



VSB

Executive Committee & Council Meetings

Virginia Beach
May 29-30, 2024

VIRGINIA STATE BAR
EXECUTIVE COMMITTEE

Virginia Beach, Virginia
Wednesday, May 29, 2024

AGENDA

12 noon, Executive Committee Meeting
Hilton Garden Inn, 3315 Atlantic Avenue, Virginia Beach

I. Reports and Information Items	Tab
A. President's report – Chidi I. James, President	1
B. Strategic Planning report – Stephanie E. Grana, Immediate Past President	2
C. Executive Director's report – Cameron M. Rountree, Executive Director	3
D. Financial report – Crystal T. Hendrick, Finance/Procurement Director	4
E. Office of Bar Counsel report – Renu M. Brennan, Bar Counsel	5
F. Ethics Website Guidance on Generative AI – Michael M. York, Legal Ethics Committee chair	10
G. Entry, Growth and Distribution of Virginia Attorneys (EGAD VA) Study Committee report – Cameron M. Rountree, Executive Director	
 II. Action Items	
A. Approval of the Minutes from the April 24, 2024 Meeting – Chidi I. James, President	11
B. Approval of the Clients' Protection Fund Board Rule Revisions Adopted on February 1, 2024 – Peter M. Mellette, CPF rules subcommittee chair	12
C. Approval of Disciplinary District Committee appointments – Cameron M. Rountree, Executive Director	13
D. Approval of Resolutions – Michael M. York, President-elect, and Cameron M. Rountree, Executive Director	14

The mission of the Virginia State Bar is (1) to protect the public, (2) to regulate the legal profession in Virginia, (3) to advance access to legal services, and (4) to assist in improving the legal profession and the judicial system.

III. Notice of Upcoming Meetings, Receptions & Dinners

6:30 p.m., Wednesday, May 29, 2024, Council Reception and Dinner

- Hilton Garden Inn. 3315 Atlantic Avenue, Virginia Beach

9:00 a.m., Thursday, May 30, 2024, Council meeting

- Hilton Garden Inn, Nautilus Ballroom, 3315 Atlantic Avenue, Virginia Beach

12 noon, Tuesday, September 24, 2024, Executive Committee meeting

- Virginia State Bar, Bank of America 3rd floor Conference Room, Richmond

12 noon, Thursday, October 10, 2024, Executive Committee meeting

- Kingsmill Resort, 1010 Kingsmill Road, Williamsburg

5:30 p.m., Thursday, October 10, 2024, Council Reception and Dinner

- Kingsmill Resort, 1010 Kingsmill Road, Williamsburg

9:00 a.m., Friday, October 11, 2024, Council meeting

- Kingsmill Resort, 1010 Kingsmill Road, Williamsburg

12 noon, Friday, February 28, 2025, Executive Committee meeting

- Virginia State Bar, Bank of America 3rd floor Conference Room, Richmond

6:00 p.m., Friday, February 28, 2025, Council Reception and Dinner

- Virginia Museum of Fine Arts, 200 N. Arthur Ashe Boulevard, Richmond

9:00 a.m., Saturday, March 1, 2025, Council meeting

- Omni Richmond Hotel, 100 S. 12th Street, Richmond

VIRGINIA STATE BAR

COUNCIL

**Virginia Beach, Virginia
Thursday, May 30, 2024**

AGENDA

9:00 a.m. Council Meeting

Hilton Garden Inn, Nautilus Ballroom, 3315 Atlantic Avenue, Virginia Beach

I. Reports and Information Items	Tab
A. President's report – Chidi I. James, President	1
B. Strategic Planning report – Stephanie E. Grana, Immediate Past President	2
C. Executive Director's report – Cameron M. Rountree, Executive Director	3
D. Financial report – Crystal T. Hendrick, Finance/Procurement Director	4
E. Office of Bar Counsel report – Renu M. Brennan, Bar Counsel	5
F. Conference of Local and Specialty Bar Associations report – Dillina W. Stickley, chair	6
G. Diversity Conference report – Candace A. Blydenburgh, chair	7
H. Senior Lawyer's Conference report – W. Carter Younger, chair	8
I. Young Lawyer's Conference report – Craig E. Ellis, YLC President	9
J. Ethics Website Guidance on Generative AI – Michael M. York, Legal Ethics Committee chair	10
K. Entry, Growth and Distribution of Virginia Attorneys (EGAD VA) Study Committee report – David B. Neumeyer, chair	
II. Action Items	
A. Approval of the Minutes from the February 24, 2024 Meeting – Chidi I. James, President	11
B. Approval of the Clients' Protection Fund Board Rule Revisions Adopted on February 1, 2024 – Brian D. Lytle, CPF Board chair	12

The mission of the Virginia State Bar is (1) to protect the public, (2) to regulate the legal profession in Virginia, (3) to advance access to legal services, and (4) to assist in improving the legal profession and the judicial system.

- C. Approval of Disciplinary District Committee appointments – Cameron M. Rountree, Executive Director **13**
- D. Approval of Resolutions – Michael M. York, President-elect and Cameron M. Rountree, Executive Director **14**

III. Notice of Upcoming Meetings, Receptions & Dinners

- 12 noon, Tuesday, September 24, 2024, Executive Committee meeting
- Virginia State Bar, Bank of America 3rd floor Conference Room, Richmond

- 12 noon, Thursday, October 10, 2024, Executive Committee meeting
- Kingsmill Resort, 1010 Kingsmill Road, Williamsburg

- 5:30 p.m., Thursday, October 10, 2024, Council Reception and Dinner
- Kingsmill Resort, 1010 Kingsmill Road, Williamsburg

- 9:00 a.m., Friday, October 11, 2024, Council meeting
- Kingsmill Resort, 1010 Kingsmill Road, Williamsburg

- 12 noon, Friday, February 28, 2025, Executive Committee meeting
- Virginia State Bar, Bank of America 3rd floor Conference Room, Richmond

- 6:00 p.m., Friday, February 28, 2025, Council Reception and Dinner
- Virginia Museum of Fine Arts, 200 N. Arthur Ashe Boulevard, Richmond

- 9:00 a.m., Saturday, March 1, 2025, Council meeting
- Omni Richmond Hotel, 100 S. 12th Street, Richmond

TAB 1



Virginia State Bar

1111 E. Main Street, Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

Date: May 29, 2024

To: Executive Committee
Council

From: Chidi I. James
President

Re: President's Report for May 2024

Dear Executive Committee and Council Members,

In addition to the matters which I will address at the Executive Committee meeting on May 29, 2024, and the Council meeting on May 30, 2024 in Virginia Beach, please accept this as a report of my activities since my term began on July 1, 2023, through the end of my term on June 30, 2024. I look forward to meeting with everyone in person and discussing these events and all matters on the meeting agenda.

Appointments/Travel/Events

07/14/23	VSb Hill Tucker Institute – Spoke with High School Students Participating in the Program. Stephanie gave the main address.
07/19-21/23	VBA Annual Meeting at the Homestead – Attended on behalf of VSB.
08/03-04/23	VSb Disciplinary Conference in Richmond – Gave an address to the attendees on behalf of the VSB.
08/09-10/23	VSb Professionalism Course in Roanoke – Attended the faculty dinner and sponsored wine using the President's Fund. Gave an address to the attendees during the opening session.
08/16/23	VSb All Staff Meeting in Richmond – Attended the staff meeting and gave a brief address and thanked the VSB Staff.
08/24/23	Virginia Law Foundation – Attended the 2023 Grant Recipient Luncheon.

08/24-25/23	Northern Virginia Black Attorneys' Association - 40 th Anniversary Convention Speaker.
08/30-31/23	VSBA Professionalism Course in Richmond - Attended the faculty dinner and sponsored wine using the President's Fund. Gave an address to the attendees during the opening session.
09/12/23	Executive Committee meeting, Richmond – Presided over regular meeting.
09/13/23	VSBA Section, Conference and Committee Chairs meeting in Richmond – Provided an overview of important issues and facilitated a breakout session with the board and committee chairs.
09/15/23	Virginia Judges & Lawyer's Assistance Program in Lynchburg – Speaker for a Panel Discussion on Advancing Diversity, Equity, and Inclusion to Build a Stronger Legal Profession at the 19 th Annual Fall Retreat.
09/17-18/23	Solo & Small-Firm Practitioner Forum in Onancock, Melfa – Attended the speaker's dinner and forum sponsored by the CLSBA at Eastern Shore Community College.
09/20-21/23	Appalachian School of Law visit in Grundy – Invitation received from the ASL President.
09/30/23	Legal Services of Northern Virginia in Vienna – Opening remarks at Fall Gala.
10/03/23	YLC Women & Minorities Bench-Bar dinner in Richmond – Attended dinner at Virginia Union University to provide opening remarks and introduce keynote speaker.
10/12/23	Executive Committee meeting, Williamsburg – Presided over regular meeting.
10/12/23	Bar Council Reception and Dinner, Williamsburg
10/13/23	Bar Council meeting, Williamsburg – Presided over regular meeting.
10/18/23	VSBA Annual Pro Bono Conference - Held in conjunction with the VA Poverty Law Center state-wide Legal Aid Conference CLE program, Joint Reception with VPLC and VSBA Celebration & Awards dinner.
10/19-22/23	Southern Conference of Bar Presidents conference

10/25-27/23	Virginia Association of Defense Attorneys 2023 Annual Meeting
10/28/23	YLC Minority Pre-Law Conference - GMU Law School
11/08/23	George Mason University Antonin Scalia Law School Reception honoring VSB President Chidi I. James
11/14/23	Roanoke Bar Association Speaker for monthly luncheon meeting
11/17/23	Investiture Ceremony and Reception - Fairfax Circuit Court Hon. Brett A. Kassabian, Judge
12/05/23	VSB All Staff Meeting & Holiday Luncheon
12/06/23	Admission & Orientation ceremony Remarks for new admittees
12/07/23	Professionalism Course - Richmond
01/06-08/24	Virginia CLE – UVA Law School Annual National Trial Advocacy College faculty
01/10/24	Lynchburg Bar Association January luncheon speaker
01/18-20/24	Virginia Bar Association 134 th Annual Meeting
01/31–02/03/24	Southern Conference of Bar Presidents/National Conference of Bar Presidents/ABA Midyear Meeting - Louisville, KY
02/08/24	Regent University School of Law Speaker for Law School Chapel
03/07/24	VSB All Staff Meeting and Luncheon
03/08/24	VSB Bar Leaders Institute
03/12/24	Hayfield Secondary School Invited Annual Career Day speaker.
03/13/24	Better Annual Meeting committee meeting
03/15/24	VSB 2024 Diversity Conference Keynote Speaker

03/23/24	Virginia Beach Bar Association Invited to attend annual banquet.
04/10/24	VSF Professionalism course, Norfolk
04/10/24	Better Annual Meeting committee meeting
04/23/24	12 th Annual Past Presidents' dinner, Richmond
04/24/24	Executive Committee meeting, Richmond
04/25-26/24	Strategic Planning Retreat, Winchester
04/29/24	VSF Virtual Tech Show, Virtual Provided remarks for the president's welcome.
05/01/24	Virginia Mountain Valley Lawyers Alliance Conference, Ashburn Invited to address the VMVLA board during a breakfast meeting session.
05/21/24	DMV Bar Presidents' Panel, Washington, DC Invited Panelist to event sponsored by the DC Bar.
05/29/24	Executive Committee meeting, Virginia Beach
05/29/24	Bar Council Reception and Dinner, Virginia Beach
05/30/24	Bar Council meeting, Virginia Beach
05/30-06/01/24	VSF annual meeting, Virginia Beach
06/04/24	Admission & Orientation ceremony, Richmond Speech to new admittees before the Court's ceremony.
06/06/24	VBA George Hettrick Lunch at the Summit, Richmond Invited to provide welcome remarks for inspirational gathering.
06/06/24	VBA Chief Justice's Pro Bono Summit, Richmond Invited to provide welcome remarks to the Court and represent the VSB.
06/15/24	Virginia Mountain Valley Lawyers Alliance Conference, Berryville Invited to speak at the VMVLA Juneteenth Event.
06/25/24	Professionalism Course, Roanoke

In Memoriam

The Honorable Richard S. Bray passed away peacefully in his home in Chesapeake. After graduating from Woodrow Wilson High School in Portsmouth in 1964, he attended Randolph-Macon College, where he earned a Bachelor of Arts degree in Political Science/Economics with honors, graduating in the top of his class. He was also a proud member of the Kappa Alpha Order social fraternity. Richard pursued his legal education at the Marshall-Wythe School of Law, College of William and Mary. He distinguished himself academically, earning a Juris Doctor degree while being awarded the prestigious W.A.R. Goodwin Academic Scholarship. During law school he served on, and was published in, the William and Mary Law Review.

Richard's professional career began as a law clerk to Former Chief Justice of the Supreme Court of Virginia, Lawrence W. I'Anson. He then served as an associate attorney at Hodges & Kellam, and with Kellam, Pickrell & Lawler where he established himself as a dedicated legal practitioner. In 1975, he co-founded Bray & Whitehurst where he served as Managing Partner with his beloved friend Colon H. Whitehurst, until 1989. He was appointed as a Commissioner in Chancery by the Judges of the First Judicial Circuit, City of Chesapeake, where he served with distinction.

In 1989, he was appointed as a Judge for the Third Judicial Circuit of Virginia by the Virginia General Assembly, marking the beginning of a remarkable judicial career. He was elevated to serve as a Judge for the Court of Appeals of Virginia in 1991. He continued to serve the judiciary with honor and integrity, culminating in his service as a Senior Judge on the Court of Appeals from 2002 to 2003. Judge Bray treated lawyers and individuals with dignity and respect. He was a student of the law, a wordsmith, and brought clarity to the law in his written opinions.

A memorial service will be held Tuesday, May 14, 2024 at 11:00AM at the First Presbyterian Church, 820 Colonial Ave., Norfolk, Virginia. A private graveside service will precede the memorial service. Funeral arrangements are being handled by H.D. Oliver Funeral Apartments, Norfolk.

Joseph Durwood Elton III passed away peacefully Thursday evening, April 25, 2024. Durwood received his undergraduate degree from the University of Richmond in 1967, his law degree from the University of Richmond School of Law in 1971, and his Master of Laws in taxation degree from William & Mary Law School in 1976. After receiving his undergraduate degree from U of R, Durwood became an on-air radio news personality for WRVA. Durwood's time covering the Virginia General Assembly at WRVA is what led him to a legal career. He was a founding partner of the Felton & Cave law firm and served as an assistant attorney general in the Office of the Attorney General. He worked with the Virginia Education Loan Authority and served as counsel for the Virginia Baptist Foundation. He was a member of the Virginia State Bar for more than 50 years. Private funeral services were held May 3, 2024.

