for reference. Also, because we are working with the cards on the day of trial, it is very difficult for you to view them on that day.
20. **It's easier to prevent a problem than correct an error.** We are happy to answer procedural questions or refer you to an applicable rule before

you file a case or document. Please use us as a resource – we're here to help!

Civil Section.....222-7201  
 Criminal Section.....222-7202  
 Jury/Financial.....222-7200



## Wahab Law Library

LAW DAY 2004 WITH VBBA AT  
 WAHAB PUBLIC LAW LIBRARY

By Pat Jones

"The real purpose of Law Day is not to just celebrate 'the rule of law,' but rather the presence of law and the opportunity to settle our disputes in a peaceful manner," Carrollyn Cox (Chair of Law Day for the Virginia Beach Bar Association) was quoted when interviewed for a recent *Virginian-Pilot Beacon* article. Over two hundred people attended the library's Law Day celebration on Monday, May 3. They were offered the opportunity to learn about the city, state, and federal laws, and case law – both in print and myriad electronic formats. The VBBA graciously supported our community outreach efforts that morning; they scheduled several of their members to volunteer pro bono sessions to library customers with questions about legal matters.

Carrollyn Cox explained, "Lawyers are problem solvers, and in a brief and rapid manner, that's what we'll try to do on Law Day." And that is exactly what happened. In three hours, a total of twenty-seven library customers (our first year there were only four – the word is getting out!) benefited from the expertise offered by seven guest members of the VBBA who worked various shifts: Mike Bowerman, Kathryn Byler-Clark, Carrollyn Cox, Sarah Cox, Jeanne Lauer, Greg Pugh, and Ed Stolle. The questions for the lawyers ranged from domestic and neighbor issues to immigration and criminal concerns.

In addition to pro se litigants in attendance at Law Day, more than 35 Virginia Beach high school students enrolled in the Legal Studies Academy received tours of the law library and viewed the video "Your Day in Court." Because they may choose the legal profession as their future career, the students appreciated the chance to speak with an attorney about that topic. We extend our thanks to all of the VBBA participants for sharing their knowledge of law with our library customers.

Gifts for our drawing were donated by: Virginia Marine Science Museum, Mary Stewart Darden, Kelly Trautman, Red Mill Commons (Bath & Body Works, Coastal Edge, Inspirations Unique Gift Gallery, Pier 1, Wal\*Mart), Pembroke Mall (Hungate's Creative Toys and Hobbies, Sweet Tooth Candies & Gifts, Things Remembered Personalized Gifts). The winning entries for our drawing were: Alana Sampson, Austin Matney, Sarah Cox, David Freeman, Ruth Barco, Thomas Zink, Ashton Brown, Sandra Schultz, Cory Braden, Michael Barnett, and Kathleen Waisanen.

For those of you who missed it, Law Day 2004 at Wahab was an exciting and informative day, with tasty food treats (including Mary Stewart's homemade lemon bars). Mark your calendar now to ask what date in May we will honor this event in 2005; we look forward to seeing you all.



**What's New?**  
*Legal Reference Materials*  
 June, 2004  
 By Rebecca Day

- 📖 *Federal Civil Judicial Procedure & Rules*  
Thomson West, 2004 Edition
- 📖 *Federal Criminal Code & Rules*  
Thomson West, 2004 Edition
- 📖 *Federal Tax Regulations*  
U.S.C.C.A.N., 2004
- 📖 *Fourth Circuit Criminal Handbook*  
Lexis, 2004 Edition
- 📖 *Horn's Federal Criminal Jury Instructions for the Fourth Circuit*  
Fourth Circuit Seminars, 2002 Edition
- 📖 *How to Represent Your Estate Planning Clients Effectively When the Tax Law is a Moving Target*  
Virginia CLE, 2004
- 📖 *Immigration Legislation Handbook*  
Thomson West, 2004 Edition
- 📖 *International Property Maintenance Code*  
International Code Council, 2003
- 📖 *Judicial Yellow Book*  
Leadership Directories, 2004 Edition
- 📖 *Rights of Juveniles: The Juvenile Justice System*  
Thomson West, 2<sup>nd</sup> Edition
- 📖 *Social Security, Medicare & Government Pensions*  
Nolo, 9<sup>th</sup> Edition
- 📖 *Statistical Abstract of the United States*  
U.S. Census Bureau, 2003
- 📖 *Tax Planning and Compliance for Tax-Exempt Organizations: Rules, Checklists, Procedures*  
John Wiley & Sons, 4<sup>th</sup> edition
- 📖 *Trial of Capital Murder Cases in Virginia*  
Virginia CLE, 3<sup>rd</sup> Edition
- 📖 *22<sup>nd</sup> Annual Business Law Seminar: Negotiating the Purchase and Sale of a Business*  
Virginia CLE, 2004
- 📖 *U.S. Immigration Made Easy*  
Nolo, 11<sup>th</sup> Edition

