

VIRGINIA BEACH BAR ASSOCIATION

Volume Number 30 :: Issue 1 :: Spring 2021

PRESIDENT'S MESSAGE

Greetings colleagues and friends of the Virginia Beach Bar Association. It looks like spring has finally sprung in Virginia Beach. I say this because a layer of green pollen has collected on my laptop during the time it has taken me to collect my thoughts for this message. It turns out, thinking of something unique and memorable to say isn't as easy as it may seem. I read my first VBBA President's message in 2002. Bobby Davis was president and wrote about the things that kept him up at night. He worried about the escalators in the Virginia Beach Courthouse and why at least one of them is always "out of order" on any given day. I have fondly remembered his messages over the years, especially when I take the stairs to finish my trip to the fourth floor of the courthouse.

I also passed the bar exam in 2002. I remember how thrilling it was to take the oath in the courthouse that would become my second home for the next two decades. Judge Fredrick B. Lowe swore me in. Just before he began administering the oath he smiled and asked me "Are you sure you want to do this?" I nervously answered, "Yes, your honor" for the very first time. His question, and my answer, are even more salient now. Judge Lowe passed away on December 21, 2020. His impact and legacy are inimitable.

If we haven't met yet, I am Christy J. Wood, and I have the honor and pleasure of serving as your VBBA president this year. I think we can agree that there are too many reasons why 2020 was a very hard year. I admit that there were times in the last year that I heard the question "Are you sure you want to do this?" and paused. This spring, as we re-emerge, vaccinated, from home offices and zoom meetings, I hope we will have a chance to once again gather in person to attend the socials and activities that make the VBBA the best local bar association in Virginia. We are planning a packed calendar of events and will continue to offer opportunities for free CLE's, social gatherings and community service. Personally, I am looking forward to attending the Bench Bar Conference and the golf tournament this summer, and our annual banquet at the new Oceanfront Marriott on October 16, 2021. (Save the Date!)

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WHAT'S NEW AT WAHAB

If you are interested in participating on a committee, please contact the VBBA. Bar service has enriched my life in ways I could not have imagined. First and foremost, it has given me the opportunity to connect with so many of you. The VBBA has over five hundred members, sixteen active committees and a rich award-winning history. I am excited to see what good things the future has in store for us!

Spring is a special time of renewal and growth. For me, it has been a time to reflect on that first "yes, your honor" and the profession I love. I encourage each of you to take the opportunity this week to step outside for a few seconds, close your eyes and feel the warmth of the sun on your skin. There is something about feeling the sun through closed eyes that always makes me smile. I hope it does the same for you.

-Christy J. Wood, President
Virginia Beach Bar Association



ANNOUNCEMENTS

2021 MEMBERSHIP DUES

Membership dues are due on January 1 each year. If you haven't done so already, you may renew your membership online at <https://www.vbbarassoc.com/join/> or by mail to:

Virginia Beach Bar Association
2425 Nimmo Parkway
Bldg. 10, Room 49
Virginia Beach, VA 23456

We look forward to a great year of CLE's and social events throughout 2021!



VBBA JOB ANNOUNCEMENTS BOARD

The VBBA has maintains a job announcements board for members to share attorney employment opportunities with the membership.

Go to <https://www.vbbarassoc.com/job-announcements/> for all listed job postings including current attorney openings from the following firms and organizations:

Norfolk City Attorney's Office
GEICO's Virginia Beach Staff Counsel's Office
Melone Hatley, PC
ACLU of Virginia

To publish a job posting, contact Kathy Stull at
kstull@vbbarassoc.com



VBBA WELCOMES NEW MEMBERS

RAMSEY ALNAIF, Optimal Law Firm, PLC
VICTORIA ALNAIF, Optimal Law Firm, PLC
RICHARD AUFENGER, Kalfus and Nachman PC
SHARMANE BENNETTE, The Mapp Law Firm, PLLC
HUGH BLACK, III, Black & Black, P.C
BRITTANY BLACK, Black & Black, P.C
ROBIN BLAND, Virginia Beach Commonwealth Attorney's Office
MORGAN CLAFFY, Virginia Beach Commonwealth Attorney's Office
KELLY COURNOYER, Toscano Law Group
CRAWFORD ELLSWORTH, III, Patzig Law
TOM FITZGERALD, Kalfus and Nachman PC
BENJAMIN HUBBARD, Pender & Coward
STEPHANIE IAQUINTO, Law Office of Gary Byler
JANA NATTERMAN, Toscano Law Group
AMANDA NEWINS, Pender & Coward, P.C.
KRISTIN PAULDING, 7 Cities Law
LEEANNE SCHOCKLIN, Parks Zeigler, PLLC
NEAL SCHULWOLF, Kalfus & Nachman PC
BLAIR SMIRCINA, Kalfus & Nachman PC
ASHLEY WINN, Ware Morrison

