

VIRGINIA BEACH BAR ASSOCIATION

Volume Number 25 :: Issue 1 :: Spring 2016

PRESIDENT'S MESSAGE

Those of you with the good fortune not to know me have escaped the burden of hearing about my (too infrequent) trips to France. Prior to those trips, I listen to recordings of French speakers in an increasingly unsuccessful effort to attune my ear to the language I once spoke well. The recordings are of people in different settings, and one involves two men who have not recently seen each other and who reconnect at a party. When one asks the other how he is doing, the reply is, "Toujours la même routine: métro, boulot, dodo." To those of you who speak French even less well than I now do, the reply is, "Always the same routine: metro, work, sleep."

For some reason, that response resonates in my mind. As a lawyer who often goes to court, while the routine of going to work may be the same day after day, what happens in court is often unpredictable. Court appearances that I expect will be brief can end up taking hours, while days in court that I expect to be arduous can be surprisingly short. And when trying a case, an issue that I think is a winner may be shot down by the judge with a waive of the hand and a curt "overruled" while a motion made as an afterthought may prove to be decisive.

I am sure that the routine of an attorney who spends his days in an office is different than mine. But whatever your work routine may be, try to break out of it this year long enough to participate in at least some of our bar association's many events and programs. Bar association sponsored CLE seminars are included in your bar dues, and a social hour follows most of them. This year we will be having the occasional "Lawyerly Lunch" where there will be no agenda and no speaker, just lunch. The first luncheon of 2016 is planned for Friday, March 18, at the Virginia Beach National Golf Club's Black Angus Grille. The cost will be about what you would pay to go out to lunch anyway, so break out of your routine and come and meet people.

The mentoring program at Seatack Elementary School always appreciates new mentors, and the mentors find the experience to

be rewarding. Volunteer to be one by calling our mentoring program committee chair Rich Cromwell. The CLASS program in Juvenile and Domestic Relations Court needs volunteers for its Friday docket. CLASS committee chair Christy Wood would be delighted to add you to her roster of volunteer attorneys. Please give her a call.

Plan to play in the bar association's annual fall golf tournament. Even if you are not a good golfer, it is always a good time. Our "Destination CLE" garners rave reviews from attendees, and that is no surprise: getting CLE credits and having fun is a tough combination to beat.

The bar banquet this year will be on Friday, May 20, 2016, at 6:00 p.m. at the Cavalier Golf and Yacht Club. Although there is a cost to attend, the bar association subsidizes a portion of the event. It will be an after work affair, and there is no dress code (other than you must wear some). It is hoped the weather will cooperate so that cocktails and hors d'oeuvres can be enjoyed outside prior to dinner being served under a tent. After dinner, there will be music by the band "Southbound." Mark the date now, and plan to attend. Break out of the métro, boulot, dodo routine. And if you see me at any of these events, I will try not to bore you with travel stories.

Peggy Kellam

President, Virginia Beach Bar Association

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ANNOUNCEMENTS

SHORT CIRCUITS

WHAT'S NEW AT WAHAB

VBBA NEWS



*** VOLUNTEERS NEEDED ***
for Seatack Mentoring Program.

IF INTERESTED, THEN CALL RICH CROMWELL AT (757) 640-3775.

ANNOUNCEMENTS

COOPER HURLEY WELCOMES GRIFF O'HANLON TO NORFOLK FIRM



Griff O'Hanlon has joined the Norfolk-based personal injury firm of Cooper Hurley Injury Lawyers. Previously, Griff practiced criminal defense in the Norfolk Public Defender's Office—accumulating significant trial experience defending serious misdemeanor and felony cases. His practice will now focus on helping those injured throughout Hampton Roads. When he's not in

the office, you can find Griff wearing orange and maroon while rooting on his beloved alma mater, Virginia Tech.



GOODOVE APPOINTED TO SOUTHERN BANK ADVISORY BOARD

Michael Goodove, a personal injury attorney and partner in the Norfolk law firm of Swartz, Taliaferro, Swartz & Goodove, has been appointed to Southern Bank's Hampton Roads Regional Advisory Board. Goodove was selected as he is a leader in the business and overall community as well as a lifelong resident of Hampton Roads. Southern Bank was founded in 1901 and is a wholly owned subsidiary of Southern BancShares (N.C.), Inc. With its Corporate Headquarters located in Mount Olive, the Bank has total assets of approximately \$2 billion and over 60 locations serving North Carolina and Virginia.