Strategic Planning Retreat

The FY 2025-2028 Strategic Planning Retreat was held April 25-26, 2024, in Winchester. Immediate Past President Stephanie E. Grana was chair of the event. The retreat was hosted and moderated by Chris Newbold, Chief Operating Officer, and Executive Vice President, of the ALPS Corporation, the legal insurance company. ALPS has done this for other state bar associations but

had to limit the number of participants to include VSB staff and volunteers. The volunteers who participated were:

- Craig E. Ellis
- Alicia R. Johnson
- K. Brett Marston
- Kevin E. Martingayle
- Veronica E. Meade
- Lonnie D. "Chip" Nunley
- Bruce H. Russell II
- Susan B. "Sue" Tarley
- Nia A. Vidal

Annual Meeting

Registration for the 2024 Annual Meeting is open! The Annual Meeting dates for 2024 are May 30 – June 1, 2024. On-site registration will be available at the main registration desk on the 2nd floor of the Hilton Oceanfront Hotel. As of May 10, there were 408 attendees registered. If you have not done so, please register and get the word out. Hotel rooms will be going fast because of the Jackalope and Reggae festivals. Please get your rooms ASAP and make a personal invitation to at least three people in your network to attend. (Challenge them to cornhole, invite them to dinner, entice them with a particular program or CLE that you are excited about.

Closing Remarks of 2023-2024 Presidential Term

It has been an honor to serve as the VSB's chief spokesman for the past year. I am grateful for the opportunity to serve and grateful for all the assistance that I have had throughout the year. I am especially grateful for the patience and kind support of the VSB Staff. Cameron has continued to answer my calls and provide guidance for me, even on the weekends and the wee hours of the night. Maureen and Dolly have kept me on track with all of the events and been gracious to me on the occasions when I have forgotten where and when I am supposed to be someplace. Shawne Moore has gone above and beyond to working with me and my legal assistant Brenda to update my schedule and reassure me with a smile that all is well when I have gotten overwhelmed. Dee Norman became a permanent part of my family this year. She not only came to our home and took the last complete family portrait we will ever have, she also worked very patiently to edit my articles, suggest better titles than the ones that I came up with, and make sure I never strayed too far off track.

Over the year past year Immediate Past President Stephanie Grana has been an amazing personal support for me. She not only led the executive director evaluation committee, she also led the strategic planning retreat, which was an overwhelming success. She also acted as a personal armorbearer for me on numerous occasions when it became emotionally

overwhelmed following the loss of my son. As a Past President, she continues to lead both by deed and by example.

Finally, I am excited to be passing the baton of leadership to my good friend Michael York. He has had my back this year, traveling with me all over the state and beyond. He appeared and spoke for me at the Professionalism Course on more than one occasion and at the Solo and Small Firm Conference in Big Stone Gap, Virginia. He is a great traveling companion, and an outstanding bar volunteer. I know he will do a tremendous job as our next VSB President, and I look forward to supporting him in any way that I can.

TAB 2

Virginia State Bar

1111 E. Main Street, Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

To: The Virginia State Bar Executive Committee/Council

From: Stephanie E. Grana, Immediate Past President

Date: May 29, 2024

Re: Virginia State Bar Strategic Planning

On April 25-26, 2024, Virginia State Bar (VSB) officers, volunteers, and senior management met in Winchester, Virginia to set strategic priorities for the VSB through 2027. The process was facilitated by Chris Newbold, COO of ALPS Corporation, who has worked with numerous other bar associations on strategic planning. The participants unanimously endorsed four areas for strategic focus: (1) financial stability, (2) member engagement, (3) member services, and (4) access to legal services.

Participants included the four VSB officers, Chidi James, President; Mike York, President-Elect; Stephanie Grana, Immediate Past President; and Cameron Rountree, Executive Director. Volunteer member participants were Craig Ellis (Oakton); Alicia Johnson (Richmond); K. Brett Marston (Roanoke); Kevin Martingayle (Virginia Beach); Veronica Meade (Hampton); L.K. “Chip” Nunley, III (Richmond); Bruce Russell (Abingdon); Sue Tarley (Williamsburg); and Nia Vidal (Roanoke). All thirteen VSB senior managers attended.

Participants completed a pre-planning survey the results of which were summarized and provided in advance. Cameron Rountree provided an overview of the state of the VSB and the legal profession in Virginia with a focus on current and forecasted financial circumstances, membership demographic trends, the impact of technology and artificial intelligence on the future of the practice, and external challenges to mandatory state bars and the profession. All members provided input for envisioning what success looks like in the next three years, in brainstorming areas in need of improvement, and with identifying high-level strategic goals. Through a series of exercises to narrow the priorities, the members unanimously agreed to adopt four areas for strategic focus. These are:

1. **Financial Stability:** Increase revenue to ensure financial stability; maximize resources.
2. **Member Engagement:** Increase attorney engagement and diversity in VSB activities.
3. **Membership Services:** Enhance VSB’s relevance to members; connect services to members.
4. **Access to Legal Services:** Improve efforts to advance access to legal services.

Participants brainstormed throughout the planning process to identify specific, applicable strategies. A consensus was reached to allow the VSB staff leadership to propose executable implementation steps, consistent with the strategy objectives, to Council in the normal course.

FY2025 2028



The mission of the Virginia State Bar is (1) to protect the public, (2) to regulate the legal profession of Virginia, (3) to advance access to legal services, and (4) to assist in improving the legal profession and the judicial system

Strategic Goal #1 Operate from a position of financial health.



- ↳ **Maximize revenue generation.**
 - Increase bar dues.
 - Pursue alternative revenue streams.
 - Improve future flexibility.

- ↳ **Contain expenses.**
- ↳ **Educate members on the need for and benefits from VSB financial stability.**

Strategic Goal #2 Strengthen cohesion among current and future members and advance pathways for service in VSB activities.



- ↳ **Pursue an inclusive bar, recognizing diverse perspectives.**

- ↳ **Prioritize leadership development.**
- ↳ **Improve engagement spotlights.**

Strategic Goal #3

Serve members and advance solutions designed to navigate a changing legal landscape.



- ↳ **Implement proactive solutions to assist members with complying with the Rules of Professional Conduct.**
- ↳ **Assist members navigating the intersection of artificial intelligence, technology, and the evolving law practice.**
- ↳ **Explore adding preferred vendor relationships or product recommendations to aid members.**

Strategic Goal #4

Advance access to legal services for all Virginians.



- ↳ **Reverse negative trends impacting overall lawyer volume and enhance Virginia's status as a preeminent place to practice.**
- ↳ **Address challenges impacting access in Virginia's legal deserts.**
- ↳ **Grow member participation in the Virginia Lawyer Referral Service.**

TAB 3

Executive Director's Report

(Cameron Rountree)

May 2024

I. VSB in a snapshot

VSB Members by Member Class 5/2/2024 (since 3/28/2024)

Class	Amount
Active	32,764 (+85)
Associate	13,745 (-27)
Disabled	231 (-29)
Emeritus	32 (-1)
Judicial	984 (+3)
Limited Admission	1,057 (+6)
Pending	72 (+44)
<u>Retired</u>	<u>5,813 (-9)</u>
Total	54,698 (+72)

II. Brett Marston, VSB President-elect designate

Congratulations to Brett Marston, the VSB President-elect designate! Brett is the managing partner of Gentry Locke Attorneys in Roanoke and, in accordance with the Bylaws of the Virginia State Bar, Part I, Article III, Sec. 3., will be elected as the President-elect at the 2024 Annual Meeting in May. His President-elect term will begin July 1.

Brett is a current member of the VSB Committee on Legal Ethics and the Committee on Professionalism. He has served on VSB Council, Executive Committee, as chair of the Construction Law Section, as a member of the Committee on Budget and Finance, as a Professionalism Course faculty member, and on the VSB Young Lawyers Conference Board of Governors. He is an active member of the Construction Law Section Board of Governors and the Litigation Section.

In addition to his responsibilities as the firm's managing partner, Brett is a member of Gentry Locke's Construction Law practice group and has extensive experience in construction contract negotiations and preparation, payment disputes, mechanic's liens, bond claims, construction defects, delay claims, insurance, and OSHA matters. He handles significant construction matters in federal and state courts as well as arbitration and mediation for general contractors, subcontractors, owners, design professionals, and suppliers.

III. Strategic Planning Retreat

This important and fruitful event took place April 25th-26th in Winchester. There were 25 participants including 12 hand-selected volunteers and 13 senior staff members. Chris Newbold ALPS Corporation executive vice president facilitated the discussion. The agenda covered the following items:

- The State of the VSB: Executive Director (and Staff) Reflections
- Pre-Retreat Survey Results
- Recalling Our North Star: The VSB Mission
- Creating the Roadmap – Envisioning What Success Looks Like in the Next Three Years and Identifying High Level Strategic Goals
- With Strategic Goals Identified, What Will We Do, and How Will We Measure Success?
- Assessing the Budgetary Ramifications of Strategic Goals
- Beyond the Plan: Issues & Trends Worthy of Monitoring?

The Retreat Chair, Stephanie Grana, is also providing a report summarizing the event. In brief, however, the group agreed on a need to:

1. Operate from a position of financial health
2. Strengthen cohesion among members and advance pathways for service in the VSB;
3. Best serve members and advance solutions designed to navigate a changing legal landscape; and
4. Advance access to legal services for all Virginians.

Stephanie, the staff, and I are happy to field question before, during, and after the Council meeting about these goals.

IV. Council elections

Congratulations to the winners of the contested Council elections in the following circuits (winning candidates are **boldened**):

12th Judicial Circuit – 1 vacancy / 4 candidates

- **George-Eliades, Adrienne**
- MacCormac, Erika E.
- Mason, Anne Louise
- McEntee III, Robert B.

13th Judicial Circuit – 5 vacancies / 8 candidates

- **Dix, Mark D. (Incumbent)**
- **Elliott, Kyle R.**
- **Harris, Shameka L.**
- **Johnson, Alicia R.**
- Miller, Jeffrey P.

- Reed, Robert C. T.
- **Willis, Jr., Gordon F.**
- Yakubisin, Christopher P.

19th Judicial Circuit – 6 vacancies / 8 candidates

- Byrnes, John E.
- **Dickerson, Kyung N. “Kathryn” (*Incumbent*)**
- Gallagher, Stephen K. (*Incumbent*)
- **Hart, Carly J. (*Incumbent*)**
- **Mullins, Alison R.**
- **Porto, Juli M.**
- **Powers, Debra L. (*Incumbent*)**
- **Sethi, Gobind S. (*Incumbent*)**

And congratulations to the winners of the following non-contested Council elections:

4th Judicial Circuit

- **Peters, Corrynn J. (2nd Term)**

8th Judicial Circuit

- **Meade, Veronica E. (2nd Term)**

14th Judicial Circuit

- **Grana, Stephanie E.**

16th Judicial Circuit

- **Howard-Smith, Richard H. (2nd Term)**

17th Judicial Circuit

- **Hunter, Gregory T.**
- **Krischer, Adam M. (2nd Term)**

18th Judicial Circuit

- **Gehrig, Nicholas J. (2nd Term)**
- **Hagan, David C.**

23rd Judicial Circuit

- **Frankl, Daniel P. (2nd Term)**

28th Judicial Circuit

- **Russell II, Bruce H. (2nd Term)**

30th Judicial Circuit

- **Baker, Donna Sue (2nd Term)**

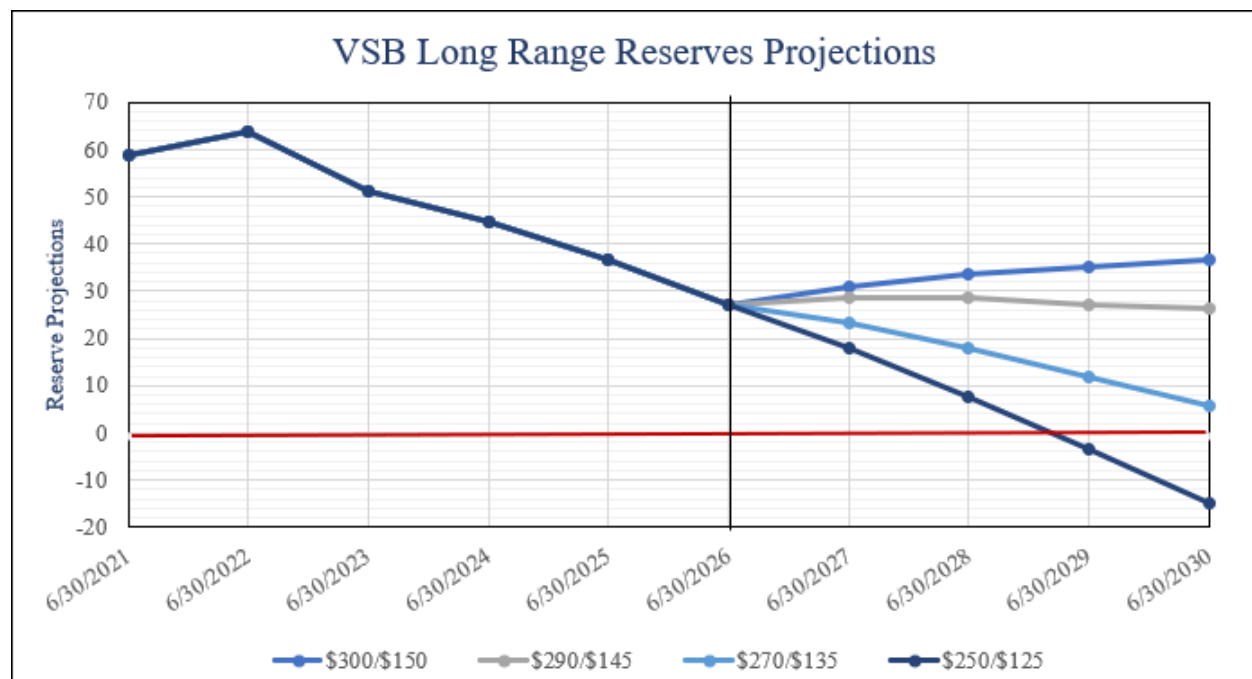
Finally, the new at-large Council members appointed by the Supreme Court are:

- **Ellis, Craig E**
- **Suyes, Joanna L. (2nd Term)**
- **Upshur, Nicole E. (2nd Term)**

V. Finances

I have reported extensively on the outlook of VSB finances in the last few reports. The same concerns persist, and they were transmitted to the Supreme Court in the letter accompanying the request for approval of the budget adopted by EC and Council at the February meeting. Since then, the General Assembly has adopted a biennium budget (which will likely be negotiated with the Governor before enactment) that includes two 3% raises in FY 25 and FY 26 for Commonwealth employees. The impact of these proposed changes is included in Crystal Hendrick's Finance report. If adopted, they highlight the need to address long-term revenue concerns. Three possible revenue solutions (requiring a dues increase) are coming into focus that could stave off continued future deficits and are demonstrated in the chart below.

Additionally, another result of the discussions at the Strategic Planning Retreat was to explore non-dues revenue. Thus, the VSB will post for public comment, after the May Council meeting, a proposed change to Paragraph 19 of the Rules of Court that would restore delinquent fees to their pre-2021 (pandemic era) level. While important, these delinquent fees are insufficient to address the deficit due to a higher number of members paying on time than in 2021 and before.



VI. Dues renewal

As previously reported, the Dues process will be different this year. How, procedurally, that will take form is coming into sharper focus. Importantly, for those lawyers in law firms (or other organizations) in which the firm or organization pays a lawyers VSB dues, there is a process for firm/organization administrators to associate lawyers with the firm/organization. This was highlighted in the VSB April and May E-news and will be reiterated in separate communications to firm/organization administrators. If you belong to such a firm/organization, please help highlight the change to those who will be responsible for making the lawyer-firm/organization associations. Also, even though there will be no paper dues renewal form mailed to individual lawyers this year, the VSB will send a post-card reminder to all active and associate members to advise them of when the online portal for payment opens and the deadline occurs.