NEW STUDENT MEMBERS

ALEXA ADAMS
PATRICK CEREGHIN
CLIFFORD CLOSE, II
KURTIS HINMAN
DANIEL HUNTER
LUKE ISBELL
ALYSSA JUNCKER
CLAIRE KIRK
SETH KONOPASEK
RACHAEL KROEGER
KIMBERLY SLOAN MINOR
BAILEY OTTINGER
COREY THOMPSON
HENG YONG

VBBA NEWS

2021 BOARD OF DIRECTORS SWORN IN

The Virginia Beach Bar Association 2021 Board of Directors were voted upon and sworn in at the annual meeting on December 16, 2020 at 6:00pm via ZOOM. Typically the Board of Directors are voted upon and sworn in at the annual Holiday Party. This year, due to the cancellation of the Holiday Party, the annual meeting was held virtually. The Board of Directors would like to thank the Honorable Leslie L. Lilley for conducting the swearing in.



Pictured left to right: Jennifer Shupert, Christopher Jacobs, Ryan Ferguson, Christy Wood, Ed Booth, Allison Anders, Judge Lilley. Andrew Rice was sworn in via Zoom.

VSB BAR LEADERS INSTITUTE

The VSB hosted its annual Bar Leaders Institute on March 24, 2021. Attorney Stephen Pfeiffer represented the Virginia Beach Bar Association as a panelist during the Bar Projects Showcase to speak about the VBBA Feed the Homeless Event: Legal Minds & Helping Hands event. Through the Legal Minds & Helping Hands Event members of the VBBA served a meal to the homeless residents of Virginia Beach and donated toiletries and other necessities to be included in “To Go” bags that were sent with the homeless attendees.

VBBA HOSTED THE INTRODUCTION TO COURTS SEMINAR

The VBBA hosted the Introduction to Courts Seminar virtually on Wednesday, March 31, 2021. Presenters from the Virginia Beach Circuit Court, General District Court, and Juvenile & Domestic Relations District Court included the following:

The Honorable Kevin M. Duffan
Circuit Court Clerk Nancy White
The Honorable Sal R. Iaquinto
General District Court Clerk of Court David O'Dell
The Honorable Tanya Bullock
JDRC Clerk of Court Amy Burnham and Clerk Sarah Williams

Attorney C. Andrew Rice of the Virginia Beach Commonwealth Attorney's Office presented on the topic of Discovery for all three Courts and Attorney Damian Garcia of Edge Law, P.C. spoke about Uncontested Divorce, Warrants in Debt. The CLE was approved for 1.0 hour of credit, and well attended by the membershi8p.

VBBA JUDICIAL RECOMMENDATION PANEL ELECTION RESULTS

Thank you for voting during our Judicial Recommendation Panel Election. The following VBBA members have been elected to serve on the Judicial Recommendation Panel:

Brian M. Latuga
Colin P. O'Dawe



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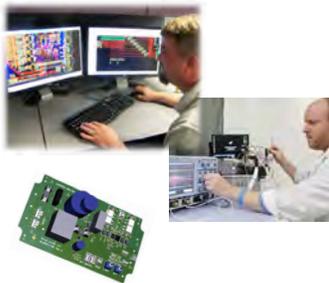
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ANNUAL BANQUET & PARTY



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Statistics show our most frequently used print resources are *Virginia Forms*, *Code of Virginia*, and *Virginia Sentencing Guidelines*.

Our Library Offers:

Valuable Print Reference Collection

Wi-Fi

Faxing

Lexis Advance

Westlaw Next

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WPLL is Open Again!

Law Library staff are happy to help you find materials. We continue to email cases directly via Lexis upon request or provide remote access for your own case research via Westlaw.

We are still asking customers to use health precautions such as wearing a mask and washing hands, and we are limiting computer use and visits to one hour visits, with extensions as available.

Update Your Knowledge-

Access the 'hot off the presses' City of Virginia Beach ordinances at https://library.municode.com/va/virginia_beach/codes/code_of_ordinances & click on VIEW WHAT'S CHANGED.

For older ordinances: (Using Google Chrome) <https://www.vbgov.com/government/departments/city-clerk/city-council/Pages/default.aspx>, then click the links: **eDocs Documents Archive** (far right column near base) / Document Archive/ City Council Minutes / Year / Date of Ordinance.

