

# VIRGINIA BEACH BAR ASSOCIATION

Volume Number 29 :: Issue 4 :: Winter 2020

## PRESIDENT'S MESSAGE

Walking into my term as president of the VB Bar Association, I was honored, confident, and ready to serve. After practicing law since 2004 in Hampton Roads, around the Commonwealth, and being a Virginia Beach Bar Association Board Member for over five years, it was my turn to take the helm and lead the Virginia Beach Bar Association. The Association's Board of Directors has always been proactive and responsive to their mission. The Board, committees, executive director, and countless volunteers were operating as a finely honed machine as it had been for many years. The Association was responding to the needs of our members, planning the celebrations that would honor those that have served so remarkably over their careers, and executing solid charitable efforts. Then in March with the COVID-19 pandemic, while our mission remained focused, our operational machinery had to adapt.

The legal community and judiciary were not prepared for what 2020 would bring. In March, the role of the board had to adapt the Virginia Beach Bar Association's CLE offerings, meetings, celebrations, gatherings, and operations. The legal community had to adapt its operations as fear and uncertainty set into many offices and clients inquired about uncertainty. Many struggled to do the basics of representing our clients, whether it was advising an injured person when to expect a resolution of their case, advising those seeking family law matters, or advising an incarcerated person when they could expect a bond hearing. Those were a fraction of the struggles the legal community faced aside from financial uncertainties and logistical nightmares within many offices. Other struggles were adapting and creating a work from home dynamic, social distancing office policies, and face covering procedures.

In the courtrooms, judges, clerks, and support staff were forced to shut down and compose plans to move matters through the legal system. The plans for the legal system to function were immense. I commend all those involved as "unintended consequences" seemed to be a phrase heard in many meetings with judges, clerks, law enforcement, the Sheriff's office, attorneys, stakeholders, and others in attendance at those meetings. During the past eight months, our legal community struggled personally and professionally to reassure stakeholders that the judiciary was functioning and still a linchpin of our society.

Sadly, COVID-19 has robbed us of many things, including your ability to judge my capabilities of throwing a party, as in many respects the president of our bar association is judged on the banquet or holiday party. For that I am disappointed. However, I am fortunate and proud in many ways as president of your bar association. I say "your bar association" because that is really what it is. We, as board members, understand that the Virginia Beach Bar Association was founded many years ago with traditions and pride in the local judiciary, local philanthropy, and the willingness of

its members to carry the torch for others to pick up where we leave off. I say this because over the past eight months I believe it has been the members of our association who should also be commended for their countless hours and sacrifices to deal with the unintended consequences that COVID-19 has delt to the judiciary. Whether it is limited jail visits, delayed bond hearings, delayed divorce or custody proceedings, or delayed civil trials, the Virginia Beach Bar Association and its members strived to be confident in our judicial system. That confidence resonated to their clients.

I think I can safely say that we all want 2020 to be behind us. In the words of several past presidents, I look forward to being a past president to further guide and offer advice to future board members. The Virginia Beach Bar Association is such a vital organization to our community from philanthropy to education and I encourage everyone to get involved. It is sometimes tough but being a part of the Virginia Beach Bar Association has been one of the most rewarding experiences of my career.

In closing, the Virginia Beach Bar Association would not have succeeded in its mission this past year without the countless hours devoted by my fellow Board of Directors, the various committee chairs and vice chairs, our executive director and the numerous other attorney and non-attorney volunteers. Not only were their efforts vital to the success of the Virginia Beach Bar Association in the past, but their efforts are also vital to the Virginia Beach Bar Association's future. The feedback from members, past presidents, judges, clerks, and the public shaped the success of the Virginia Beach Bar Association during a difficult year. I thank the Virginia Beach Bar Association for electing me to serve years ago as a board member and allowing me to rise this year to being elected President of the Virginia Beach Bar Association. It was a distinct honor to serve you and I encourage every member to get involved in their bar association and the Virginia State Bar.