VII. Annual meeting (update)

Try as we might to avoid it, since our last EC & Council meetings the VSB has learned that the [Jackalope Festival](#) has followed us! The VSB was originally compelled to change the date of the annual meeting from the traditional dates during the Father's Day weekend due to a conflict with the large extreme sporting event. Now, however, due to a scheduling conflict involving famed skateboarder Tony Hawk, the Jackalopes have moved their event to Friday, May 31st through Sunday, June 2nd. This will directly conflict with this year's Council and annual meetings to be held Wednesday, May 29th through Saturday, June 1st. The VSB has learned that certain Jackalope events, such as base jumping, have been moved from off the roof of the Hilton Oceanfront to a nearby crane, so some of the likely disruption will be assuaged. Nevertheless, the Jackalopes will be very close to the blocks where the VSB events are held, and attendees are expected to arrive in town earlier in the week. Meanwhile, at the south end of the Oceanfront, the [Point Break](#) reggae-themed ("music, food, drinks & vibes") event will occur on Saturday, June 1st and Sunday, June 2nd. Needless to say, we can expect more congestion in and around the Oceanfront during the annual meeting.

VIII. VSB Personnel changes

It is with a heavy heart that I announce the forthcoming departures of several long-term VSB employees. These include well-regarded stalwarts who carry out a tremendous amount of work on behalf of Virginia's lawyers.

- After decades with the VSB, Bar Services Director Maureen Stengel will be retiring in the fall;
- After decades with the VSB, Meetings Coordinator Paulette Davidson will also be retiring in the fall;
- After decades with the VSB, Assistant Ethics Counsel, Barbara Saunders will also be retiring in the fall; and

- After four (outsized) years with the VSB, Communications Web Content Manager and Assistant *Virginia Lawyer* Editor Kaylin Bowen resigned in early May to start a job with the federal government in Maryland.

IX. Rule changes, regulations, and other information

- All VSB action items submitted to the Supreme Court at the beginning of March for consideration at the Court's April business meeting were approved. These included: approval of the VSB budget for FY25, appointments to Council at Large for FY25, and appointments to the MCLE Board for FY25. Disciplinary Board appointments were submitted after the April EC meeting and are still pending at the time of drafting this report.
- There are **immediate volunteer vacancies** to be filled. Volunteers are sought for Medical Malpractice Review Panels (3), Lawyer Insurance Committee (1), Committee on Technology and the Future Practice of Law (1) and the Young Lawyers Conference Board. Please visit the VSB website for more information on how to apply.

X. Upcoming VSB Events

May 2024

May 03 | Leroy R. Hassell Sr. Indigent Criminal Defense Seminar, Multiple Locations,
May 08 | Technology & Future Practice of Law Committee Meeting, Richmond, VA
May 09 | CLSBA Executive Committee Meeting, Richmond, VA
May 10 | Military Law Section Board of Governors Meeting, Virtual
May 15 | Legal Ethics Committee Meeting, Richmond, VA
May 15 | Bench-Bar Relations Committee Meeting, Richmond, VA
May 16 | Lawyer Insurance Committee Meeting, Richmond, VA
May 17 | Disciplinary Board Hearings, Varied, VA
May 17 | Solo & Small-Firm Practitioner Forum, Big Stone Gap, VA
May 29 | 2024 VSB Annual Meeting, Virginia Beach, VA

June 2024

Jun 04 | Admission & Orientation Ceremony Richmond, VA
Jun 07 | YLC Professional Development Conference, Live Webinar,
Jun 11 | Bankruptcy Law Section Board Meeting Virtual
Jun 20 | YLC Remote Meditation Meeting Virtual,
Jun 21 | Disciplinary Board Hearings Varied, VA
Jun 25 | Harry L. Carrico Professionalism Course Roanoke, VA

July 2024

Jul 07 | Oliver Hill/Samuel Tucker Pre-Law Institute Richmond, VA
Jul 11 | Clients' Protection Fund Board Meeting Virtual,
Jul 25 | YLC Remote Meditation Meeting Virtual,

August 2024

Aug 14 | Harry L. Carrico Professionalism Course Fairfax, VA

Aug 15 | YLC Remote Meditation Meeting Virtual,

Aug 23 | Disciplinary Board Hearings Varied, VA

September 2024

Sep 11 | Bench-Bar Relations Committee Meeting Richmond, VA

Sep 18 | Clients' Protection Fund Board, New Member Orientation Richmond, VA

Sep 18 | Clients' Protection Fund Board Meeting Virginia Beach, VA

Sep 18 | Clients' Protection Fund Board Meeting Virginia Beach, VA

Sep 19 | NCPO Regional Workshop Virginia Beach, VA

Sep 19 | YLC Remote Meditation Meeting Virtual,

Sep 20 | 50th Annual Advanced Business Law Conference Williamsburg, VA

Sep 25 | Section, Conference, and Committee Chairs Meeting Richmond, VA

Sep 27 | Disciplinary Board Hearings Varied, VA

October 2024

Oct 09 | 43rd Annual Family Law Seminar Fairfax, VA

Oct 10 | Executive Committee Meeting Williamsburg, VA

Oct 10 | Bar Council Reception & Dinner Williamsburg, VA

Oct 11 | Bar Council Meeting Williamsburg, VA

VIRGINIA STATE BAR: PROJECTING THE FINANCIAL & MEMBERSHIP FUTURE



PREPARED FOR THE VSB STRATEGIC PLANNING RETREAT

APRIL 25-26, 2024

WINCHESTER, VA

Question presented: whether, as of spring 2024, there is an imperative for the VSB to address, (i) existing financial conditions, and (ii) forecasted membership projections?

Facts:

Financial

- The VSB is a self-sustaining, non-general fund agency responsible for raising its own revenue.
- VSB annual dues for active members (\$250) and associate members (\$125) has not increased since July 1, 2000.¹ (VSB dues *decreased* \$25/active member and \$12.50/associate member from 2012-15.)
- VSB dues have been statutorily capped at \$250 since February 21, 1995.² Before this change, dues were capped at \$300.
- The Supreme Court, by Rule, prohibits raising the VSB dues until the VSB reserve fund balance is less than 15% of the operating expenses for the previous year.³
- As of June 30, 2023, the VSB reserve fund balance was 51% of the fiscal year 2023 operating expenses. [TAB 1: VSB Long Range Projection]
- The VSB is projected to utilize approximately \$900,000 (and growing), annually, to meet existing operational expenditures for the foreseeable future. [TAB 1: VSB Long Range Projection]
- Since 2000—the last dues increase—VSB labor costs, in the form of staff salaries and benefits (its greatest expenses averaging approximately 72% of VSB’s total annual expenditures), have risen by 53.5%. [TAB 2: DHRM History of Salary Adjustments]. (The FY 25-26 General Assembly-approved budget included 3% raise for Commonwealth employees in both years of the biennium budget).
- Since 2000—the last dues increase—inflation has risen 75%.⁴
- Since 2014, commercial rent has increased 28%. [TAB 3: VSB-BOA 2014-24 lease].
- The cost and reliance on technology has increased dramatically, making one-time, custom-built, information technology systems obsolete.
- The increased use of online technology to process regulatory payments has led to fewer lawyers being assessed delinquency fees for membership compliance, leading to a further reduction in VSB revenue. Between FYs 23 and 24, delinquent fees dropped 55%. [TAB 4: VB accounting for Regulatory Compliance late fees].
- The cost of practice in Virginia is on par, or below, that of many peer states of similar size, composition, and locale. Virginia’s cost of practice is less than 35 of 51 U.S. jurisdictions, regardless of size, composition, or locale. [TAB 5: ABA Cost of Practice Survey].

Membership

- Since 2000—the last dues increase—active VSB membership has grown 44%, and associate membership has risen 68%. [TAB 6: VSB ANNUAL REPORTS AND IMIS REPORT].
- As of June 30, 2023, there are more VSB active and associate members than ever.
- In 2013, the highest year on record (since 1975), 2,196 candidates sat for the Virginia bar exam. [TAB 7: VSB bar exam spreadsheet].

- In 2023, the lowest year on record (since 1975), 808 candidates sat for the Virginia bar exam, a 64% reduction from the peak a decade before. [TAB 7].
- More lawyers are practicing longer into their careers. Since 2016, those who achieve the 50 year practice milestone, on an annual basis, have increased 82% from 200 lawyers to 364 in 2023. [TAB 8: VSB 50-year practice spreadsheet].
- More lawyers are being admitted without examination (AWE). Since 2012 those admitted through, e.g., reciprocity, has increased. There were 65 new lawyers AWE in 2013 and by 2023 that number grew to 236. [TAB 9: VSB AWE spreadsheet].
- The amount of lawyers AWE and the increase of lawyers practicing longer into their careers is not sufficient to address the decline in new lawyers admitted through examination in the years since the peak in 2013.
- Anecdotally, it is unlikely that the number of bar exam takers will increase to levels seen from 2000-2013.
- In the next decade, it is likely the VSB will reach peak membership. [Support forthcoming]

Issues:

1. In the short term, should the VSB resolve revenue shortfalls that necessitate utilization of the reserve fund on an annual basis?
2. In the long term, should the VSB plan to adjust operations as the bar approaches the apex of lawyer population before realizing the effects of the precipitous decline of prospective lawyers taking the Virginia bar exam—the greatest source of new lawyers—in the past decade?

Analysis:

Static revenue and non-discretionary expenses have led to financial imbalance.

Annual dues for active and associate members of the VSB has not increased since 2000. During this period labor costs have risen 53.5%, inflation has increased 75%, commercial rent has risen, at least, 28%, and, because of evolving technology, IT costs have increased. These categories are the largest drivers of VSB expenditures accounting for approximately 80% of VSB expenses. Despite the VSB's best efforts, this has led to an emerging budgetary shortfall of approximately \$900,000 per year.

- *Revenue: VSB Dues*

VSB dues has remained static for nearly 24 years. Dues limits are imposed both by statute and Rule of Court. Virginia Code § 54.1-3912 was last amended almost 30 years ago. That change *decreased* the amount the Supreme Court could assess members of the VSB up to a limit of \$250 (down from \$300). The discretion to reach the statutory maximum was not exercised by the Court for several years, until 2000. Additionally, Paragraph 11, of Part 6, Sec. IV of the Rules of Court prohibits a dues increase unless the VSB reserve fund balance is less than 15% of the previous year's operating expenses. However, waiting until the reserve fund balance falls below 15% does not provide the VSB sufficient time to obtain the authorities necessary to increase dues. This entails multiple steps including, Council approval, SCV approval, General Assembly and gubernatorial approval. Due to the part-time nature of Council and the General Assembly, these cannot be accomplished in one fiscal year.

- *Revenue: Non-dues revenue*

Although the VSB receives the vast majority of its revenue through dues, there are other, less impactful, revenue sources. The VSB has sought ways to generate more revenue from these channels that do not require statutory change. For example, approximately 12% of VSB revenue is generated by the fees mandatory continuing legal education (MCLE) sponsors pay for course approval. MCLE sponsor fees, on average, have been raised every 8-9 years by the MCLE Board with the last such increase occurring in 2016. Acknowledging the current financial realities, the MCLE Board raised these fees in March 2024. These efforts could result in approximately \$275,000 of additional revenue per year.

Additionally, to assuage the financial burden borne by many lawyers during the COVID-19 pandemic, the VSB sought, and the Supreme Court approved, reducing by half the delinquency fees for the four annual regulatory requirements (dues payment, professional liability insurance certification, attorney wellness fund assessment, and the clients' protection fund assessment). In calendar year 2024, the VSB staff intends to petition the VSB Council to seek Supreme Court approval to return delinquent regulatory fees to pre-pandemic levels which could result in approximately \$300,000 of additional revenue per year.

- *Expenses: Labor*

As a service-providing agency, staff salaries and benefits represent 72% of VSB expenditures. In the 24 years since the last dues modification, the VSB absorbed a cumulative 53.5% increase in staff salaries and benefits. As a non-general fund agency, legislatively enacted raises for Commonwealth employees (which are critical to retaining talent) have depleted the stagnate value of dues dollars. Unlike some other agencies in the judiciary and the entirety of the legislative and executive branches, these raises are not met with concomitant legislative appropriations. For example, recently enacted raises totaling 17% from 2021 to 2023 have equated to approximately \$1.7M of additional labor expenses that were required to be absorbed by existing VSB revenue. Thus, in practical terms, each raise compels a deferral, or reduction, in spending on other VSB prerogatives. (E.g., one such stalled initiative is a desire to provide all VSB members with free access to trust accounting software, similar to the free access to online legal research as required by Paragraph 21 of Part 6, Section IV of the Rules of Court).

- *Expenses: Inflation*

Dues revenue has not just remained stagnate; its present day value has declined due to inflation. Notwithstanding the impact of salary and benefit increases, the VSB's purchasing power is greatly reduced compared to 2000. This is material with respect to what the VSB pays in travel reimbursements, vendor services, lodging costs, venue fees, food, paper, postage, supplies, etc. In short, dues dollars to pay for goods and services are less effective. In real terms, this means the VSB is operating with slightly more than half (0.56) the dues dollars it generated in 2000. As a useful benchmark, if VSB dues from 2000 kept pace with inflation alone, it would be approximately \$440 today.

- *Expenses: Commercial rent*

As is typical in commercial office leases, rent escalation is built into the VSB's agreement with its landlord to account for economic variables such as inflation. In the VSB's case, rent escalation clauses, since 2014 alone, have added a cumulative 28% to VSB's office rent. While the escalation is undesirable, the alternative would be for the VSB to purchase real property, at great capital expense, and assume maintenance and property management costs that are equally objectionable.

- *Expenses: Information Technology*

Beginning in 2021 and culminating in 2023, the VSB overhauled its website, membership database, and case management software. The previous comprehensive system was custom-built for the agency at the turn of the century and came at great capital cost. As technology has evolved to more cloud-based services, the VSB made the decision to license and customize software products to meet its needs. This “rent” as opposed to “buy” approach, too, was a substantial capital expense, though, when accounting for inflation, substantially less than the legacy system. However, the more modern approach incurs ongoing licensing fees to remain up-to-date, upgradable, and secure.

The VSB has begun and will continue to implement cost-savings measures to reduce expenditures. However, inflexible expenses such as salaries/benefits, rent, IT costs, and credit card processing fees represent approximately 83% of VSB expenditures; thus, other reductions, while helpful, are far less significant. Nonetheless, the VSB staff is pursuing savings in other categories. For instance, by reallocating operational expenses that are permissibly reimbursed by the Clients’ Protection Fund (i.e., costs for appointed receivers in cases of lawyers whose conduct entitles clients to reimbursement from the fund) and reallocating the portion of voluntary section dues that is used to provide staff support. Still, extracting additional revenue and cutting expenses can only go so far to account for the substantial unfunded obligations that the VSB must satisfy in an increasingly expensive environment.

In sum, the net result is that the VSB has drawn down its reserve fund the last two years and is anticipated to do so for the foreseeable future. The VSB is operating at near peak capability, yet that limit is likely to be exacerbated by forthcoming demographic changes.

A changing Membership landscape.

VSB active and associate membership has grown considerably since 2000, the year of the last dues increase. Active membership has grown 44% and associates have increased 68%. These are positive figures for the Commonwealth and the lawyer population. Yet, there are two negative ramifications.