COURT APPOINTED COUNSEL AND GUARDIAN AD LITEM MEETING SET

The Judges of the Virginia Beach Juvenile and Domestic Relations District invite you to attend a meeting for the attorneys appointed by this court as a Court Appointed Counsel or a Guardian Ad Litem. At the meeting, Chief Judge Tanya Bullock and Judge Deborah V. Bryan will be discussing the Court's requirements, your responsibilities, and information pertaining your representation of your client, which is vital to your performance as a Court Appointed Counsel or Guardian Ad Litem. We are in the process of scheduling speakers and we hope to schedule representatives from the Department of Human Services and Virginia Beach Schools system to address any of your questions and concerns.

Therefore, your attendance is highly recommended. The meeting is scheduled for March 29, 2016 @ 3:30 p.m. in courtroom # 7 of the Virginia Beach Juvenile & Domestic Relations District Court.

PLEASE R.S.V.P. WHETHER YOU WILL OR WILL NOT BE ABLE TO ATTEND THIS MEETING BY CONTACTING PEGGY DAVY, NO LATER THAN MARCH 18, 2016.

SHORT CIRCUITS

Practice tips from the Circuit Court

By: Amy H. Jones
Staff Attorney

THE LIFE – AND TRACKING – OF AN ORDER

The law clerks and I receive a fair number of emails and phone calls seeking to find out the status of an order submitted for entry. In all honesty, we are not the best resource for this purpose. As a group, there are four of us who review orders, so initially you have at best a 25% chance of contacting the person who may have actually handled your order. In reality, the probability can be much less depending upon whether one of us misses order review entirely due to other work obligations, or gets tied up reviewing a problematic file. This also does not factor in the likelihood that whoever reviewed the file will remember it (since we review a lot of files), and be able to assist you promptly without having to physically track down the file.

The routing of orders between the Clerk's Office and Judges' Chambers, and processing of orders within the Clerk's Office after entry, can also make it difficult for the law clerks and I to track your order for you. Orders are delivered by the Clerk's Office to the Judges' Office each day at 11:00 a.m., and we review them until approximately 1 p.m. We seek to process all orders that are delivered to us that same day, and are able to do so the majority of the time. After review, orders are either placed in line for signature by a judge, or needed corrections are written up on carbon copy forms. At this point, the involvement of the Judges' Offices stops, as both signed and rejected orders are placed together and collected by the Clerk's Office. Neither the law clerks nor I keep files after we process the order; instead, everything is returned to the Clerk's Office. The Clerk's Office then handles processing of entered orders, and the return of those that need corrections. The files are routed to a number of different people, depending upon what they involve, so I can tell you from personal experience it is very difficult to track down an order immediately after it is sent back to the Clerk's Office. As a result, I often recommend to someone who is checking on an order they just submitted that, if possible, they allow a couple of days for it to work its way between the Judges' Offices and Clerk's Offices.

The worst way to try to have your order promptly processed is to either drop it off at or mail it directly to the Judges' Offices' for a law clerk (or me). We have to have the file to review the order, which means that your order then has to be routed back to the Clerk's Office to be placed with the file. Also, if you send your order directly to the Judges' Offices and the recipient is out of the office, the order will end up sitting in their mailbox until they return. If, instead, you

send the order to the Clerk's Office, then it can be placed directly with the file and any one of us will be able to timely review it. We maintain carbon copies in the file of any return forms, and also place in the file emails and notes of phone conferences regarding questions about orders. As a result, anyone who reviews the file will be able to know what has been going on with past submissions. The law clerks and I also review orders together, so if we have questions about a file that someone else handled, we can ask that person. This means that as a general rule, it is not necessary to direct your order to a particular person after the initial review.