-Christopher Jacobs, President  
Virginia Beach Bar Association



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# ANNOUNCEMENTS

## 2021 MEMBERSHIP DUES

Membership dues are due on January 1 each year. 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 added a new 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:

The Virginia State Bar  
Shupert Chaing  
Jankell & Ireland, P.C.  
Toscano Law Group  
GEICO

## NEW OFFICE SHARE & OFFICE SPACE AVAILABLE – SEE LISTINGS

To publish a job posting, contact Kathy Stull at [kstull@vbbarassoc.com](mailto:kstull@vbbarassoc.com)

## VIRGINIA BEACH BAR FOUNDATION FALL NEWSLETTER UPDATE

Thanks to everyone who responded to our survey as to your preferences for charitable giving by the Foundation. There were no clear winners, as all of the organizations named received favorable responses.

However, the ranking of the organizations is as follows:

1. Virginia Beach Drug Treatment Court
2. CASA
3. Legal Aid of Eastern Virginia
4. Connect-With-A-Wish
5. Wills for Heroes
6. Paralegal Certification Program scholarships
7. Virginia Beach High School Mock Trial Program
8. First Colonial Legal Studies Academy
9. Law School/College scholarships

Additional suggestions for groups that should receive consideration: Wahab Public Law Library, The Equal Justice Initiative, ACLU, American Center for Law and Justice, and “any program helping the elderly with legal issues.”

Your opinions are very helpful to the board as it makes decisions regarding charitable giving in the coming months.

Thanks for being involved in the work of the Virginia Beach Bar Foundation, the charitable arm of the Virginia Beach Bar Association.

[www.vbbarfoundation.org](http://www.vbbarfoundation.org)



## 22ND ANNUAL RICHARD G. “DICK” BRYDGES COURTHOUSE CLASSIC GOLF TOURNAMENT AND FOOD DRIVE

Tournament participants donated 116 pounds of food equaling 98 meals and \$1,670 of donations for a total equivalent of 4,869 meals for the Food Bank of Southeastern Virginia. We, along with the Food Bank of Southeastern Virginia thank you for your generosity. Also, thank you to Attorney Aaron Kass for spearheading the food drive!

# VBBA NEWS



**JULIANA LYONS**, Bischoff Martingayle PC

**RACHEL IRVING PITTS**, Mintz

**DANIEL STEPHENS**, Vandeventer Black LLP

## NEW STUDENT MEMBERS

**HANNAH HOPKINS**, Student Member

**LINDSEY SWEETGALL-BROCK**, Student Member

## THE VBBA HOSTED LIVE WEBINARS THROUGHOUT THE FALL

The JDR Committee hosted their Annual CLE on September 17th. The CLE was well attended by the membership and covered topics including: Juvenile Criminal Legislative and Procedural Updates, Holding Hearings Online, Adoptions in 2020: Legislative Changes & New Issues, Ethics Interactive and Hypotheticals. Thank you to the JDR Committee led by Christianna Cunningham and Bretta Lewis for hosting such an incredible CLE and to each of the attorneys and judges who presented throughout the day.

The VBBA presented the Recent Ethics Update And Top Ten Ways To Avoid Bar Complaint during Covid on October 21st Featuring Prescott L. Prince, Assistant Bar Counsel with the Virginia State Bar.

## VBBA TOYS FOR TOTS DONATIONS



Ordinarily, our annual Holiday party would result in donations of toys to the USMC Toys for Tots program. Due to the cancellation of the Holiday Party that will not occur this year. The pandemic doesn't spare children and the negative financial impact on their parents also, unfortunately, flows down to them. The Marine's Toys for Tots program does great work in delivering toys to less fortunate children.

**The VBBA is donating \$500 this year to our local Toys for Tots program. We encourage our membership to consider donating as well.**

To donate locally click [here](#)



## CALL FOR NOMINATIONS

The Virginia Beach Bar Association is accepting nominations to the Judicial Recommendation Panel. The VBBA Judicial Recommendation Panel interviews prospective judicial candidates at the request of local legislative delegation.

The Judicial Recommendation Panel is comprised of seven members of the VBBA, two of which are elected by the membership at large to serve two year terms. Nominations must be received by December 11th, 2020 and an election will follow in December.

### Submit your nominations to:

Christy J. Wood, President Elect, at [cjwood@cjwoodlaw.com](mailto:cjwood@cjwoodlaw.com) and please carbon copy Kathy Stull, Executive Director at [kstull@vbbarassoc.com](mailto:kstull@vbbarassoc.com).