First, VSB staff has not matched that growth. The number of VSB full-time employees has risen from 76 as of June 30, 2000, to 92 today, a much smaller increase of 21% compared to dues paying membership growth (44% and 68%). In 2000, there was one VSB staff member for every 406 active and associate members. As of 2023, there was one VSB staff member for every 505 active and associate members. Simply put, VSB personnel are providing the same, if not more, service to the public and membership, per capita, than 24 years ago.

Second, it is likely that the VSB staff has yet to reach the pinnacle of membership demand. The period from 2000-2013 saw steady growth in VSB membership correlated with increasing numbers of bar examinees. As the lawyers admitted during this period are projected to practice for some time into the future, the crest of membership still looms. This means, the VSB will have to do yet more for the foreseeable future. Serious questions remain as to whether the agency will be adequately resourced to meet that need.

The forthcoming legal landscape also poses the inverse concern, not continued membership growth but an impending rapid decline. As highlighted, in the last decade, there has been a precipitous drop in Virginia bar exam takers. Eventually, the decline will yield a reckoning. This will have serious ramifications

for the ability of many Virginians to access legal services. As an example, between 2000 and 2020, Virginia's population grew 22%.⁵ Yet despite overall growth, the change in lawyer population by judicial circuit did not evenly match that pace. There are clear winners, such as the 12th, 14th, and 20th judicial circuits, with increases in lawyer population of 72%, 90% and 118%, respectively. Meanwhile, nearly half (14 of 31) of Virginia's judicial circuits' lawyer populations have not kept pace with the Commonwealth's growth; and four circuits have actually *declined* in total lawyer population since 2000.⁶

Of the 14 judicial circuits whose lawyer population has not tracked the Commonwealth's growth, they can be subdivided further into those that are "stagnate" (i.e., within 4% of the target 22% growth rate) and those that are "lagging" (10% or more below the Commonwealth's growth). There are five stagnate circuits and nine lagging circuits. Of these nine critical lagging circuits, three are in urban settings and six in rural locations.

The three lagging urban circuits are Norfolk, Newport News, and, most acutely, Portsmouth.⁷ Still, these drops are explicable and likely accounted for by increases in neighboring lawyer populations in Virginia Beach, Chesapeake, and Williamsburg/Peninsula, which rose 42%, 63%, and 48%, respectively. On the other hand, it is not as easy to account for the reduction in lawyer density of the six lagging rural circuits; especially the five in Southside and Southwest Virginia which lack an apparent metro magnet drawing lawyers away from neighboring circuits.⁸

If, in the decade to come, this trend perpetuates as the data suggests, the profession will face significant strains particularly in less populous communities.

Conclusion:

The inescapable conclusion is that the present VSB is providing unprecedented service to the public and its membership with less financial resources than at any time in its history. To meet future demand, the VSB should: (i) immediately increase revenue and reduce expenses within its discretion; (ii) seek Supreme Court approval to reinstate delinquency fees to pre-pandemic levels; (iii) seek Supreme Court approval to increase the threshold to raise dues to a percentage of the VSB reserve fund greater than 15%; and (iv) develop a plan to petition the General Assembly to modify Virginia Code §54.1-3912 by FY 2027.

With respect to the future lawyer population, the VSB must develop a plan to engage with relevant stakeholders (e.g., the judiciary, the Virginia Board of Bar Examiners, the Legal Service Corporation of Virginia, law schools, bar associations, and community partners) to raise awareness of the likely reduction in Virginia's lawyer population and collaborate to attract qualified candidates to the profession. In furtherance of the VSB's mission to advance access to legal services, particular focus must be paid to recruiting lawyers to serve Virginians in rural and other underserved areas of the Commonwealth. The VSB should look to provide support, training, toolkits and other resources to Virginia lawyers to improve the profession, retain lawyers who do choose to practice in Virginia, and ensure those lawyers are able to respond to the legal needs of a growing, economically diverse, population of Virginians.

¹ Rules of the Supreme Court of Virginia, Part 6, Sec. IV, Para. 11.

² Virginia Code § 54.1-3912. Fees. "The Supreme Court may promulgate rules and regulations fixing a schedule of fees to be paid by members of the Virginia State Bar for the purpose of administering this article, and providing for

the collection and disbursement of such fees; but the annual fees to be paid by any attorney shall not exceed \$250.”

³ Rules of the Supreme Court of Virginia, Part 6, Sec. IV, Para. 11, “No increase in the annual dues above \$250 for active members or \$125 for associate members will be authorized by the Court whenever the total combined cash balances of the State Bar Fund and the Virginia State Bar's Administration and Finance Account shall exceed fifteen (15) percent of the total annual operating expenditures of the Virginia State Bar for the year preceding the year in which the dues increase is sought.”

⁴ U.S. Bureau of Labor Statistics, CPI Inflation Calculator, [CPI Inflation Calculator \(bls.gov\)](https://www.bls.gov/calculators/cpi-inflation-calculator).

⁵ From 7,078,515 to 8,636,471, according to U.S. Census data.

⁶ These circuits are the 3rd (Portsmouth), 6th (Emporia and Hopewell and Brunswick, Greenville, Prince George, Surry and Sussex counties), the 21st (Martinsville and Henry and Patrick counties), and the 22nd (Danville and Franklin and Pittsylvania counties).

⁷ Only Portsmouth, out of all circuits, saw a significant reduction in total lawyers, representing 72% of its 2000 lawyer population.

⁸ These circuits are the 6th (Emporia and Hopewell and Brunswick, Greenville, Prince George, Surry and Sussex counties), the 21st (Martinsville and Henry and Patrick counties), and the 22nd (Danville and Franklin and Pittsylvania counties), the 28th (The City of Bristol and Smyth and Washington counties), and the 30th (The City of Norton and the Lee, Scott and Wise counties).

VIRGINIA STATE BAR
LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
AS OF OCTOBER 31, 2023

	2020/2021 ACTUAL	2021/2022 ACTUAL	2022/2023 ACTUAL	2023/2024 PROJECT. (4)	2024/2025 PROJECT. (5)	2025/2026 PROJECT. (6)	2026/2027 PROJECT.
Operating Revenue (1)	13,220,617	13,778,275	13,705,753	13,460,000	13,755,000	13,785,000	13,790,000
Less: Operating Expenditures (1)	12,265,449	12,846,137	14,512,629	14,415,000	14,662,650	14,880,545	14,900,545
Contributions To/(From) Operating Reserve	955,168	932,138	(806,876)	(955,000)	(907,650)	(1,095,545)	(1,110,545)
Add: Beginning Operating Reserve Balance	6,055,154	7,010,322	7,942,460	7,135,584	6,180,584	5,272,934	4,177,389
Ending Operating Reserve Balance (2)	7,010,322	7,942,460	7,135,584	6,180,584	5,272,934	4,177,389	3,066,844
Ending A&F Reserve Balance	214,174	269,318	268,054	270,000	270,000	270,000	270,000
Total Reserve Balance	7,224,496	8,211,778	7,403,638	6,450,584	5,542,934	4,447,389	3,336,844
Reserve as a % of the preceding year's Operating Expenditures (3)	58.90%	63.92%	51.02%	44.75%	37.80%	29.89%	22.39%

NOTES:

- Note 1: The Clients' Protection Fund assessment collected pursuant to Paragraph 16 of the Rules of the Supreme Court regarding Organization & Government of the VSB has been deducted from both the Operating Revenue and Operating Expenditures. The net impact is \$0.
 Attorney Wellness revenue is a revenue reduction when transferred to the Supreme Court of Virginia. The net impact is \$0.
 The Operating Revenue and Operating Expenditures are based on anticipated actual results and may not agree with budgeted totals.
- Note 2: The total Operating Reserve balance as of 6/30/2023 includes the Professionalism Course Reserve of \$181,896.
- Note 3: Paragraph 11 of the Rules of the Supreme Court regarding Organization & Government of the VSB provides that "No increase in the annual dues above \$250 for active and \$125 for associate members will be authorized by the Court whenever the total combined cash balances of the State Bar Fund and the VSB A&F Account shall exceed 15% of the total annual operating expenditures of the bar for the year preceding the year in which the dues increase is sought."
- Note 4: FY 2024 revenue decrease - Past and Penalty \$279,000. FY 2024 exp decrease - staff salary increase \$385,000, computer and technology decrease \$522,000.
- Note 5: FY 2025 revenue increase - MCLE fee increase \$275,000. FY 2025 expenditure increase - staff bonus \$92,000, rent decrease \$247,500, office renovation \$250,000.
- Note 6: FY 2026 expenditure increase - staff salary increase \$186,000.

DHRM HISTORY OF CLASSIFIED (EXECUTIVE BRANCH) SALARY ADJUSTMENTS AND COMPARISON WITH VSB FROM 2000-2023

TAB 2

Year	Performance Increase	General Salary Increase	Bonus	Performance Bonus	Salary Structure Adjustment	VSB adjustments AND notes	DHRM Notes
December 2023	0%	2%	0%	0%	2%	2%	Eligible full- and part-time classified and other salaried state employees including appointed, at-will, and faculty employees received a 2% increase. Adjunct Faculty employees at two- and four-year colleges and universities are also eligible for the five percent salary increase.
June 2023	0%	5%	0%	0%	5%	5%	Eligible full- and part-time classified and other salaried state employees including appointed, at-will, and faculty employees received a 5% increase. Adjunct Faculty employees at two- and four-year colleges and universities are also eligible for the five percent salary increase.
January 2023	0%	0%	0%	0%	Adjustment for VA min wage	N/A	
December 2022	0%	0%	\$1000	0%	0%	\$1000 bonus	Eligible classified employees and other full-time state employees received a one-time bonus payment of \$1,000 on December 1, 2022 who were employed as of August 10, 2022 and remained employed on December 1, 2022 pay date. Sworn law-enforcement employees of the Department of Conservation and Recreation and the Marine Resources Commission, employed as of August 10, 2022 and remained employed on pay date received a one-time bonus payment of \$3000 on December 1, 2022. Employees received the bonus payment only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and had no active written notices under the Standards of Conduct within the preceding twelve-month period.
July 2022	0%	5%	0%	0%	5%	5%	Eligible full- and part-time classified and other salaried state employees including appointed, at-will,

DHRM HISTORY OF CLASSIFIED (EXECUTIVE BRANCH) SALARY ADJUSTMENTS AND COMPARISON WITH VSB FROM 2000-2023

TAB 2

Year	Performance Increase	General Salary Increase	Bonus	Performance Bonus	Salary Structure Adjustment	VSB adjustments AND notes	DHRM Notes
							<p>and faculty employees, except those employees who received a targeted salary increase, received a 5% increase. Adjunct Faculty employees at two- and four-year colleges and universities are also eligible for the five percent salary increase.</p> <p>Eligible direct care staff in state facilities of the Department of Behavioral Health and Developmental Services received an increase in compensation to fifty percent of the benchmark for such positions.</p> <p>DOC Correctional Officers received an increase in starting pay for up to \$42,000 and an increase based on rank and years of service in addition to the base pay increase. Eligible employees who received a targeted salary increase at or above 7.5 percent in fiscal year 2023 received a 2.5 percent statewide increase.</p> <p>Sworn officers of the State Police received a starting pay increase of up to \$51,500 (\$64,383 in Northern Virginia), as well as increases based on rank and years of service in addition to the base pay increase. Employees who received a targeted salary increase at or above 7.5 percent in fiscal year 2023 received a 2.5 percent statewide increase.</p> <p>Eligible Probation and Parole Officers of the Department of Corrections received a \$3,000 increase to base pay, including senior officers and supervisors. Employees who received a targeted</p>

DHRM HISTORY OF CLASSIFIED (EXECUTIVE BRANCH) SALARY ADJUSTMENTS AND COMPARISON WITH VSB FROM 2000-2023

TAB 2

Year	Performance Increase	General Salary Increase	Bonus	Performance Bonus	Salary Structure Adjustment	VSB adjustments AND notes	DHRM Notes
							<p>salary increase at or above 7.5 percent in fiscal year 2023 received a 2.5 percent statewide increase.</p> <p>Specific eligible employees within the Department of General Services Division of Consolidated Laboratory Services staff, Department of General Services State Mail Services staff, Department of Veterans Services Appeals Attorneys, Virginia Department of Agriculture and Consumer Services Veterinary Staff and Environmental Specialists received salary compression increases. Employees who received a targeted salary increase at or above 7.5 percent in fiscal year 2023 received a 2.5 percent statewide increase.</p>
December 2021	0%	0%	0%	0%	0%	N/A	<p>A one-time bonus payment of \$1,000 on December 1, 2021 for corrections and law-enforcement staff of the Department of Corrections and the Department of Juvenile Justice.</p>
June 2021	0%	5%	0%	0%	5%-14.2%	5%	<p>Eligible full- and part-time classified and other salaried state employees including appointed, at-will, and faculty employees received a 5% increase. Adjunct Faculty employees at two- and four-year colleges and universities are also eligible for the five percent salary increase.</p> <p>Eight percent salary increase for sworn employees of the Department of State Police effective June 10, 2021. In addition sworn employees of the Department of State Police who have three or more years of continuous state service as of June 10, 2021 received a salary adjustment of \$100 for each full year of continuous service, up to a maximum of thirty years, also effective June 10, 2021. The Act</p>

DHRM HISTORY OF CLASSIFIED (EXECUTIVE BRANCH) SALARY ADJUSTMENTS AND COMPARISON WITH VSB FROM 2000-2023

TAB 2

Year	Performance Increase	General Salary Increase	Bonus	Performance Bonus	Salary Structure Adjustment	VSB adjustments AND notes	DHRM Notes
December 2020	0%	0%	\$500	0%	0%	N/A	<p>specifies that the compression adjustment be added to employees' salaries after the eight percent salary increase is applied.</p> <p>Full time salaried sworn officers at the Division of Capital Police, full time salaried classified sworn officers Virginia State Police, other state agencies, and higher education institutions, as well as full time classified corrections staff at the Department of Juvenile Justice and the Department of Corrections who were employed as of November 24, 2020 a one-time bonus in the amount of \$500.00 on December 1, 2020.</p>
June 2019	2.25%	2.75%	0%	0%	5% at band minimum and maximum	<p>2.25% performance increase and 2.75% general salary increase</p>	<p>Effective June 10, 2019, Classified Salary structure adjusted by 5% at minimum and maximum.</p> <ul style="list-style-type: none"> All employees in salaried positions (except faculty) as of March 10, 2019 eligible for the 2.75% increase effective June 10, 2019 subject to satisfactory performance. Salaried employees noted above also eligible for an additional 2.25% merit-based increase effective June 10, 2019, subject to satisfactory performance. Under the Act, Agencies had the authority to apply the merit-based increase in a variable manner. Only 8 agencies chose to do so: <ul style="list-style-type: none"> - Forestry - Science Museum - Longwood University - Old Dominion University - J/Y Commemoration - J/Y Foundation - SCHEV