If you are using the mail to send and receive orders, bear in mind that the Post Office closed its Norfolk processing center so that all mail from this area goes to Richmond to be processed. It then comes back here for delivery. This adds to how long it takes mail to be delivered, so please allow for this before checking up on your order. I pass this along because I've had a few people contact me who were unhappy about a delay in receiving an order, and who were unaware of these changes by the Post Office. In the alternative, if you or your firm has a "mailbox" at the courthouse, please be sure to check it regularly. If you do not want an order placed in your box, you need to communicate that to the Clerk's Office.

So, what are the best ways to track your order? One is to include a self-addressed, stamped envelope so that your order can be returned to you. If you use this route, be sure to allow extra time to receive it due to the change in Post Office processing locations. Otherwise, if you have a box at the courthouse, check it often. If you are down here for motions or a trial, you can stop by the Clerk's Office and check the file. If all else fails, you can call the Clerk's Office to check on your order (although as technology advances there may be even easier ways to check on your order). Finally, although the law clerks and I are not a good resource for checking on the status of an order, should you receive a rejection and have a question about it, we are readily available by email (stamped on the return) to help you.

WHAT'S NEW AT WAHAB

BOOKS / TREATISES

- Consumer Credit Regulation (NCLC)
- Consumer Warranty Law (NCLC)
- Punitive Damages, Seventh Edition

VIRGINIA CLE'S

- 16th Annual Virginia Info. Tech. Legal Institute
- 34th Annual Trusts & Estates Seminar
- 34th Annual Family Law Seminar
- 36th Annual Construction & Public Contracts Law Seminar
- Defending Serious Traffic Cases 2015
- Estate Planning Bootcamp
- Virginia Family Law: A Systematic Approach

For your convenience, all Virginia Beach Public Library locations offer access to WestlawNext in their computer lab.



In 2016, the nation marks the 50th anniversary of perhaps the nation's best-known U.S. Supreme Court case, *Miranda v. Arizona*. The *Miranda*



Warning has become ingrained in law enforcement and has permeated popular consciousness through countless recitations in films and television shows. Yet *Miranda* is only part of the story when it comes to the procedures for ensuring justice.

The 2016 Law Day theme — *Miranda: More than Words* — will explore the procedural protections afforded to all of us by the U.S. Constitution, how these rights are safeguarded by the courts, and why the preservation of these principles is essential to our liberty.

TECH CORNER

VADER 2014 is now available in our computer lab for your research needs.



VADER provides tools that will help you prepare a divorce case in Virginia. It is a collection of 52 worksheets and associated example worksheets. These worksheets enable you to calculate automatically.

The update was mandated by 2014 changes in the law with respect to child support guideline calculations. VADER incorporates all statutory changes to Virginia Child Support, Spousal Support, Custody, and Equitable Distribution laws effective in Virginia as of July 1, 2014.

HOW TO FIND US:

The Wahab Public Law Library is located within the Virginia Beach Judicial Center in Building 10B. Take the elevator down to the ground floor; the library entrance will be on the left.

Our hours of operation are Monday through Friday from 8:30am-4:30pm.

Wahab Public Law Library
2425 Nimmo Parkway, Bldg. 10B (Ground Floor)
Virginia Beach, VA 23456-9062
757-385-4419

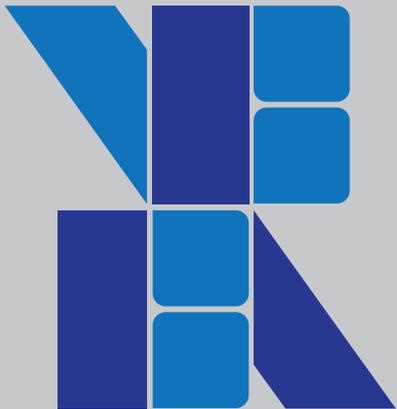
Visit us on the web at

www.vbgov.com/dept/library/law

SAVE THE DATE

FRIDAY, MAY 20, 2016

VIRGINIA BEACH



BAR ASSOCIATION

ANNUAL BANQUET

Friday, May 20, 2016 @6 P.M.
Cavalier Golf and Yacht Club

Cocktail hour featuring raw bar will be from 6-7:30pm and dinner will begin at 7:30pm with live music and dancing to follow. Music by Southbound.