- 📖 *Virginia Practice Series: Family Law Theory, Practice and Forms*  
Thomson West, 2004 Edition
- 📖 *Virginia Practice Series: Landlord-Tenant Handbook*  
Thomson West, 2004 Edition
- 📖 *Virginia Practice: Trial Handbook for Virginia Lawyers*  
Thomson West, 2004 Edition
- 📖 *Virginia's Legal Directory (Includes Virginia and West Virginia)*  
Advanced Legal Technologies, 2004 Edition
- 📖 *U.S. Immigration Made Easy*  
Nolo, 11<sup>th</sup> Edition



## NOTICES AND ANNOUNCEMENTS

**HARVEY L. BRYANT** announces *Eight New Attorneys Join The Virginia Beach Commonwealth's Attorney's Office:*

**Tanya J. Bullock**, Assistant Commonwealth's Attorney; **Julie L. Fink**, Associate Commonwealth's Attorney; **Eleanor J. Gaines**, Assistant Commonwealth's Attorney; **Scott F. Hallauer**, Senior Assistant Commonwealth's Attorney; **David E. Jarrell**, Assistant Commonwealth's Attorney; **Philip C. Hollowell**, Senior Assistant Commonwealth's Attorney; **Denyea Williams**, Assistant Commonwealth's Attorney; and **Lyla M. Zeidan**, Assistant Commonwealth's Attorney



**ANDREW H. HOOK**, of Oast & Hook, has been elected a Fellow of the National Academy of Elder Law Attorneys (NAELA). Selection as a Fellow is the highest honor bestowed by the Academy. Fellows must have distinguished themselves by making exceptional contributions to meeting the needs of older people.



**OAST & HOOK** is pleased to announce that it has opened an office in Suite 170 of the Convergence Center I located at 295 Bendix Road, Virginia Beach.



**C. ARTHUR RUTTER, III**, co-managing partner of Rutter Mills, has been named chairman of the Association of Trial Lawyers of America, Admiralty and Maritime Law Section for 2004. Mr. Rutter is also a member of the Maritime Law Association and has been designated Proctor in Admiralty in recognition of his expertise in representing injured seaman and others with maritime injuries.



**TROUTMAN SANDERS LLP** is pleased to announce that **Christopher A. Abel** has joined the law firm's Norfolk office, as a member of their Transportation, Complex Litigation and Labor & Employment practice groups. Mr. Abel is also a plank owner of the Mid-Atlantic Mariners Club, a member of

the South Eastern Admiralty Law Institute and the Maritime Law Association of the United States, Chair of the Human Resources Committee of the South Tidewater Association of Ship Repairers Association, and general counsel to the American Association of School Personnel Administrators.



**TROUTMAN SANDERS LLP** is pleased to announce that **George G. Book** has joined the law firm’s Virginia Beach office, as a member of their Corporate and Securities practice group. Mr. Booker previously served as a judicial clerk for The Honorable Samuel T. Powell, III of the 9<sup>th</sup> Judicial Circuit in Williamsburg-James City County.



**WILLIAMS MULLEN** merges with Hofheimer Nusbaum, P.C., effective May 1, 2004. The combined firm will be known as Williams Mullen with 250 attorneys and 550 total employees in nine offices in Virginia, Washington, D.C., and London. The firm’s Norfolk and Portsmouth offices will be known as “Williams Mullen Hofheimer Nusbaum.” The Norfolk offices will be consolidated in the Dominion Tower at 999 Waterside Drive.