DHRM HISTORY OF CLASSIFIED (EXECUTIVE BRANCH) SALARY ADJUSTMENTS AND COMPARISON WITH VSB FROM 2000-2023

TAB 2

Year	Performance Increase	General Salary Increase	Bonus	Performance Bonus	Salary Structure Adjustment	VSB adjustments AND notes	DHRM Notes
January 2019	0%	0%	0%	0%	0%	N/A	<p>- DSBSD</p> <p>Special salary increases for distressed roles January 10, 2019.</p> <ul style="list-style-type: none"> Base salaries of Correctional Officers and Officer Seniors increased by \$2,016.00. Base salaries of Juvenile Correctional Officers and Officer Seniors increased by \$1,846.00. Virginia Marine Police with more than one year of service on January 10, 2019 shall be the greater of \$43,905.00 or their current salary adjusted for a 6.5 percent increase. Base salaries for all DBHDS Direct Service Associates, LPNs, and RNs increased to within three percent of the market median.
2018	0%	0%	0%	0%	0%	0%	
2017	3%	0%	0%	0%	3% at Band Minimum, and 3% plus \$6,793 at the Maximum	3%	<p>Effective July 10, 2017, Salary Structure adjusted 3% at range minimum and 3% + \$6,793 at range maximum; Only employees rated as Contributor or higher, and who were in service as of April 10, 2017, were eligible for the increase.</p> <p><u>In addition to the 3% performance increase:</u></p> <ul style="list-style-type: none"> Sworn VSP employees received a uniform base pay increase of \$6,793.00, also effective July 10, 2017. This increase was applied <i>prior</i> to the three percent salary increase. Effective September 10, 2017, eligible employees in 9 designated "High Turnover Roles" received an additional 2% salary increase. Only employees rated as

DHRM HISTORY OF CLASSIFIED (EXECUTIVE BRANCH) SALARY ADJUSTMENTS AND COMPARISON WITH VSB FROM 2000-2023

TAB 2

Year	Performance Increase	General Salary Increase	Bonus	Performance Bonus	Salary Structure Adjustment	VSB adjustments AND notes	DHRM Notes
							Contributor or higher, and who were in service as of June 10, 2017, were eligible.
2016	3%	0%	0%	0%	3% at Band Minimum and Maximum	0%	<p><u>SALARY ADJUSTMENT CANCELED DUE TO REVENUE SHORTFALL</u></p> <p>Structure was to be adjusted 3% at range minimum and maximum effective 11/10/2016.</p> <p>Only employees rated as Contributor or higher were to be eligible for the 3% increase.</p>
2015	2%	0%	0%	0%	2% at Band Minimum 2% + \$2,400 at Band Maximum	2% and salary compression adjustment based on same formula as DHRM	<p>Structure adjusted 2% at range minimum and 2% + \$2,400 at range maximum; Only employees rated as Contributor or higher were eligible.</p> <p>In addition to 2% performance increase:</p> <ul style="list-style-type: none"> Employees hired on or before 8/10/2010 received a base increase of \$65 for each full year of continuous salaried service up to 30 years total. This was intended to reduce salary compression. Sworn VSP employees hired on or before 8/10/2012 received a base increase of \$80 for each full year of service, up to a maximum of thirty years. This was intended to reduce salary compression. Additional 2% base salary increase for employees in 14 designated high turnover roles. Additional \$1,000 base salary increase for employees in Security Officer I and III roles.
2014	0%	0%	0%	0%	0%	0%	

DHRM HISTORY OF CLASSIFIED (EXECUTIVE BRANCH) SALARY ADJUSTMENTS AND COMPARISON WITH VSB FROM 2000-2023

Year	Performance Increase	General Salary Increase	Bonus	Performance Bonus	Salary Structure Adjustment	VSB adjustments AND notes	DHRM Notes
2013	2%	0%	0%	0%	2% at Band Minimum 7% + \$1,950 at Band Maximum	2% and salary compression adjustment based on same formula as DHRM	Structure adjusted 2% at range minimum and 7% + \$1,950 at range maximum; Only employees rated as Contributor or higher were eligible. In addition to 2% performance increase, employees hired on or before 7/25/2008 received a base increase of \$65 (\$70 for Sworn Employees of the VSP) for each full year of continuous salaried service up to 30 years total; this was intended to reduce salary compression.
2012	0%	0%	0%	3%	0%	3% bonus	Structure not adjusted; Only employees rated as Contributor or higher and had no disciplinary notices issued during the year received the 3% bonus.
2011	0%	5%	0%	0%	0%	5% VRS	Structure not adjusted; Only employees in VRS Plan 1 received 5% salary increase to offset July 1 st requirement to contribute 5% to VRS fund.
2010	0%	0%	3%	0%	0%	3% bonus	Eligible salaried employees received 3% bonus effective December 1st. (Not performance related.)
2009	0%	0%	0%	0%	0%	0%	
2008	0%	0%	0%	0%	0%	0%	
2007	4%	0%	0%	0%	4%	4%	Structure adjusted but no general increase was awarded; Only employees rated as Contributor or higher received the 4% increase; Variable increases not approved by GA; Agencies allocated additional funding (.5% of salaries) to support internal pay practices.
2006	4%	0%	0%	0%	4%	4%	Structure adjusted but no general increase was awarded; Only employees rated as Contributor or higher received the 4% increase; Variable increases not approved by GA.

DHRM HISTORY OF CLASSIFIED (EXECUTIVE BRANCH) SALARY ADJUSTMENTS AND COMPARISON WITH VSB FROM 2000-2023

Year	Performance Increase	General Salary Increase	Bonus	Performance Bonus	Salary Structure Adjustment	VSB adjustments AND notes	DHRM Notes
2005	3%	0%	0%	0%	0%	4% (no salary compression adjustment)	In addition to 3% performance increase, employees hired on or before 11/25/2000 received a base increase of \$50 for each year of continuous salaried service; this was intended to reduce salary compression.
2004	3%	0%	0%	0%	0%	3.5%	Only employees rated as Contributor or higher received the 3% increase; Variable increases not approved by GA.
2003	2.25%	0%	0%	0%	0%	2.25%	Only employees rated as Contributor or higher received the 2.25% increase. Variable increases not approved by GA.
2002	0%	0%	0%	2.25%	0%	3.5%	Employees rated as Contributor or higher could elect for 2.25% performance bonus, 10 days of leave, or a combination of bonus and leave.
2001	0%	0%	0%	0%	0%	0%	
2000	3.25%	0%	0%	0%	0%	3.25%	Compensation Reform and new job and salary structures adopted in September. (Moved from 20 Pay Grades to 9 Broad Bands) Only employees with satisfactory performance ratings received the 3.25% performance increase.

Deed of Lease

This DEED OF LEASE (the "Lease") is dated the 27th day of November, 2013, between AT MAIN STREET RICHMOND LLC, a Delaware limited liability company, as Grantor ("Landlord"), and the COMMONWEALTH OF VIRGINIA, VIRGINIA STATE BAR, as Grantee ("Tenant"), with approval of the Governor pursuant to § 2.2-1149 of the Code of Virginia (1950), as amended.

WITNESSETH:

For and in consideration of the terms, conditions, covenants, promises and agreements herein made, Landlord leases to Tenant the following property or premises (the "Premises"), together with full rights of ingress and egress, in the City of Richmond, Virginia. The Premises are more particularly described as:

Approximately 31,624 rentable square feet of office space (final square footage to be determined) known as Suites 600 and 700 (the "Office Space") located on the sixth (6th) and seventh (7th) floors of Bank of America Center, 1111 E. Main Street, Richmond, VA 23219 (the "Building") and up to 1,000 rentable square feet of storage space located on the A Level of the Building (the "Storage Space"). The conference room and adjacent food service areas are located on the third (3rd) floor of the Building which consists of an area containing approximately 3,078 rentable square feet (the "Conference Room") to be made available to Tenant, at no additional cost, and the other tenants of the Building on a nonexclusive basis as a part of the "Common Areas" as defined in Section 10. Use of the conference room as defined herein, rooftop rights as defined in Section 21, and parking spaces as defined in Section 24 are all appurtenant rights to Tenant's right to use the Premises. The Premises shall be defined as comprising all space interior to the inside face of all interior, exterior or partition walls.

A sketch of the proposed space plan of the Premises is attached hereto as Exhibit A.

1. **LANDLORD WARRANTY.** Landlord warrants that Landlord alone, at the time this Lease is executed, has the right to lease the Premises, without the consent of any other party. It is expressly understood and agreed that this covenant by Landlord constitutes a warranty. If Landlord does not have this right, then Tenant, in addition to any other remedy available at law or in equity, may immediately declare this Lease null and void from its inception and of no force and effect, without notice. In such event, no rent shall accrue or be deemed to have accrued for the term of this Lease, or for any part of the term, and Landlord shall be liable for any damages incurred by Tenant as a result of such breach.
2. **USE OF PREMISES.** The Premises are to be used and occupied by Tenant for general office and storage space use and for no other purpose. Landlord understands and agrees that Tenant is a state agency that educates and assists lawyers to practice ethically and competently, and disciplines those who violate the Rules of Professional Conduct. In the course of fulfilling its mission, over 500 meetings a year will be held in its office, attended by approximately 7500 lawyers. In addition, a total of approximately 100 new corporate counsel attorneys register with the VSB four times a year and a total of approximately another 100 attorneys admitted under the reciprocity rule register with the VSB six times a year. All of these uses are specifically contemplated between the parties and are considered compliant with this Section of the Lease.
3. **TERM.** The initial term of this Lease (the "Initial Term") shall be one hundred twenty six (126) months, beginning on the date Landlord delivers the Premises to Tenant in the condition required by Attachment A (the "Commencement Date"), estimated to be on or about April 1, 2014, and terminating on the day prior to the ten and one-half (10.5) year anniversary of the Commencement Date (the "Termination Date"), subject to the provisions of Attachment A. The Commencement Date shall be confirmed by Landlord and Tenant by the execution of a written certificate of commencement of the Initial Term following occurrence thereof in the form attached hereto as Exhibit B.
4. **RENT.**
 - (a) **Amount and Payment.** Tenant shall pay Landlord the sum of Five Hundred Thirteen Thousand Eight Hundred Ninety and 00/100 Dollars (\$513,890.00) as annual rent for the Office Space and Eight Thousand and 00/100 Dollars (\$8,000.00) as annual rent for the Storage Space (the "Rent") for the Initial Term which shall be paid in arrears, in monthly installments of Forty-Two Thousand Eight Hundred

Twenty-Four and 17/100 Dollars (\$42,824.17) for the Office Space and Six Hundred Sixty Six and 67/100 Dollars (\$666.67) for the Storage Space, on the 10th day of the subsequent month, estimated to begin on May 10, 2014, and each month thereafter, subject to the rent credit set out in Section 4(e). A rent payment chart, showing the amount and due date of all Rent required to be paid hereunder, is attached to this Lease as Attachment B. The payment of all Rent shall be made payable to At Main Street Richmond LLC and mailed to:

At Main Street Richmond LLC
c/o CBRE
6641 West Broad Street
Suite 101
Richmond, VA 23230

or to such other person or entity or at such other address as Landlord may designate from time to time by written notice to Tenant.

- (b) Office Space Rent Escalation. On the first anniversary of the Commencement Date and on each subsequent anniversary thereof, including any renewals or extensions of this Lease, the Rent for the Office Space shall be increased by two and one-half percent (2.5%) of the Office Space Rent for the prior year.

- (c) Operating Expense Pass Through.

(i) Beginning with the first day of January, 2015 and continuing throughout the Initial Term, any Option Terms, and any Renewal or Holdover terms thereafter, Tenant shall pay to Landlord, as Additional Rent in monthly increments, its pro rata share of any increase in the annual operating expenses ("Operating Expenses"), as hereinafter defined, over a base year of calendar year 2014 (the "Base Year"). Landlord agrees to use commercially reasonable efforts to minimize Operating Expenses through prudent business practices, and, when appropriate, Landlord will "comparative shop" for reasonable prices of goods, work, services, insurance, etc. Landlord shall be responsible for the direct and timely payment of all Operating Expenses. Tenant's pro rata share shall mean, with respect to expenses actually paid by Landlord allocable solely to the Premises, one-hundred percent (100%) of such expenses (exclusive of any such expenses that are paid directly by Tenant or are reimbursed by Tenant to Landlord pursuant to any other provision of this Lease), and, with respect to expenses actually paid by Landlord allocable to either the common areas of the Building or the entire Building, the proportion that the number of rentable square feet of the Premises bears to the aggregate number of rentable square feet in the Building. As of the Commencement Date, the aggregate number of rentable square feet in the Building is 540,812 and Tenant's pro rata share is 5.85%.

(ii) For purposes of determining Tenant's pro rata share of Operating Expenses, if at any time during the Base Year the Building had less than 95% occupancy, then the Base Year Operating Expenses shall be adjusted by increasing the amount of Operating Expenses that are variable in nature to occupancy levels (e.g., utilities, management fees payable to third parties based on gross rental income, trash removal and janitorial services) that would have been payable had there been 95% occupancy in the Building, and each subsequent year shall likewise be adjusted if there was less than 95% occupancy in the Building at any time during such subsequent year.

(iii) The term Operating Expenses means expenses incurred by Landlord with respect to the ownership, maintenance, repair and replacement costs of the common areas of the Building and shall include, but not be limited to: electricity, fuel, water, sewer, gas and other utility charges; security, window washing and janitorial services; trash and snow and ice removal; wages and benefits payable to employees of Landlord whose duties are directly connected with the operation and maintenance of the common areas of the Building; landscaping and pest control. It shall also include, with respect to the entire Building, management fees payable to third parties not in excess of 3% of gross rental income of the Building; real estate taxes, and customary insurance for buildings of this type in the area in which this Building is located. If Landlord's employees provide services connected to other properties controlled by Landlord in addition to the Building, then only those wages and benefits properly allocated to this Building shall be allocated to Operating Expenses.