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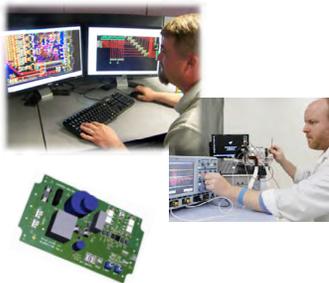
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## UPCOMING VBBA EVENTS

For more information and to register click [here](#)

### Intro to Courts CLE Postponed

The Intro to Courts CLE is being postponed to a date to be determined in January 2021 at the request of the Courts, as well as to allow recent admits to the bar an opportunity to attend.

**Any questions concerning this can be directed to Andrew Rice at [CRice@vbgov.com](mailto:CRice@vbgov.com)**



Winter 2020

## Wahab Public Law Library

### Wahab Public Law Library

2425 Nimmo Parkway  
Judicial Center, Building 10B  
Ground Floor  
Virginia Beach, VA 23456

757-385-4419  
[VBgov.com/law-library](http://VBgov.com/law-library)

### Hours of Operation

Monday-Friday  
8:30 a.m. - 4:30 p.m.

### Upcoming Closures

11/26-27	THANKSGIVING
12/24-25	CHRISTMAS
01/01	NEW YEAR'S DAY

### Visiting the Library

We are 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.

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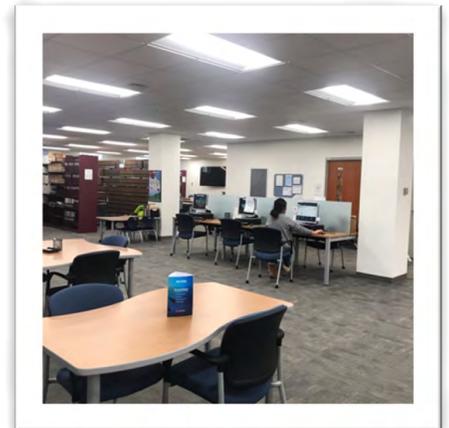
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**Thank you!**

**WPLL is temporarily offering free remote access to Westlaw Next from your home or office.**

**For login information contact us at [llstaff@vbgov.com](mailto:llstaff@vbgov.com) or 757-385-4419.**



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### Updated Titles

Black's Law Dictionary, 11th edition

Virginia Criminal Law Case Finder

Virginia Practice Series: Construction Law, Insurance Law, Landlord Tenant Law, Product Liability, Workers' Compensation, Virginia Law & Practice for Attorneys

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- Insurance Disputes
- Real Estate & Land Litigation
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- Police & Law Enforcement Issues
- Any Existing or Potential Lawsuit

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# SHORT CIRCUITS

## 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/>.

## CIRCUIT COURT CLERK'S OFFICE HAS SATELLITE OFFICE TO PROVIDE SOME SERVICES

### Drive-Through Service Only

The Circuit Court Clerk's Office opened a satellite office at 1804 Princess Anne Road to be able to provide some services it had to curtail when the Courthouse building closed to the general public, and we are continuing to run a Satellite Office through the end of 2020 so that we can help keep traffic out of the main courthouse building and hopefully help minimize the spread of COVID-19.

**This Satellite Office is open from 8:30am to 2:30pm, Monday thru Friday, for drive-through service only, and only for the following:**

**First-time Concealed Carry Permits** – applicants must bring a current application, a government-issued picture ID, proof of competency and \$50 fee (cash or check). First time applicants must appear in person. For further information about the requirements, visit the Virginia State Police website at <https://www.vsp.virginia.gov/Firearms.shtm> or call Nancy White at (757) 385-8532.

We are also taking Renewal Applications at this location.

**Marriage Licenses** – both parties must be present, have government-issued photo identification and have completed the marriage license application. It is available online at [www.vbgov.com/marriage](http://www.vbgov.com/marriage) and at the satellite office. The license fee is \$30 in cash (please have exact cash, if possible).

**Notary Items for Pick-up** – For those who receive notice that your Notary is available to be picked up at the Clerk's Office, pick these up at this satellite location.