How Can We Help?

Got a good word for us or one to help us improve our service? We would love to hear from you! Shoot us an email at LLstaff@vbgov.com or ring us 757-385-4419.



What's New?

Cohen's Handbook of Federal Indian Law is a modern comprehensive guide to federal Indian law; evolved from historical compilations of Felix Cohen, American scholar, attorney and advocate for Native American rights.

Historically, Virginia was home to eleven groups of indigenous peoples: *Cheroenhaka*, *Chickahominy*, *Eastern Chickahominy*, *Monacan*, *Mattaponi*, *Pamunkey*, *Patawomeck*, *Nansemond*, *Nottoway*, *Rappahannock*, and *Upper Mattaponi*: many of whose descendants still reside in this area.

Updated Resources:

⇒ *Handling an Automobile Negligence Case in Virginia*

⇒ *Virginia Domestic Relations Handbook*

From the Virginia Practice Series:

⇒ *Criminal Procedure & Criminal Procedure Forms, Real Estate Closings, Virginia DUI Law*

From the Virginia CLE:

⇒ *41st Annual Construction Law & Contract, Corporations & Partnerships, Criminal Practice Forms, Elder Law, Ethics Update For Virginia Lawyers, Essentials of Medicare & Medicaid, and Tom Spahn on Conflicts of Interest*

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2425 Nimmo Parkway, Judicial Center
Building 10B, Ground Floor

Virginia Beach, VA 23456 757-385-4419

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**Office One: approx. 500 square feet
Office Two: approx. 1000 sq. feet**

Contact Roger Schafer (757) 490-7500

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**See Full listing at
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SHORT CIRCUITS

JURY TRIALS RETURN TO VIRGINIA BEACH CIRCUIT COURT

On April 5, 2021, the Virginia Beach Circuit Court conducted its first jury trial since March of 2020. With Judge Steven Frucci presiding, a criminal misdemeanor jury acquitted a pro-se defendant charged with misdemeanor domestic violence. Notably, an encouraging 41 of 55 summoned potential jurors attended for jury selection.

With scores of civil and criminal jury trials backlogged due to Covid 19, the Court has taken the first steps on a long journey to return to normal dockets. Courtrooms 5-6 have been adapted to Covid-safe standards in the approved plan with spacing, screening and technology upgrades. Due to the safe-standard protocol, it takes two of our present courtrooms to conduct a criminal jury (two jury rooms are required for juries over 7 persons during recesses, and public attendance requires a second room; jury deliberation with juries over 7 persons will occur in the emptied courtroom). Plans have also been initiated to convert Courtrooms 2-3 into approved criminal jury trial spaces. Going forward, criminal juries will continue once a week during April, with two criminal juries a week by the first week in May.

Civil Jury Resumption

The general resumption of civil jury trials is planned for June, although one civil jury trial is currently scheduled for May. In contrast to criminal jury trials, safe standard protocols will likely only require the use of one courtroom. However, civil and criminal jury trials cannot start on the same day due to social distancing requirements combined with the available space in the Jury Assembly Room, though they can overlap after the trial is commenced. As a result, the court plans to have criminal jury trials start on Mondays and civil jury trials on Tuesdays.

Pre-Trial Conference

In addition to the physical changes to the Courtrooms, multiple trial procedural issues must be resolved before each trial. The Court therefore will require a pre-trial conference immediately preceding all jury trials. Some examples of procedural considerations include whether witnesses wear a mask or only a face shield; how and if to conduct side-bar discussions, where to conduct arguments out of the presence of the jury and where the jury is to deliberate (only 7 jurors can be placed in our current jury rooms); procedures and time required to conduct voir dire as only a limited number of potential jurors can be brought into the courtroom at any one time; whether to allow counsel to move around the courtroom or to use a podium; and many other matters tailored to each trial.

Jury Stacking

Another key consideration is whether to “stack” multiple trials on a single day to avoid losing a trial date in case of settlement. Criminal trials are currently being stacked for trial with as many as three set for a day certain. The protocol for civil trials is currently being discussed with the Virginia Beach Bar. The stacking process also heightens the need for pre-trial conferences immediately prior to trial to resolve which cases go forward and which are continued.

The Honorable Les Lilley, Chief Judge



COURT COVID-19 ORDERS & UPDATES

In an effort to keep the VBBA membership and public as up to date as possible please refer to the link below on the mandate from the Virginia Supreme Court and Court Orders. We will update this link as we receive updates and information from the Courts. The link is located at <https://www.vbbarassoc.com/court-covid-19-orders/>.