**WILLIAMS MULLEN** is pleased to announce that Donald H. Clark has received the 2004 Distinguished Service Award of the Virginia Beach Bar Association. Mr. Clark is a Fellow of the American College of Trial Lawyers and is a permanent member of the Judicial Conference of the United States Court of Appeals for the Fourth Circuit. He has been listed in the *Best Lawyers in America* since 1991 and in surveys conducted by *Virginia Business Magazine*, recognized as one of the top lawyers in the Commonwealth of Virginia, and has held the highest rating of the *Martindale-Hubbell Legal Directory* since 1980. He is a member of the James Kent Inn of the American Inns of Court, is a Fellow of the Virginia Law Foundation and a former President of the Virginia Beach Bar Association. Active through the years with community affairs in Hampton Roads, he is currently a member of the Board of Directors of Sentara Health Care and a former Chairman of the Board.



**HUNTON & WILLIAMS LLP** Norfolk Lawyers recognized by *Chambers USA* – In its annual ranking of American business lawyers, *Chambers USA*, the international legal directory which ranks lawyers based on client recommendations, has recognized two of Hunton & Williams’ Norfolk partners as “leaders in their field” in *America’s Leading Lawyers for Business, 2004*. Greg Stillman was ranked as one of the state’s leading commercial litigation attorneys and Bob Tata was ranked as one of Virginia’s top intellectual property attorneys.

## Legal Courier Services



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The VBBA accepts block and text advertising in its Newsletter. Ads are accepted for law-related products or services. The cost of advertising/ mailing labels for membership are as follows:

<u>Page</u>	<u>Cost/Issue*</u>
Full page insert .....	\$550.00
Full .....	265.00
1/2 .....	135.00
1/3 (horizontal or vertical) .....	100.00
1/6 .....	50.00
Mailing Labels of the membership .....	275.00
Classified Ad (6 lines) .....	35.00

\*The VBBA offers a 10% discount on half-year advertisements (3 issues) and a 20% discount on annual advertisements (6 issues).

If you would like your ad published in the Newsletter, please forward your ad or text and block size desired with a check payable to Virginia Beach Bar Association to: Robert M. Tata, Secretary, Virginia Beach Bar Association, P. O. Box 3889, Norfolk, VA 23514-3889. Professional notices and small ads for VBBA members are free of charge.

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 Jean Keary, Executive Director

Mark E. Slaughter ..... President  
 Jeffrey H. Gray ..... President-Elect  
 Robert M. Tata ..... Secretary  
 Lisa H. Hodges ..... Treasurer  
 Glen A. Huff ..... Director  
 Timothy S. Brunick ..... Director

**VIRGINIA BEACH BAR ASSOCIATION COMMITTEES**

**LAW DAY COMMITTEE**

Chairman ..... Carollyn Cox ..... (757) 486-4650  
 Members ..... Judith Rosenblatt  
 ..... Sarah Cox

**MEDICAL/LEGAL COMMITTEE**

Chairman ..... Cliff Love ..... (757) 463-9000  
 Members ..... Jennifer Atkinson  
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**Deadline** – The deadline for the next Newsletter is July 15, 2004. Please forward your submissions, to Robert M. Tata, VBBA Secretary, c/o Lorraine P. Johnson, either by e-mail ([ljohnson@hunton.com](mailto:ljohnson@hunton.com)), mail (P. O. Box 3889, Norfolk, VA 23514-3889), or by fax (625-7720). For further information please call 640-5334.

# VIRGINIA BEACH BAR ASSOCIATION

Presents

“CARIBBEAN CLE 2004”

Antigua

NOVEMBER 14-20, 2004

## THE ST. JAMES'S CLUB

The St. James's Club is renowned as Antigua's most glamorous address. A beachfront resort, yacht club and casino, St. James's is situated on a private peninsula with two spectacular beaches and 100 acres of tropical gardens on Antigua's southeastern coast. This fabulous full-service 4-star+ resort offers a wide range of luxurious accommodations all with air-conditioning, either 2 double beds or 1 king bed, ceiling fans, hairdryer, private bath with shower & tub, safety deposit box, direct dial phone, color cable TV, alarm clock radio, bathrobes and private balconies or patios.