Attachment B

RENT CHART

		Annual Rent Expense	Monthly Rent Expense
YEAR 1 (4/1/2014-3/31/2015)	31,624RSF@ \$16.25	513,890.00	42,824.17
YEAR 1 (4/1/2014-9/30/2014)	6 Months Free Rent	(256,945.00)	
YEAR 2 (4/1/2015-3/31/2016)	31,624RSF@ \$16.66	526,855.84	43,904.65
YEAR 3 (4/1/2016-3/31/2017)	31,624RSF@ \$17.08	540,137.92	45,011.49
YEAR 4 (4/1/2017-3/31/2018)	31,624RSF@ \$17.51	553,736.24	46,144.69
YEAR 5 (4/1/2018-3/31/2019)	31,624RSF@ \$17.95	567,650.80	47,304.23
YEAR 6 (4/1/2019-3/31/2020)	31,624RSF@ \$18.40	581,881.60	48,490.13
YEAR 7 (4/1/2020-3/31/2021)	31,624RSF@ \$18.86	596,428.64	49,702.39
YEAR 8 (4/1/2021-3/31/2022)	31,624RSF@ \$19.33	611,291.92	50,940.99
YEAR 9 (4/1/2022-3/31/2023)	31,624RSF@ \$19.81	626,471.44	52,205.95
YEAR 10 (4/1/2023-3/31/2024)	31,624RSF@ \$20.31	642,283.44	53,523.62
YEAR 11@ 6 months (4/1/2024-9/30/2024)	31,624RSF@ \$20.82	329,205.84	54,867.64
		<u>5,832,888.68</u>	

STORAGE SPACE		1,000 RSF Annual Rent Expense	Monthly Rent Expense
YEAR 1 (4/1/2014-3/31/2015)	1,000RSF@ \$8.00	8,000.00	666.67
YEAR 1 (4/1/2014-9/30/2014)	6 Months Free Rent	(4,000.00)	
YEAR 2 (4/1/2015-3/31/2016)	1,000RSF@ \$8.20	8,200.00	683.33
YEAR 3 (4/1/2016-3/31/2017)	1,000RSF@ \$8.41	8,410.00	700.83
YEAR 4 (4/1/2017-3/31/2018)	1,000RSF@ \$8.62	8,620.00	718.33
YEAR 5 (4/1/2018-3/31/2019)	1,000RSF@ \$8.84	8,840.00	736.67
YEAR 6 (4/1/2019-3/31/2020)	1,000RSF@ \$9.06	9,060.00	755.00
YEAR 7 (4/1/2020-3/31/2021)	1,000RSF@ \$9.29	9,290.00	774.17
YEAR 8 (4/1/2021-3/31/2022)	1,000RSF@ \$9.52	9,520.00	793.33
YEAR 9 (4/1/2022-3/31/2023)	1,000RSF@ \$9.76	9,760.00	813.33
YEAR 10 (4/1/2023-3/31/2024)	1,000RSF@ \$10.00	10,000.00	833.33
YEAR 11@ 6 months (4/1/2024-9/30/2024)	1,000RSF@ \$10.25	5,125.00	854.17
		<u>90,825.00</u>	

Task Code	Task Title	Sum of Debit	Sum of Credit	Sum of Total
RP190	CPF Delinquency Revenue	\$600.00	\$149,015.00	\$148,415.00
RP560	Penalties Revenue	\$2,075.00	\$414,095.00	\$412,020.00
Grand Total		\$2,675.00	\$563,110.00	\$560,435.00

Task Code	Task Title	Sum of Debit	Sum of Credit	Sum of Total
RP190	CPF Delinquency Revenue	\$730.00	\$67,800.00	\$67,070.00
RP560	Penalties Revenue	\$2,045.00	\$188,830.00	\$186,785.00
Grand Total		\$2,775.00	\$256,630.00	\$253,855.00

II. MEMBERSHIP DUES AND FEES

a. Total cost to practice in each state¹

Please provide the total cost to practice in your state. Include all MANDATORY FEES to practice. Please report the fee levels separately in each applicable category. If the breakdown is unknown, please report the cost to members in your state in the first category below. If a fee is payable over a number of years, please report the figure per year. The total box should equal the total cost to practice in your state.

☐ Total fees if not broken down by category (some mandatory state bars may refer to these mandatory fees as dues) ☐ Occupational tax
☐ Client security fee ☐ Mandatory CLE fee
☐ Licensing/registration fee ☐ Attorney assistance program
☐ Discipline fee ☐ Legal services/legal aid
☐ Professional responsibility fee ☐ Mandatory professional liability insurance
☐ Building fund ☐ Technology fund
☐ Other

STATE	TOTAL COST TO PRACTICE IN STATE	TOTAL FEES IF NOT BROKEN DOWN BY CATEGORY ¹	CLIENT SECURITY FEE	LICENSING/ REG. FEE	DISCIPLINE FEE	PROF. RESP. FEE	BUILDING FUND	OCCUPATIONAL TAX	MAND. CLE FEE	ATTORNEY ASSISTANCE PROGRAM FEE	LEGAL SERVICES /LEGAL AID	MAND. PROFESSIONAL LIABILITY INSURANCE	TECH. FUND	OTHER
Alabama ²	\$350		\$25	\$325										
Alaska	\$660		\$10	\$650										
Arizona	\$505	\$485	\$20											
Arkansas	\$200			\$200										
California ³	\$463		\$40	\$395	\$25					\$10	\$45			
Colorado	\$325			\$325										
Connecticut	\$75		\$75											
Delaware ⁴	\$155		\$45	\$10	\$50				\$5	\$45				
District of Columbia ⁵	\$553	\$324												\$229 ⁶
Florida	\$265	\$265												

¹ Some state bars collect a single dues payment from members and allocate those dollars among expenses (discipline, client security fund, etc.) as necessary. Others collect specific fees for various activities. Therefore, some bars may not list a dues level, but list specific amounts of fees collected.

² Alabama - The Alabama State Bar, through licensing fees, performs/administers all regulatory functions of the state bar. Did not respond in 2022 or 2021; figures are from 2020 State and Local Bar Benchmarks Survey.

³ California - The \$45 legal services fee is legislatively mandated, but members may opt-out. The \$395 in licensing fees includes \$2 for Elimination of Bias programs and \$5 for Legislative Activity, both of which may be deducted via an opt-out.

⁴ Delaware - The Delaware State Bar Association did not respond in 2022; figures are from 2021 State and Local Bar Benchmarks Survey.

⁵ District of Columbia - \$324 is annual active license fee. \$150 is annual license fee for Judicial members. A one-time fee for an on-demand Mandatory CLE course (Ethics) of \$229.

⁶ District of Columbia - One-time fee for Mandatory CLE course.

II. MEMBERSHIP DUES AND FEES

a. Total cost to practice in each state¹

STATE	TOTAL COST TO PRACTICE IN STATE	TOTAL FEES IF NOT BROKEN DOWN BY CATEGORY ⁷	CLIENT SECURITY FEE	LICENSING/ REG. FEE	DISCIPLINE FEE	PROF. RESP. FEE	BUILDING FUND	OCCUPATIONAL TAX	MAND. CLE FEE	ATTORNEY ASSISTANCE PROGRAM FEE	LEGAL SERVICES /LEGAL AID	MAND. PROFESSIONAL LIABILITY INSURANCE	TECH. FUND	OTHER
Georgia ⁸ *	\$290	\$254	\$25											\$11 ⁹
Hawaii ¹⁰	\$559	\$210	\$50	\$15	\$250					\$34				
Idaho ¹¹	\$445		\$20	\$425										
Illinois	\$330		\$95	\$210		\$25								
Indiana	\$145			\$145										
Iowa	\$250		\$50		\$200									
Kansas	\$200			\$200										
Kentucky ¹²	\$310	\$218	\$7				\$20		\$48		\$2			\$15 ¹³
Louisiana	\$435			\$200	\$235									
Maine	\$245		\$20	\$225										
Maryland	\$130		\$130											
Massachusetts ¹⁴	\$351	\$300												\$51 ¹⁵
Michigan ¹⁶	\$415	\$260	\$15		\$140									
Minnesota	\$317			\$317										
Mississippi	\$360	\$360												
Missouri *	\$410			\$259	\$101						\$50			

¹ Some state bars collect a single dues payment from members and allocate those dollars among expenses (discipline, client security fund, etc.) as necessary. Others collect specific fees for various activities. Therefore, some bars may not list a dues level, but list specific amounts of fees collected.

⁸ Georgia - The State Bar of Georgia did not respond in 2022 or 2021; figures are from 2020 State and Local Bar Benchmarks Survey.

⁹ Georgia - Professionalism and CLE fee. Client security fund and bar facility fees are collected from new attorneys only for their first four years of practice.

¹⁰ Hawaii - Members with less than 5 years of practice, members over age 70, judicial members, and govt attorneys pay a lesser amount.

¹¹ Idaho - The \$20 client assistance fund fee is only collected if the fund is low. We have not collected for the past several years.

¹² Kentucky - The amount above is for members over 5 years. Members under 5 years pay \$220 with the first year being pro-rated.

¹³ Kentucky - Lawyer Assistance.

¹⁴ Massachusetts - The Massachusetts Bar Association did not respond in 2022; figures are from 2021 State and Local Bar Benchmarks Survey.

¹⁵ Massachusetts - \$51 for Access to Justice fee is voluntary and not included in total cost to practice figure.

¹⁶ Michigan - These amounts are in effect for the bar year beginning October 1, 2022, through September 30, 2023.

II. MEMBERSHIP DUES AND FEES

a. Total cost to practice in each state¹

STATE	TOTAL COST TO PRACTICE IN STATE	TOTAL FEES IF NOT BROKEN DOWN BY CATEGORY ¹⁷	CLIENT SECURITY FEE	LICENSING/ REG. FEE	DISCIPLINE FEE	PROF. RESP. FEE	BUILDING FUND	OCCUPATIONAL TAX	MAND. CLE FEE	ATTORNEY ASSISTANCE PROGRAM FEE	LEGAL SERVICES /LEGAL AID	MAND. PROFESSIONAL LIABILITY INSURANCE	TECH. FUND	OTHER
Montana	\$515		\$20	\$25	\$125				\$45					\$300 ¹⁸
Nebraska	\$85			\$25	\$60									
Nevada ¹⁹	\$490	\$450							\$40					
New Hampshire ²⁰	\$545		\$30	\$310	\$185					\$20				
New Jersey	\$252			\$252										
New Mexico	\$440		\$15	\$275	\$150									
New York ²¹	\$188		\$30	\$120										
North Carolina ²³	\$411		\$25	\$300				\$50			\$13			\$25 ²²
North Dakota ²⁴	\$380	\$228	\$16		\$75				\$36					\$61 ²⁵
Ohio	\$175			\$175										
Oklahoma	\$275	\$275												
Oregon	\$613		\$20	\$583								\$3,000 ²⁶		\$10 ²⁷
Pennsylvania ²⁸	\$225		\$75	\$120										\$30 ²⁹

¹ Some state bars collect a single dues payment from members and allocate those dollars among expenses (discipline, client security fund, etc.) as necessary. Others collect specific fees for various activities. Therefore, some bars may not list a dues level, but list specific amounts of fees collected.

¹⁸ Montana - Member Dues.

¹⁹ Nevada - Licensed less than 5 years in any jurisdiction is \$250.

²⁰ New Hampshire - The New Hampshire Bar Association did not respond in 2022; figures are from 2021 State and Local Bar Benchmarks Survey.

²¹ New York - The New York State Bar Association did not respond in 2022; figures are from 2021 State and Local Bar Benchmarks Survey.

²² New York - \$25 Indigent Legal Services Fund.

²³ North Carolina - The "occupation tax" is for a privilege (to do business) license and is paid to the State of NC.

²⁴ North Dakota - \$380 is collected each year by the Board of Law Examiners. \$75 comes off the top to help pay for discipline. 20% of the balance is retained by the Board of Law Examiners, \$244 comes to the Bar, \$16 of which is dedicated to the Client Security Fund. The remaining \$228 goes to Bar general fund.

²⁵ North Dakota - Board of Law Examiners.

²⁶ Oregon - The OSB Professional Liability Fund (PLF) is a mandatory assessment only for lawyers engaged in private practice and having a principal office in Oregon (not included in total cost to practice figure in chart).

²⁷ Oregon - Loan Repayment Assistance Program.

²⁸ Pennsylvania - The Pennsylvania Bar Association did not respond in 2022; figures are from 2021 State and Local Bar Benchmarks Survey.

²⁹ Pennsylvania - \$30 - IOLTA

II. MEMBERSHIP DUES AND FEES

a. Total cost to practice in each state¹

STATE	TOTAL COST TO PRACTICE IN STATE	TOTAL FEES IF NOT BROKEN DOWN BY CATEGORY ²⁰	CLIENT SECURITY FEE	LICENSING/ REG. FEE	DISCIPLINE FEE	PROF. RESP. FEE	BUILDING FUND	OCCUPATIONAL TAX	MAND. CLE FEE	ATTORNEY ASSISTANCE PROGRAM FEE	LEGAL SERVICES /LEGAL AID	MAND. PROFESSIONAL LIABILITY INSURANCE	TECH. FUND	OTHER
Rhode Island ³¹	\$450	\$225	\$25	\$200										
South Carolina	\$375	\$275	\$30		\$70									
South Dakota	\$540	\$415												
Tennessee ³³	\$670				\$150	\$50		\$400		\$20				\$125 ³²
Texas ³⁵	\$300	\$235									\$65			\$50 ³⁴
Utah ³⁶	\$440	\$425	\$5						\$10					
Vermont ³⁷	\$425			\$425										
Virginia	\$290		\$5	\$250						\$35				
Washington *	\$478		\$20	\$458										
West Virginia ³⁸	\$250	\$250												
Wisconsin ³⁹	\$508	\$272	\$25			\$150			\$11		\$50			
Wyoming	\$355			\$350					\$5					

¹ Some state bars collect a single dues payment from members and allocate those dollars among expenses (discipline, client security fund, etc.) as necessary. Others collect specific fees for various activities. Therefore, some bars may not list a dues level, but list specific amounts of fees collected.

³¹ Rhode Island - The court registration fee of \$200.00 funds the disciplinary system also. We don't bill for that.

³² South Dakota - CLE Fee.

³³ Tennessee - The Tennessee Bar Association did not respond in 2022; figures are from 2021 State and Local Bar Benchmarks Survey.

³⁴ Tennessee - \$50 – fee to appear before TN Supreme Court

³⁵ Texas - Active Texas attorneys pay membership dues based on the years licensed in any jurisdiction. 0-3 years: \$68, 4-5 years: \$148, 5+ years: \$235. All active attorneys are also required to pay the \$65 legal services fee, unless they are eligible for an exemption. New attorneys pay a 1-time license fee of \$25.

³⁶ Utah - The Client Security Fund assessment can vary from year to year, but will not exceed \$20.

³⁷ Vermont - The Vermont Bar Association did not respond in 2022; figures are from 2021 State and Local Bar Benchmarks Survey.

³⁸ West Virginia - Annual fees for inactive is \$100 per year and this fee is waived for those aged 70 and over. Fees are waived if on Judicial Status. Active but not practicing is \$250.

³⁹ Wisconsin - \$150 fee paid to WI Office of Lawyer Regulation; \$11 fee paid to WI Board of Bar Examiners; \$50 fee paid to Wisconsin Trust Account Foundation.

REPORT OF THE EXECUTIVE DIRECTOR/ CHIEF OPERATING OFFICER

The membership of the Virginia State Bar continued its slow but steady growth in the fiscal year ending June 30, 2000. Total "in good standing" membership increased to 33,115, an increase of 922 members, or 2.86%, over the previous year.

	1999-2000	1998-99
Active	22,720	22,135
Associate	8,181	7,906
Judicial	897	887
Retired	<u>1,317</u>	<u>1,211</u>
	33,115	32,193

ELECTION OF OFFICERS AND COUNCIL MEMBERS

Joseph A. Condo of Vienna became president of the Virginia State Bar at its annual meeting on June 17, 2000. He was sworn in by Chief Justice Harry L. Carrico of the Virginia Supreme Court. Michael A. Glasser of Norfolk became president-elect for the 2000-2001 bar year in an uncontested election.

W. Scott Street, III of Richmond completed his year as president, guiding the bar through its last year of drawing on the reserve to support the operating budget and securing passage of a dues increase to enable the bar to meet its continuing obligations and add badly needed new staff in the professional regulation area. He met with lawyers all across the state to explain the bar's plans and needs, and he vigorously promoted and implemented increased opportunities for free and low cost continuing legal education programs for VSB members. The year also saw the advent of two pilot programs on professionalism for first year law students at the University of Richmond and Washington and Lee University, conducted under the joint auspices of the Standing Committee on Professionalism and the Section on Education of Lawyers in Virginia. Bar leadership institutes were successfully conducted in both Richmond and Abingdon, with record attendance at both sessions. The Abingdon BLI was followed by two hours of free continuing legal education sponsored by the VSB featuring Justice Cynthia Kinser and VSB Counsel Barbara Williams.

Bernard J. DiMuro and Mary Lynn Tate were elected to the 2000-2001 Executive Committee, replacing Jane S. Glenn of Roanoke and Michael A. Glasser of Norfolk, who became president-elect. Jean P. Dahnk, Susan M. Pesner, Virginia W. Powell and T. L. Twitty were reelected to one-year terms.