## CHANGES TO PROCEDURES FOR OBTAINING JUDGEMENT FOR UNLAWFUL DETAINER IN VIRGINIA BEACH GENERAL DISTRICT COURT

During the recently concluded 2020 special legislative session, the General Assembly enacted several changes to the procedures that must be followed in landlord-tenant cases before a judgement for possession can be obtained and a writ of eviction can be issued based upon unpaid rent. These changes became effective on November 9 and November 18, 2020. In pertinent part, the changes require that the landlord give 14 days' notice to pay or quit and notices must contain certain other pieces of information. In addition, the changes require that the landlord cooperate with a tenant's efforts to apply for assistance from the Virginia Rent and Mortgage Relief Program and further require the landlord to apply for assistance on behalf of a tenant who fails to do so. The changes to the Virginia Landlord-Tenant Act and the budget bill can be found here (<https://lis.virginia.gov/cgi-bin/legp604.exe?202+ful+HB5064ER2+pdf>) and here (<https://budget.lis.virginia.gov/amendment/2020/2/HB5005/Introduced/CR/4-14/2c/>).

Before the Court will enter a judgment on an unlawful detainer based upon unpaid rent, the landlord must comply with the new 14-day notice requirements contained in these legislative enactments and, further, the landlord or authorized agent must attest, either in person or via an affidavit, that they have complied with the requirements of the budget amendments.

**The Court also calls your attention to the following language in the budget amendment:**

*Nothing in this section shall void any judgment for possession validly obtained by a landlord prior to the effective date of this section; however, the court shall not issue a writ of execution thereunder, following the effective date, unless it complies with the provisions of this Section 8.*

Based upon this language, a writ of eviction will not be issued on judgments for possession for unpaid rent that were obtained prior to November 18, 2020, unless the landlord can demonstrate compliance with the terms of the budget amendment.

# SHORT CIRCUITS

## VIRGINIA BEACH JUVENILE & DOMESTIC RELATIONS DISTRICT COURT ANNOUNCEMENTS

The Juvenile and Domestic Relations District Court shares the following information:

### Courthouse – Social Distancing

This court continues to operate under our Transitional Plan for Returning to Normal Operations published in June. We would like to remind court users of the Social Distancing General Rules from the plan.

Only necessary parties should come inside the courthouse and the courtroom. Necessary parties are defined as the parties to a case and one parent in the case of a juvenile criminal or traffic matter. A party who intends to call witnesses, other than police officers, DHS workers and probation officers, should obtain their cell phone numbers so that these witnesses can wait in their cars until their testimony is needed.

We would also like to stress the importance of attorneys and litigants being prepared and ready to proceed when their case is called. Efforts should be made to meet with clients, witnesses and to have settlement/plea negotiations away from the courthouse and not on the morning of court.

If there are too many people in the waiting area, please use the other floor's waiting area to allow more space for social distancing. The loudspeakers announcing cases can be heard on both floors.

### GAL appointments

To assist the court in triaging and disposing of cases more efficiently during the COVID pandemic, the court will be appointing Guardian ad Litem for all new custody and visitation cases. Even though these cases will continue to be screened for mediation, we believe Guardian ad Litem will be helpful to the parties and the court. Currently, it is about 7 months from file date to initial hearing date.

As initial hearings are scheduled, GALs will be appointed on their duty day on a rotating basis. If a GAL has history with a case, they will be reappointed and will be contacted to schedule the initial hearing.

GALs are not required to complete a full investigation or provide a written report before the initial hearing, but are encouraged to begin the investigation to see if an agreed order can be entered at the initial hearing, if a contested hearing is necessary and how much time is required for a hearing.

### New Form

A new local form was developed that should be filed with civil petitions and motions. This new form will be used to collect parties' email addresses. The form can be found on our website here.

Please continue to use our email address, [vabjdr@vacourts.gov](mailto:vabjdr@vacourts.gov), for questions and filing reports and other documents.

Counselors,

With more of you using our court's email address ([vabjdr@vacourts.gov](mailto:vabjdr@vacourts.gov)) to file documents with the court, we wanted to make you aware of our procedures in determining the filing date. The procedure follows the hours that our front counter is open to the public, 8:00 am to 4:00 pm. If a document is received by email or fax during these hours, the document will be stamped as received on that date. If a document is received outside of these hours, the document will be stamped received on the next business day.

When you file documents with the court, please only send them once. You do not need to email, fax and mail the documents as this creates duplicative work for our office.