Experience a Different Kind of Office Space.



WHAT OUR CLIENTS SAY

"Having a private full-time office at OMG OBC allows me to have access to a professional staff that can support a law firm in many different ways, while still having the flexibility to work around any budget, from established firms to startups. I have received many compliments from clients on the professionalism of the staff, and the upscale nature of the building itself."

KEVIN R. PETTREY, Attorney & Counselor at Law

For more information please contact **Sandi Ayres** at (757) 842-4821 or SAyres@OfficesOnDemand.com

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Emily Munn

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One of Norfolk's most respected lawyers, **Emily Munn**, is our newest partner, and her office is now ours, giving Bischoff Martingayle a second convenient Southside address.



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EASTERN SHORE

34 Market Street, Onancock
(757) 787-7788

www.bischoffmartingayle.com

VBBA NEWS

NEW MEMBERS

*Virginia Beach Bar Association Welcomes
New Members*

CARMELOU ALOUPAS

Aloupas Law, P.L.L.C.
205 S. Battlefield Blvd., Suite 100
Chesapeake, Virginia 23322

DEBRA BANGERT

The Bangert Law Firm
629 Wesley Drive, Suite 100
Virginia Beach, Virginia 23452

JILL BENNETT

Virginia Beach Commonwealth Attorney's
Office
2425 Nimmo Parkway
Virginia Beach, Virginia 23456

AMY CHUDZINSKI

Office of the Public Defender
1 Guardian Court PO Box 460
Portsmouth, Virginia 23705

LINDSEY FLAHERTY

Inman & Strickler, PLC
575 Lynnhaven Parkway Suite 200
Virginia Beach, Virginia 23452

KATHLYN FLORA

GEICO Staff Counsel
192 Ballard Court, Suite 310
Virginia Beach, Virginia 23462

MARILYN HARVEY

Law Office of Marilyn Harvey
2689 Shorehaven Drive
Virginia Beach, Virginia 23454

KARI KOLAR

Office of the Commonwealth's Attorney
2425 Nimmo Parkway Building 10-B
Virginia Beach, Virginia 23456

KATHRYN KORSLUND

Korslund & Korslund, P.C.
555 East Main Street Suite 1501
Virginia Beach, Virginia 23510

DIANA LYN MCGRAW

Wolcott Rivers Gates
200 Bendix Road Suite 300
Virginia Beach, Virginia 23452

DIALLO MORRIS

Black & James, P.C.
411 Cedar Road 2nd Floor
Chesapeake, Virginia 23322

ASHLEY NIMITZ

Basnight, Kinser, Leftwich
& Nuckolls, P.C.
308 Cedar Lakes Drive 2nd Floor
Chesapeake, Virginia 23322

JAMES PANAGIS

Office of the Commonwealth Attorney
2425 Nimmo Parkway
Virginia Beach, Virginia 23456-9050

KATHLEEN PANAGIS

Whiteford, Taylor & Preston, LLP
3190 Fairview Park Drive, Suite 300
Falls Church, Virginia 22042

DAVID RIVARD

Legal Aid Society of Eastern Virginia
291 Independence Boulevard Pembroke 4
Suite 532
Virginia Beach, Virginia 23462

SHANNON SADLER

Virginia Beach Commonwealth's
Attorney's Office
2425 Nimmo Parkway Judicial Center,
Building 10B
Virginia Beach, Virginia 23456

PAUL SCHMEDING

Messman Law, PLC
3330 Pacific Avenue, Suite 200
Virginia Beach, Virginia 23451

VANESSA STILLMAN

Poole Brooke Plumlee
4705 Columbus Street
Virginia Beach, Virginia 23451

BRANDON WILDER

Bush & Taylor, P.C.
160 West Washington Street
Suffolk, Virginia 23434

REBECCA WINN

MULKEY, FORBES, REID
& BARTON, PLC
11711 Jefferson Avenue Suite A
Newport News, Virginia 23606

SEATAACK MENTORING PROGRAM

The Seataack Mentoring Program continues to run strong and is rewarding for both the mentees and mentors. The swim lesson program implemented last year was a big hit and will be offered again this year. If you have any interest in becoming a mentor, please contact our Seataack/Pro-Bono chair, Richard Cromwell.