SHORT CIRCUITS

VIRGINIA BEACH CIRCUIT COURT CLERK'S OFFICE ANNOUNCEMENT

This is to advise that the Satellite Office location of the Circuit Court Clerk's Office closed permanently March 12, 2021 at 2:30pm. We are truly grateful to Mr. Richard Holland of Farmer's Bank for allowing us to use his office space for the past year to provide some of our services while we dealt with the pandemic. With Mr. Holland graciously allowing us to use the "bank drive-thru" facility for almost the entire year of 2020, he gave the Circuit Court Clerk's Office the ability to provide certain "in-person" services without putting the public or my staff in harm's way from the virus. We will always be very grateful to Mr. Holland and Farmer's Bank.



VIRGINIA BEACH GENERAL DISTRICT COURT ANNOUNCEMENTS

Policy on Filing by Fax or Email

Effective July 1, 2020, the General District Court fax machines should only be used for time sensitive materials that would not be timely received if mailed. Examples include last minute requests for continuances, requests for bond hearings, and other emergency filings. Routine correspondence, pleadings and other documents are to be mailed or hand delivered. Any faxed materials that are received that do not comply with this directive will not be accepted for filing.

Unless specifically pre-authorized by the Chief Judge or the Clerk of Court, no motions or filings may be made via email and no documents included in or attached to an email will be accepted by the Court.

The Honorable Daniel R. Lahne, Chief Judge



The Judges of the General District Court expect attorneys to wear facemasks that properly reflect the professionalism and decorum expected of attorneys appearing in court. Attorneys who fail to comply may be asked to exit the courtroom and obtain a more appropriate mask.

THE INVESTITURE CEREMONY FOR THE HONORABLE VIVIAN HENDERSON



The Investiture Ceremony for the Honorable Vivian Henderson was held on Friday, April 9, 2021 at 4:00 p.m. in Traffic Court A with overflow seating in Criminal Courts 1 & 2. A link was provided to those that wished to attend virtually. Several members of the VBBA attended the event. Members of the VBBA Board of Directors presented Judge Henderson with a personalized gavel.



*Cooper Hurley Injury Lawyers
Welcomes New Attorney*

Bailey Gifford!

We are pleased to announce that Bailey Gifford joined Cooper Hurley Injury Lawyers in late 2020. Born in Nebraska and raised in Kentucky, Bailey graduated magna cum laude from Morehead State University, earning a Bachelor of Science in Agriculture with an emphasis in Business. Bailey went on to the Appalachian School of Law in Grundy, VA, where she obtained her J.D.

At Cooper Hurley Injury Lawyers, she will be helping those injured in car and other serious accidents.



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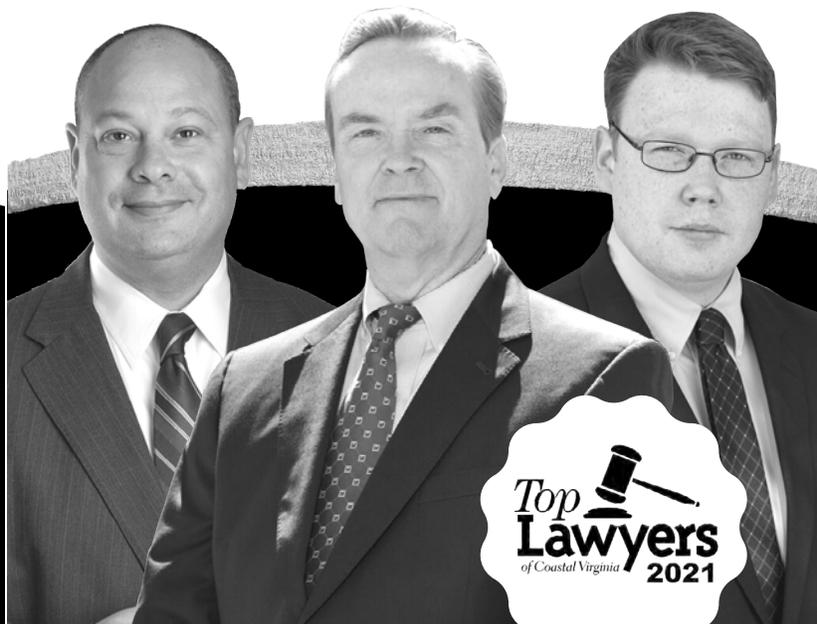
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Virginia Magazine!*

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VIRGINIA BEACH BAR ASSOCIATION MISSION AND VISION STATEMENTS

MISSION STATEMENT

To be an inclusive and diverse organization that fosters legal excellence, encourages a culture of integrity, honor, collegiality, professionalism, and civility among the bar and the bench, promotes justice and fair play in the legal system, provides public service opportunities to its members, and serves its membership and the public with distinction.