### \* \* \* PACKAGE FEATURES \* \* \*

Round trip flights from Norfolk to Antigua  
via US Airways

Round Trip motorcoach transportation between the  
airport and hotel

Accommodations for 6 nights at the 4-star+  
**ST. JAMES'S CLUB, ANTIGUA**  
**IN CLUB CATEGORY ROOM\***

Hotel amenities such as: Daily activities program;  
daily afternoon tea; choice of 4 swimming pools;  
non-motorized water sports (windsurfing, Sunfish,  
sailing, snorkeling, kayaking); 6 championship  
tennis courts; and use of the Club's fitness center and  
Jacuzzi.

Private VBBA Cocktail Reception

Taxes, porters at the hotel and gratuities  
on included features

7 C.L.E. credits, including 2 hours Ethics,  
(C.L.E. materials included)

### \* \* \* US AIRWAYS \* \* \*

#### Sunday, November 14

Depart Norfolk	7:35 a.m.
Arrive Philadelphia	8:44 a.m.
Depart Philadelphia	9:30 a.m.
Arrive Antigua	2:40 p.m.

#### Saturday, November 20

Depart Antigua	3:35 p.m.
Arrive Charlotte	6:55 p.m.
Depart Charlotte	8:10 p.m.
Arrive Norfolk	9:22 p.m.

### \* \* \* PACKAGE COST \* \* \*

Double Occupancy:	\$3,390.00 per room
Single Occupancy:	\$2,275.00 per room
Supplement for Premium Category Room*	\$225.00 per room

\***CLUB ROOM:** Lovely tropical garden view location with two  
double beds (king bed on request)

\***PREMIUM ROOM:** Spacious room overlooking sea with one  
king bed or two double beds.

### \* \* \* PAYMENTS \* \* \*

Deposit: \$1,000.00 per room to secure reservation  
(Limited space . . . reserve on a first come, first served basis)

Balance Due: September 1, 2004

### \* \* \* CANCELLATION RESTRICTIONS \* \* \*

<u>Cancellations Received</u>	<u>Cancellation Penalty</u>
Up to September 1, 2004	\$100 per room penalty
September 1-October 14, 2004	\$1,000 per room penalty
October 15 or later	No Refund

**Trip Coordination by:** Stephany Pishko, Super Travel,  
Inc., (804) 966-2293 ~ Telephone; (804) 966-5098 ~ Fax;  
[stephanytrvl@msn.com](mailto:stephanytrvl@msn.com)

**RESERVATION FORM**

**VIRGINIA BEACH BAR ASSOCIATION**  
Caribbean CLE - Antigua  
November 14-20, 2004

**Checks Payable:**  
**Mail to:**

**Super Travel, Inc.**  
Stephany Pishko  
11581 Royal Lane  
Providence Forge, VA 23140

Attorney/Judge \_\_\_\_\_  
(Circle one) (First Name) (Middle Name) (Last Name)

Spouse/Guest \_\_\_\_\_  
(Circle one) (First Name) (Middle Name) (Last Name)

Mailing Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**NOTE:** All participants will need to carry a valid proof of citizenship document . . . either a valid passport **OR** an original or certified copy of your birth certificate, along with a government issued photo I.D. The name on your airline ticket should match your proof of citizenship document. Please indicate below how you would like your name to appear on your airline ticket.

I/we wish room accommodations for:  1 Person (Single Room - \$2,275.00)  2 People (Double Room - \$3,390.00 per month)

I/we wish to upgrade to:  Premium Category Room @ \$225.00 supplement per room (only 15 available . . . first come, first served)

Airline Seating Preference:  Aisle  Window  
(Seat assignments are controlled by the airline. All efforts will be made to accommodate your request, but neither Super Travel nor the airline can guarantee your preference)

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**BALANCE:** Due September 1, 2004

**\* \* \* CANCELLATION RESTRICTIONS \* \* \***

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