Active Philanthropy Options



Donor-advised funds let your clients stay involved with their philanthropy. We offer endowed, current use, quasi-endowed and customized fund options.

Partnering with your community foundation leads to good works now and in the future.



CARIBBEAN CLE

Members of the Virginia Beach Bar Association attended the 2016 Caribbean CLE in beautiful St. Maarten this February. A total of 9 CLE hours were offered to members in a setting like no other—on the beach with the cool Caribbean breeze blowing and the impossibly blue water lapping on to the white sandy beaches! We're told that fun times were had by all.



Contact Kay Stine, vice president for development, at (757) 622-7951 or kstine@hamptonroadscf.org.



Hampton Roads Community Foundation

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VIRGINIA BEACH BAR ASSOCIATION'S COMMITTEES, CHAIRS AND LIAISONS

COMMITTEE	CHAIR	LIAISON
Mentoring	Anthony Gantous	Jonathan Stone
Legal Studies	Regis Rice	Brandon Zeigler
Website	Ed Booth	Kevin Duffan
Young Lawyers	Kathleen Keffer	Jonathan Stone
Golf Tournament	Andrew Rice	Kevin Duffan
General District Court	Kathryn Byler	Chris Boynton
Circuit Court	Stephen Pfeiffer	Chris Boynton
Juvenile & Domestic Relations Court	Paul Powers	Kevin Duffan
CLASS	Christy Wood	Jeff Marks
Membership	Kevin Sharp	Chris Jacobs
Pro-Bono (Seatack)	Richard Cromwell	Brandon Zeigler

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. Contact Kevin Duffan, kduffan@hsinjurylaw.com.

VBBA CALENDAR DATES TO REMEMBER

- Bar Banquet
Friday, May 20, 2016
6 P.M.
Cavalier Golf and Yacht Club
Cocktail hour featuring raw bar will be from 6-7:30pm and dinner will begin at 7:30pm with live music and dancing to follow.
Music by Southbound
- A “Lawyerly Lunch” is planned for 1 p.m. on Friday, March 18, at VB National’s Black Angus Grille. More information to come via email.

OFFICERS

PEGGY KELLAM, PRESIDENT

427-5094; mkellam@srklawfirm.com

BRANDON H. ZEIGLER, PRESIDENT-ELECT

448-3025, bzeigler@pzlzaw.com

KEVIN DUFFAN, SECRETARY

460-7776; kduffan@hsinjurylaw.com

CHRISTOPHER BOYNTON, TREASURER

385-5061; cboynton@vb.gov

JONATHAN L. STONE, DIRECTOR

498-7700, jstone@norrisstclair.com

CHRISTOPHER I. JACOBS, DIRECTOR

461-4900; cij@knlegal.com

JEFFREY L. MARKS, IMMEDIATE PAST PRESIDENT

491-4045, jlmarks@kaufcan.com

EXECUTIVE DIRECTOR

JEAN KEARY

2425 Nimmo Parkway
Virginia Beach, Virginia 23456
Tel: 757-385-2155
Fax: 757-385-2156
Email: vbba@verizon.net

**NEXT NEWSLETTER SUBMISSION
DEADLINE: MAY 15, 2016**

VIRGINIA BEACH GENERAL DISTRICT COURT 2016 FINAL CALENDAR

UPDATED 10/15/15

■ HOLIDAY, NO COURT, CLERK'S OFFICE CLOSED

★ NO COURT CLERK'S OFFICE OPEN

■ CONFLICT DOCKET - Civil A *and* SMALL CLAIMS COURT - CIVIL B

■ MENTAL HEALTH CASES

JANUARY						
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Arraignments at 10:00 a.m. on: September 19, 20, 21, 22, 23, November 8, 23, & December 9th
On all other dates arraignments will be at 2:00 p.m. in Traffic D
ONLY BOND HEARINGS & ARRAIGNMENTS ON NOVEMBER 8TH, 23RD & DECEMBER 9th