VISION STATEMENT

The Virginia Beach Bar Association will be viewed as the “best in class” local bar association – an exemplary benchmark. It will be known within the legal community and the community-at-large as a bar association that provides excellent professional development, leadership, service, networking, and social opportunities that are timely, relevant, and continuously improving. It will be considered an invaluable “must-join” bar association for any attorney residing in or providing legal services in or around Virginia Beach. The association will utilize best practices in communications and technology to provide our membership with efficient and cost-effective services that maximize their membership investment. The association will display pride and excellence in all of its activities and services.

NEWSLETTER ADVERTISING RATES*

SIZE	COST PER ISSUE
Full Page	\$265.00
½ Page	\$135.00
1/3 Page (horizontal or vertical)	\$100.00
1/6 Page	\$60.00
Classified Ad (6 lines)	\$35.00

*The VBBA offers a 10% discount on half-year advertisements (2 issues) and a 20% discount on annual advertisements (4 issues). Classified ads and notices are free to members. For Premium Placement - 1st 3 pages add 25%. Next Newsletter submission deadline is May 15, 2021. Contact Kathy Stull, kstull@vbbarassoc.com

VIRGINIA BEACH BAR ASSOCIATION’S COMMITTEES, CHAIRS AND LIAISONS

COMMITTEE	CHAIR	VICE CHAIR	LIAISON
Awards	Chris Jacobs		Chris Jacobs
Circuit Court	Tom Sheppard	Christy Murphy	Allison Anders
Destination CLE	Colin O’Dawe	Damian Garcia	Chris Jacobs
General District Court	Greg Surber	Beth Ufkes	Ryan Ferguson
Golf Tournament	Jerry Harris	Wanda Cooper	Andrew Rice
J&DR Court	Christi Cunningham	Bretta Lewis	Allison Anders
Law School Outreach	Amanda Thibault	Justin Brewster	Ryan Ferguson
Membership	Chris Baker	Brian Latuga	Christy Wood
Past Presidents	Chris Jacobs		Chris Jacobs
Pro-Bono CLASS	Anna Sas	Cynthia Chaing	Jennifer Shupert
Pro-Bono Students On The Swim	Rich Cromwell		Christy Wood
Public Service Project	Aaron Kass	Shemeka Hankins	Christy Wood
Corporate & Transactional Practice	Tyler Rosá		Ed Booth
Web/Tech	Jamison Rasberry	Tori Eisenberg	Ed Booth
Young Lawyers	Megan Lang	Erin McDaniel	Andrew Rice
Docent Program	Nancy Ford		Jennifer Shupert

OFFICERS

CHRISTOPHER JACOBS IMMEDIATE PAST PRESIDENT 461-4900 cjj@knlegal.com	CHRISTY J. WOOD PRESIDENT 288-3378 cjwood@cjwoodlaw.com	EDWIN BOOTH PRESIDENT-ELECT 453-3521 ebooth@pzlaw.com	RYAN FERGUSON SECRETARY 965-2799 ryan@bischoffmartingayle.com	ALLISON ANDERS TREASURER 453-5280 aanders@pzlaw.com	ANDREW RICE DIRECTOR 385-8645 arice@vbgo.com	JENNIFER SHUPERT DIRECTOR 2 390-3331 jhs@shupertchaing.com	KATHY STULL EXECUTIVE DIRECTOR 352-4557 kstull@vbbarassoc.com
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Virginia Beach General District Court

- HOLIDAY, NO COURT, CLERK'S OFFICE CLOSED
- CONFLICT DOCKET- Civil A and Small Claims Court – Civil B
- CIVIL ONLY – NO COURT, CLERK'S OFFICE OPEN
- MENTAL HEALTH DOCKET
- NO COURT/CLERK'S OFFICE OPEN

2021

Updated
1/29/2021

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August 2021						
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2021						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October 2021						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2021						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December 2021						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Dates when NO Court/Clerks Office Open:

Felony Bond Hearing held at 8:00am, Arraignments held at 2:00pm, and Protective Orders held at 2:00pm.

November 24, 2020 close at noon Bond Hearings held at 8:00am, Arraignments held at 10:00, and Protective Orders at 2:00PM