The following new members were elected to the VSB Council for three-year terms beginning July 1, 2000:

Howard W. Martin, Jr.	4th Judicial Circuit
Cary B. Bowen	12th Judicial Circuit
Stephen E. Baril	13th Judicial Circuit
Karen A. Gould	13th Judicial Circuit
Boyd F. Collier	13th Judicial Circuit
John G. Berry	16th Judicial Circuit
William L. Schmidt	19th Judicial Circuit
Phillip V. Anderson	23rd Judicial Circuit
William E. Bradshaw	30th Judicial Circuit

The following incumbents were reelected to Council for three-year terms:

Sally James Andrews	8th Judicial Circuit
Hugh T. Antrim	13th Judicial Circuit
Robert G. Cabell, Jr.	13th Judicial Circuit
Arthur V. Shaheen	14th Judicial Circuit
Harry Shaia, Jr.	14th Judicial Circuit
Marnie E. Byrum	17th Judicial Circuit
Mark D. Cummings	17th Judicial Circuit
Nina J. Ginsberg	18th Judicial Circuit
John M. Tran	18th Judicial Circuit
Laurie L. Dolson	19th Judicial Circuit
Susan M. Pesner	19th Judicial Circuit

1/11/2024

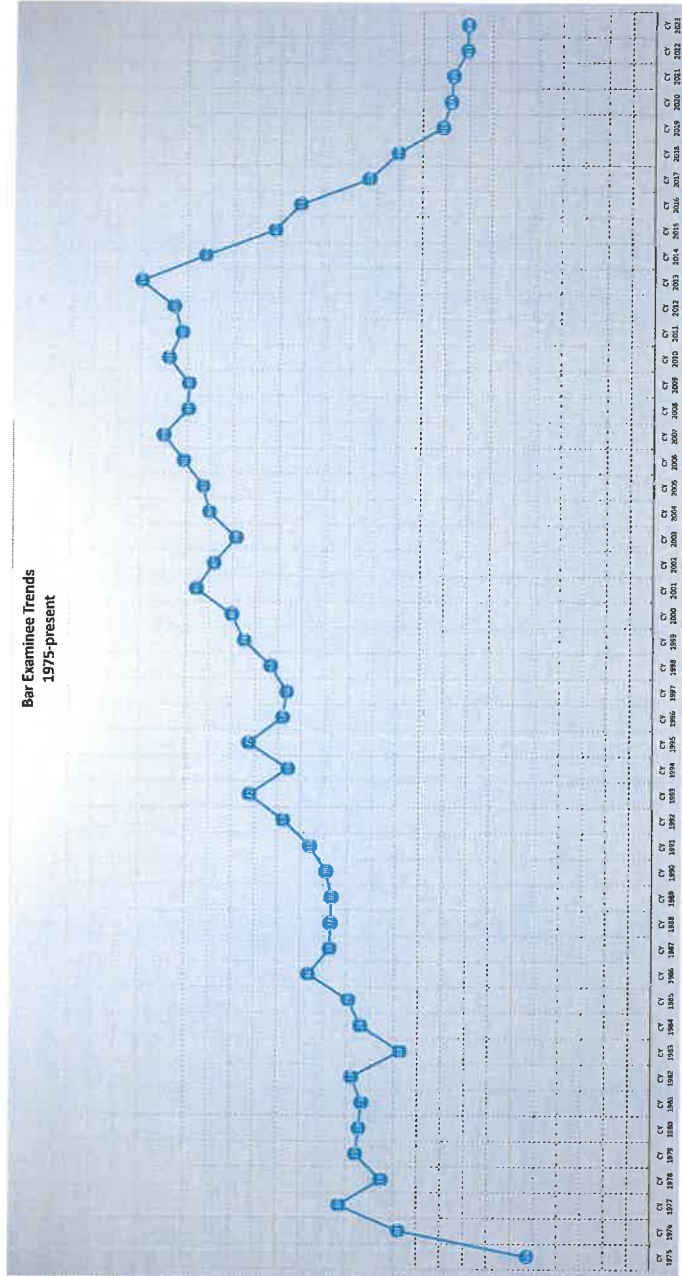
VSB Members by Member Class

Class	Amount
Active	35,021
Associate	18,124
Disabled	281
Emeritus	36
Judicial	983
Limited Admission	1,056
Pending	34
Retired	5,903
Total	61,438

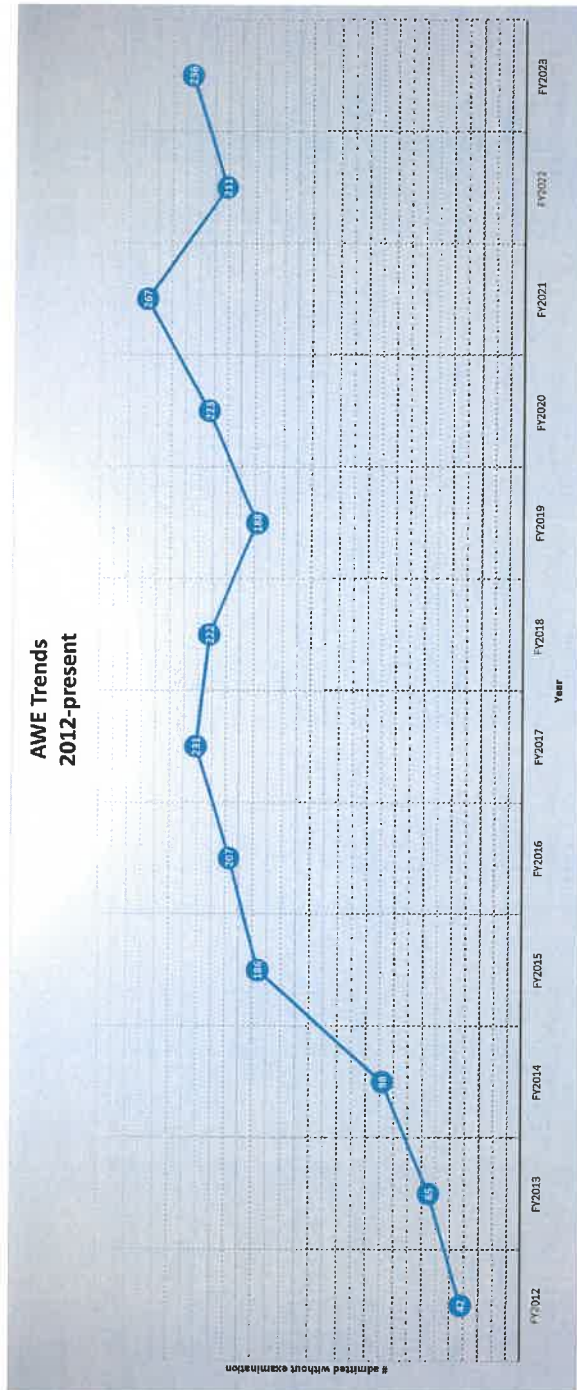
REVISED

Year	Examinees for entire year	Active VSB members	Associate VSB members
CY 1975	526		
CY 1976	1077		
CY 1977	1329		
CY 1978	1152		
CY 1979	1259		
CY 1980	1245		
CY 1981	1234		
CY 1982	1278		
CY 1983	1073		
CY 1984	1241		
CY 1985	1292		
CY 1986	1453		
CY 1987	1373		
CY 1988	1371		
CY 1989	1368		
CY 1990	1390		
CY 1991	1458		
CY 1992	1574		
CY 1993	1721		
CY 1994	1554		
CY 1995	1726		
CY 1996	1578		
CY 1997	1562		
CY 1998	1632		
CY 1999	1748		
CY 2000	1801	22720	8181
CY 2001	1955		
CY 2002	1879		
CY 2003	1785		
CY 2004	1901		
CY 2005	1929	25212	9886
CY 2006	2013		
CY 2007	2098		
CY 2008	1995		
CY 2009	1993		
CY 2010	2078	28079	11745
CY 2011	2022		
CY 2012	2057		
CY 2013	2196		
CY 2014	1924		
CY 2015	1624	31260	11082
CY 2016	1517		
CY 2017	1226		
CY 2018	1104		
CY 2019	914		
CY 2020	879	32564	13485
CY 2021	870		
CY 2022	811		
CY 2023	808	35020	18126
CY 2024			
CY 2025			
CY 2026			
CY 2027			
CY 2028			
CY 2029			
CY 2030			
CY 2031			
CY 2032			
CY 2033			

Bar Examinee Trends
1975-present



Admission without Examination	
FY2012	42
FY2013	65
FY2014	98
FY2015	186
FY2016	207
FY2017	231
FY2018	222
FY2019	188
FY2020	223
FY2021	267
FY2022	211
FY2023	236
FY2024	
FY2025	
FY2026	
FY2027	



TAB 4



Virginia State Bar

1111 E. Main Street, Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

To: Virginia State Bar Executive Committee and Council

From: Crystal T. Hendrick, Finance/Procurement Director

Date: May 1, 2024

Re: Financial Report as of March 31, 2024

The March 2024 financial report is attached for your review. The revenue detail is on page 3. As of March 31st, we have collected approximately \$13.0 million. The total received for bar dues, the largest source of revenue, was approximately \$10.0 million.

The expenditure data is summarized on pages 5 and 6. As of March 31st, total expenditures were approximately \$11.2 million.

The Administration and Finance Account is reflected on pages 7 and 8. This account manages the receipts and expenses for the annual meeting. The cash balance as of March 31st was approximately \$211,000.

The Clients' Protection Fund (CPF) is reflected on pages 9 and 10. The CPF board makes monetary awards to people who have suffered financial losses because of the dishonest conduct of Virginia lawyers. As of March 31st, the fund balance was approximately \$11.0 million.

Several long-range projections as of March 31, 2024, follow this report. The projections are used as a planning tool to project future revenue, expenditures, and cash balances.

Please contact me if you have questions concerning the financial data. I can be reached at (804) 775-0523 or hendrick@vsb.org.

Attached: March 2024 Financial Report
Long-Range Projection No Dues Increase
Long-Range Projection \$20 Active Dues Increase
Long-Range Projection \$40 Active Dues Increase
Long-Range Projection \$50 Active Dues Increase



Report ID: VGLR001

Commonwealth of Virginia
CARDINAL TRIAL BALANCE REPORT

Run Date: 04/11/2024

Run Time: 12:30 00

Page No. 1 of 2

Business Unit : 11700 Virginia State Bar
Fiscal Year : 2024 Accounting Period : 9
Account Details : Summary Ledger Selection : ACTUALS
ChartField Selection : By BU,Fund Adj. Period :

<u>Business Unit</u>	<u>Fund Code</u>	<u>Account</u>	<u>Description</u>	<u>Beginning Balance</u>	<u>Net Activity</u>	<u>Ending Balance</u>
11700	09117	101010	Cash With The Treasurer Of VA	10,255,493.61	(1,190,987.12)	9,064,506.49
		131030	Petty Cash Advances	0.00	0.00	0.00
Asset Total :				<u>10,255,493.61</u>	<u>(1,190,987.12)</u>	<u>9,064,506.49</u>
		205025	Accts Payable-AP/EX Accruals	(92,523.87)	28,817.47	(63,706.40)
		22051401	Pay Susp-Garnishment	0.00	0.00	0.00
		22051404	Pay Susp-DOA Admin Fee	0.00	0.00	0.00
		22051406	Pay Susp-CoVA Care	0.00	0.00	0.00
		22051407	Pay Susp-CoVA Health Aware	0.00	0.00	0.00
		22051408	Pay Susp-CoVA High Ded	0.00	0.00	0.00
		22051424	Pay Susp-VRS Contributions	0.00	0.00	0.00
		22051426	Pay Susp-HlthCare Prem Reward	0.00	0.00	0.00
		22051427	Pay Susp-Group Life-VRS	0.00	0.00	0.00
		22051428	Pay Susp-VSDP/LTD-VRS	0.00	0.00	0.00
		22051429	Pay Susp-RetireeHlthCred-VRS	0.00	0.00	0.00
		22051442	Pay Susp-CVC Deductions	129.00	(129.00)	0.00
		22051443	Pay Susp-Optional Group Life	972.59	(972.59)	0.00
		22051444	Pay Susp-3rd Party Admin	226.18	(226.18)	0.00
		22051446	Pay Susp-Deferred Comp	0.00	0.00	0.00
		22051447	Pay Susp-Hybrid Retirement	0.00	0.00	0.00
		22051448	Pay Susp-VRS Hybrid MDB Retire	0.00	0.00	0.00
		22051450	Pay Susp-Agy Parking	0.00	(1,862.00)	(1,862.00)
		22051454	Pay Susp-Flex Reimb Dependent	0.00	0.00	0.00
		22051455	Pay Susp-Flex Reimb Medical	0.00	0.00	0.00
		22051456	Pay Susp-Flex Reimb Admin	0.00	0.00	0.00
		22051461	Pay Susp-Deferred Comp EE	0.00	0.00	0.00
		22051462	Pay Susp-Hybrid Retire EE	0.00	0.00	0.00
		22055803	Pay Susp VA State Tax	0.00	0.00	0.00
		2402101	Def Rev-Businss/Professnal Lic	0.00	0.00	0.00
		2402433	Def Rev-Client Protectn Fd Fee	0.00	0.00	0.00
		2402440	Def Rev-Attorney Wellness Fund	0.00	0.00	0.00
		2402618	Def Rev-Atty Registration Fee	0.00	0.00	0.00
Liability Total :				<u>(91,196.10)</u>	<u>25,627.70</u>	<u>(65,568.40)</u>

<u>Business Unit</u>	<u>Fund Code</u>	<u>Account</u>	<u>Description</u>	<u>Beginning Balance</u>	<u>Net Activity</u>	<u>Ending Balance</u>
Equity Total :		308000	Fund Balance	(7,135,583.52)	0.00	(7,135,583.52)
				<u>(7,135,583.52)</u>	<u>0.00</u>	<u>(7,135,583.52)</u>
Revenue Total :			Revenue Accounts	(12,642,781.85)	(404,448.48)	(13,047,230.33)
				<u>(12,642,781.85)</u>	<u>(404,448.48)</u>	<u>(13,047,230.33)</u>
Expense Total :			Expense Accounts	9,613,967.86	1,569,807.90	11,183,775.76
				<u>9,613,967.86</u>	<u>1,569,807.90</u>	<u>11,183,775.76</u>
Transfers Total :		609830	Cash Transfer Out - Non-GF	100.00	0.00	100.00
				<u>100.00</u>	<u>0.00</u>	<u>100.00</u>
Total for Fund :	09117		Dedicated Special Revenue-VSB	0.00	0.00	0.00
				<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total for BU :	11700		Virginia State Bar	0.00	0.00	0.00
				<u>0.00</u>	<u>0.00</u>	<u>0.00</u>



Report ID: RGL008

Commonwealth of Virginia
REVENUE STATUS REPORT

Run Date: 04/11/2024
Run Time: 12:32 00

Page No. 1 of 2

Business Unit: 11700 : Virginia State Bar
Revenue Budget Ledger: CC REVEST
Fiscal Year: 2024
Accounting Period To: 9