I wanted to also thank you for being so patient and understanding with the Clerk's Office during this Judicial Emergency. The clerks are working diligently through the backlog and processing cases as best they can under the circumstances.

Please contact me with any questions or concerns.  
Sincerely,

Amy K. Burnham  
Clerk of Court  
Virginia Beach Juvenile & Domestic Relations District Court

# OFFICE SPACE AVAILABLE

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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 February 15, 2021. Contact Kathy Stull, [kstull@vbbarassoc.com](mailto:kstull@vbbarassoc.com)

## VIRGINIA BEACH BAR ASSOCIATION’S COMMITTEES, CHAIRS AND LIAISONS

COMMITTEE	CHAIR	VICE CHAIR	LIAISON
Awards	Jonathan Stone		Jonathan Stone
Circuit Court	Jerry Harris	Christy Murphy	Allison Anders
Destination CLE	Colin O’Dawe	Jennifer Shupert (Co-Chair)	Chris Jacobs
General District Court	Greg Surber	Beth Ufkes	Ryan Ferguson
Golf Tournament	Tom Sheppard	Brian Latuga	Ryan Ferguson
J&DR Court	Christi Cunningham	Bretta Lewis	Christy Wood
Law School Outreach	Amanda Thibault	Tori Eisenberg	Ed Booth
Membership	Chris Baker	Nickie Herron	Andrew Rice
Past Presidents	Jonathan Stone		Jonathan Stone
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Pro-Bono Students On The Swim	Rich Cromwell		Ryan Ferguson
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## OFFICERS

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REPORTING STATIONS TO ENSURE CLIENT  
CONVENIENCE AND SERVICE, OFFERING  
CAPABILITIES FOR MULTIPLE REMOTE  
ASSIGNMENTS AND QUALITY AUDIO/VIDEO.**



**Our firm is committed to utilizing all the advances in technology which allows us to provide more efficient and streamlined litigation processes for our clients who have come to expect the very best performance from us. All remote assignments are managed by a professional videoconferencing technician manager assigned to personally assist, provide technical support, manage and monitor your assignment from start to finish. Prior to your remote assignment, a test is done to ensure successful remote capabilities. In our new state-of-the-art remote videoconferencing centers, we accommodate all most widely used remote platforms, i.e., Microsoft Teams, Zoom, WebeX, Polycom, Skype, delivered in HD with crystal-clear audio. Our remote capabilities allow clients to present, share annotate, and mark exhibits. Servicing up to 100 participants through multiple connections via computers, tablets, and smartphones, from anywhere around the world is what we provide to our clients daily.**

**VIRGINIA BEACH GENERAL DISTRICT COURT CALENDAR**

Updated 10/23/2020

**2020**

 Holiday, No Court,  
Clerk's Office Closed

 No Court  
Clerk's Offices Open

 Conflict  
Docket

 Mental Health  
Docket

 Civil ONLY- No Court  
Clerk Office Open


January 2020						
S	M	T	W	T	F	S
				2	3	4
5	6	7	8	9	10	11
12	13	14	15	16		18
19		21	22	23	24	25
26	27	28	29	30	31	

February 2020						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16		18	19	20	21	22
23	24	25	26	27	28	29

March 2020						
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				

April 2020						
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		

May 2020						
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		23
24		26	27	28	29	30
31						

June 2020						
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		27
28	29	30				

July 2020						
S	M	T	W	T	F	S
			1	2		4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23		25
26	27	28	29	30	31	

August 2020						
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						29
30	31					

September 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6		8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24		26
27	28	29	30			

October 2020						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11		13	14	15	16	17
18	19	20	21	22		24
25	26	27	28	29	30	31

November 2020						
S	M	T	W	T	F	S
1	2		4	5	6	7
8	9	10		12	13	14
15	16	17	18	19	20	21
22	23	24				28
29	30					

December 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10		12
13	14	15	16	17	18	19
20	21	22				26
27	28	29	30			

**Important dates and Information**
**Judicial Conference: August 24, 25, 26, 27 and 28**
**Dates when NO Court/Clerks Office Open: Bond Hearings at 8:00 AM / Arraignments at 10:00AM / Protective Orders at 2:00 PM**
**November 25 and December 23 – half day close at noon – Protective Orders heard at 11am.**