Bus Unit	Fund	Account	Description	Estimated Revenue	Year to Date Current Year	Year to Date Last Year	Month - 09 Current Year	Month - 09 Last Year
11700	02354	4008123	Legal Aid Filing Fees	0.00	4,183,053.96	3,923,544.68	510,897.95	513,162.00
			Total for Fund 02354	\$ 0.00	\$ 4,183,053.96	\$ 3,923,544.68	\$ 510,897.95	\$ 513,162.00
09117	4002100		Licenses & Permits	0.00	20,850.00	24,450.00	1,500.00	2,250.00
	4002101		Business & Professnal Licenses	405,135.00	353,310.00	378,733.00	(130.00)	515.00
	4002199		Misc Licenses, Permits & Fees	42,000.00	44,230.50	40,872.00	1,032.50	9,000.00
	4002306		Corp Registered Name Fees	135,000.00	76,950.00	104,050.00	12,650.00	14,950.00
	4002404		Real Estate Sttlmt Agt Reg Fee	19,000.00	12,680.00	19,222.85	1,320.00	1,440.00
	4002433		Clients Protection Fund Fee	178,250.00	179,206.03	164,598.11	121.02	618.09
	4002440		Attorney Wellness Fund Fee	0.00	(360.00)	5,765.00	(450.00)	1,535.00
	4002452		Miscellaneous Regulatory Fees	0.00	3,595.00	13,349.00	20,330.00	(600.00)
	4002501		Admission Receipts	161,875.00	144,620.00	134,700.00	18,000.00	18,050.00
	4002618		Attorneys Registration Fees	10,074,125.00	9,950,140.00	9,941,532.50	(1,590.00)	16,000.00
	4005046		Other Business Fees	510,000.00	399,890.14	406,566.88	34,649.55	53,191.90
	4006103		Other Edu Gifts/Grants-Private	0.00	36,000.00	5,000.00	0.00	0.00
	4008000		Fine/Port/Court Fee/Cst/Penlty	112,000.00	104,476.39	81,466.29	8,809.66	11,955.31
	4008316		Pnlty/Past Dues-Attorneys Reg	450,000.00	329,507.50	597,295.00	9,885.00	5,050.00
	4009000		Other Revenue	1,500,000.00	1,212,780.00	1,203,716.88	259,525.00	310,375.00
	4009004		Reg Fees For Workshops/Classes	70,000.00	32,160.00	10,785.00	17,935.00	2,000.00
	4009060		Miscellaneous Revenues	181,985.00	147,194.77	85,599.07	20,860.75	11,243.63
	4009084		Refund-Exp/Misc Disburse Pr Yr	0.00	0.00	13,220.45	0.00	0.00
			Total for Fund 09117	\$ 13,839,370.00	\$ 13,047,230.33	\$ 13,230,922.03	\$ 404,448.48	\$ 457,573.93
09880	4009999		Proceeds From Sale Of Surplus	0.00	571.08	0.00	0.00	0.00
			Total for Fund 09880	\$ 0.00	\$ 571.08	\$ 0.00	\$ 0.00	\$ 0.00
			Total for Business Unit 11700	\$ 13,839,370.00	\$ 17,230,855.37	\$ 17,154,466.71	\$ 915,346.43	\$ 970,735.93

VIRGINIA STATE BAR

REVENUE CROSSWALK

Account	Cardinal Description	VSB Description
4002100	Licenses & Permits	Dues – Corporate Counsel Reg
4002101	Business & Professional Licenses	Sections
4002199	Misc Licenses, Permits & Fees	Virginia Lawyer Revenue
4002306	Corp Registered Name Fees	Professional Corporation
4002404	Real Estate Settlement Agt Reg Fee	CRESPA Registration Fees
4002433	Clients Protection Fund Fee	Clients Protection Fund Receipts
4002452	Miscellaneous Regulatory Fees	Dues - Over/Under Payments
4002501	Admission Receipts	Professionalism Course Fees
4002618	Attorney Registration Fees	Dues - Attorney Dues
4003002	State Publication Sales	Pamphlet Sales
4005046	Other Business Fees	Lawyer Referral Revenue
4006103	Other Edu Gifts/Grants-Private	Grants
4008000	Fines/Fort/Court Fee/Cst/Penlty	Cost Assessment
4008316	Pnlty/Past Dues-Attorney Reg	Past & Penalty Dues
4009000	Other Revenue	MCLE Fees
4009004	Reg Fees for Workshops/Classes	A&F Account Receipts
4009060	Miscellaneous Revenue	Seminar & Miscellaneous
4009084	Refund-Exp/Misc Disburse Pr Yr	Expenditure Refunds Prior Year



Commonwealth of Virginia

March 2024 Expenditure Summary

Report ID: RGL035
Layout ID: VGLR0035
Period Ending: 2024-06-30

Run Date: April 9, 2024
Run Time: 2:39:11 PM

Business Unit: 11700 Virginia State Bar

Cost Center	Description	Budget	2024-9	Current Year Expenditures	(Over) Under Budget	% of Budget Remaining
(None)	(None) ¹	0.00	(2,000.00)	(2,000.00)	2,000.00	0%
6000	Salaries	11,498,720.00	1,323,654.14	8,174,260.23	3,324,459.77	29%
6020	Benefits	0.00	8,106.00	74,812.00	(74,812.00)	0%
6040	Wages & Professional Services	0.00	616.00	3,324.16	(3,324.16)	0%
6060	Receiverships	175,000.00	0.00	45,261.67	129,738.33	74%
6080	Dues & Subscriptions	62,315.00	477.00	42,949.32	19,365.68	31%
6100	Rent: Office Space	656,500.00	54,336.95	489,032.55	167,467.45	26%
6103	Grants	0.00	0.00	31,992.81	(31,992.81)	0%
6120	Rent: Office Equipment	13,000.00	988.23	8,933.04	4,066.96	31%
6140	Office Supplies	33,175.00	3,968.55	20,220.64	12,954.36	39%
6160	Stationery & Forms	6,200.00	0.00	499.00	5,701.00	92%
6180	Office Furniture & Equipment	10,000.00	0.00	0.00	10,000.00	100%
6200	Staff Travel	184,975.00	3,649.92	52,126.11	132,848.89	72%
6220	Office Insurance	15,200.00	0.00	9,410.00	5,790.00	38%
6240	Repairs and Maintenance	25,000.00	4,030.68	33,809.52	(8,809.52)	(35%)
6260	Printing & Copying	239,500.00	627.06	130,640.21	108,859.79	45%
6280	Postage	188,300.00	2,997.43	152,299.74	36,000.26	19%
6300	Communication Technology	67,000.00	3,364.73	46,339.69	20,660.31	31%
6320	Advertising	23,000.00	1,330.90	9,026.99	13,973.01	61%
6340	Other Contractual Services	425,000.00	38,696.01	352,832.01	72,167.99	17%
6350	Office Renovation	264,000.00	0.00	0.00	264,000.00	100%
6360	Computer Operating	775,355.00	30,627.86	486,807.41	288,547.59	37%
6380	Other Technology Projects	325,000.00	5,529.00	16,804.33	308,195.67	95%
6400	Professionalism Course-Trav	111,000.00	9,616.39	90,221.49	20,778.51	19%
6420	Professionalism Course-Misc	22,500.00	2,750.69	17,062.57	5,437.43	24%
6440	Council, Comm, Boards-Trav	496,595.00	36,613.30	254,417.91	242,177.09	49%
6460	Council, Comm, Boards-Misc	228,065.00	10,822.26	68,949.57	159,115.43	70%
6480	Sections-Trav	139,127.00	12,136.33	106,905.74	32,221.26	23%
6500	Sections-Print	25,940.00	0.00	9,549.64	16,390.36	63%
6520	Sections-Comm	22,327.00	18.13	7,171.06	15,155.94	68%
6540	Sections-Other	170,214.00	725.00	53,243.80	116,970.20	69%
6560	Senior Lawyers Conf-Trav	9,800.00	38.98	6,175.88	3,624.12	37%

6580	Senior Lawyers Conf-Print	15,000.00	0.00	0.00	15,000.00	100%
6600	Senior Lawyers Conf-Comm	10,000.00	3,121.00	7,111.49	2,888.51	29%
6620	Senior Lawyers Conf-Misc	8,900.00	0.00	1,267.84	7,632.16	86%
6640	Young Lawyers Conf-Program	63,000.00	8,375.06	23,452.21	39,547.79	63%
6660	Young Lawyers Conf-Print	3,500.00	0.00	260.43	3,239.57	93%
6680	Young Lawyers Conf-Travel	32,700.00	0.00	27,378.95	5,321.05	16%
6700	Young Lawyers Conf-Misc	300.00	(60.32)	53.06	246.94	82%
6702	Diversity Conference - Program	45,150.00	237.83	10,399.59	34,750.41	77%
6704	Diversity Conference - Print	1,800.00	4.30	4.30	1,795.70	100%
6706	Diversity Conference - Travel	10,700.00	0.00	6,203.59	4,496.41	42%
6708	Diversity Conference - Misc	2,400.00	0.00	115.00	2,285.00	95%
6710	CLSBA-Travel	11,800.00	520.32	9,895.58	1,904.42	16%
6715	CLSBA-Print	9,500.00	0.00	6,908.65	2,591.35	27%
6725	CLSBA-Communications	500.00	0.00	5.54	494.46	99%
6730	CLSBA-Other	8,175.00	3,888.17	4,684.55	3,490.45	43%
6760	Attorney General Costs	50,000.00	0.00	14,350.88	35,649.12	71%
6780	A&F Trans	70,000.00	0.00	14,955.00	55,045.00	79%
6800	Clients' Protection Fund Trans	178,250.00	0.00	179,050.01	(800.01)	(0%)
6820	Online Legal Research	85,000.00	0.00	84,600.00	400.00	0%
	All Cost Centers	\$16,819,483.00	\$1,569,807.90	\$11,183,775.76	\$5,635,707.24	34%

Notes:

1. The \$2,000 credit is a keying error that has been corrected.

**VIRGINIA STATE BAR
ADMINISTRATION & FINANCE ACCOUNT
AS OF March 31, 2024**

Cash Balance as of July 1, 2023	\$ 268,054.05
Year-to-Date Revenue through March 31, 2024	14,966.35
Year-to-Date Expenses through March 31, 2024	<u>(71,558.07)</u>
Cash Balance as of March 31, 2024	<u>\$ 211,462.33</u>

LEDGER

**BALANCE
3/31/2024**

Annual Meeting	\$ 169,083.47
Midyear Seminar	43,193.64
Council, Committees, etc.	-
Other	<u>(814.78)</u>
Total Ledger Balance	<u>\$ 211,462.33</u>

**VIRGINIA STATE BAR
ADMINISTRATION & FINANCE ACCOUNT
MONTHLY STATEMENT OF REVENUE & EXPENSES
FOR MARCH 2024**

	BALANCE 3/1/2024	MARCH 2024 ACTIVITY	BALANCE 3/31/2024
Revenue:			
Annual Meeting	\$ 14,955.00	\$ 0.00	\$ 14,955.00
Money Market Account Interest	10.07	1.28	11.35
Total Revenue	14,965.07	1.28	14,966.35
Expenses:			
Annual Meeting	67,060.26	3,671.68	70,731.94
National Meetings and Miscellaneous	0.00	0.00	0.00
Employee Recognition	577.23	0.00	577.23
Bank Service Charges	217.55	31.35	248.90
Expenses to be Reimbursed	0.00	0.00	0.00
Total Expenses	67,855.04	3,703.03	71,558.07
Total Revenue Over/(Under) Expenses	\$ (52,889.97)	\$ (3,701.75)	\$ (56,591.72)

**VIRGINIA STATE BAR
CLIENTS' PROTECTION FUND
CASH BALANCE
AS OF MARCH 31, 2024**

Cash Balance as of July 1, 2023	\$ 10,936,139.84
Year-to-Date Revenue through March 31, 2024	270,885.62
Year-to-Date Expenses through March 31, 2024	<u>(305,142.86)</u>
Cash Balance as of March 31, 2024	<u>\$ 10,901,882.60</u>
Liability for claims approved but not paid:	<u>12,825.00</u>
Available Cash Balance as of March 31, 2024:	<u>\$ 10,889,057.60</u>

Funds Invested/Maintained as Follows:

Truist Business Checking Account	385,215.94
Federal Home Loan Bank	5,816,666.66
Federal Home Loan Mortgage Corp.	1,500,000.00
Federal National Mortgage Association	200,000.00
Federal Farm Credit Bank	<u>3,000,000.00</u>
Total Cash and Investments	<u>\$ 10,901,882.60</u>

**VIRGINIA STATE BAR
CLIENTS' PROTECTION FUND
MONTHLY STATEMENT OF REVENUE & EXPENSES
FOR MARCH 2024**

	BALANCE 3/1/2024	MAR 2024 ACTIVITY	BALANCE 3/31/2024
REVENUE			
INTEREST:			
Investment Interest	\$ 76,559.06	\$ 14,813.33	\$ 91,372.39
REIMBURSEMENT FROM ATTORNEYS:			
AG's Collections	1,545.00	0.00	1,545.00
Debt Set-Off Receipts	7,161.43	0.00	7,161.43
Individual Restitution	7,466.80	0.00	7,466.80
TRANSFERS:			
CPF Assessment	163,340.00	0.00	163,340.00
Total Revenue:	\$ 256,072.29	\$ 14,813.33	\$ 270,885.62
EXPENSES			
Bank Service Charges	-	0.00	0.00
Attorney General's Fees	463.22	0.00	463.22
CPF Board Expenses - Oper. Acct. Reim.	-	0.00	0.00
Receivership Reimbursement	-	0.00	0.00
Payments to Clients	130,014.00	174,665.64	304,679.64
Total Expenses:	\$ 130,477.22	\$ 174,665.64	\$ 305,142.86
Total Revenue Over/(Under) Expenses	\$ 125,595.07	\$ (159,852.31)	\$ (34,257.24)

**VIRGINIA STATE BAR
LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
AS OF MARCH 31, 2024**

**FY 2025 and FY 2026 3% Salary Increase - FY 2028 and FY 2029 2% Salary Increase
No Dues Increase**

	2020/2021 ACTUAL	2021/2022 ACTUAL	2022/2023 ACTUAL	2023/2024 PROJECT. (4)	2024/2025 PROJECT. (5)	2025/2026 PROJECT. (6)	2026/2027 PROJECT.	2027/2028 PROJECT. (7)	2028/2029 PROJECT. (8)	2029/2030 PROJECT.
Operating Revenue (1)	13,220,617	13,778,275	13,705,753	13,460,000	13,755,000	13,785,000	13,789,000	13,785,000	13,789,000	13,785,000
Less: Operating Expenditures (1)	12,265,449	12,846,137	14,512,629	14,415,000	14,775,000	15,135,000	15,155,000	15,335,000	15,515,000	15,540,000
Contributions To/(From) Operating Reserve	955,168	932,138	(806,876)	(955,000)	(1,020,000)	(1,350,000)	(1,366,000)	(1,550,000)	(1,726,000)	(1,755,000)
Add: Beginning Operating Reserve Balance	6,055,154	7,010,322	7,942,460	7,135,584	6,180,584	5,160,584	3,810,584	2,444,584	894,584	(831,416)
Ending Operating Reserve Balance (2)	7,010,322	7,942,460	7,135,584	6,180,584	5,160,584	3,810,584	2,444,584	894,584	(831,416)	(2,586,416)
Ending A&F Reserve Balance	214,174	269,318	268,054	270,000	270,000	270,000	270,000	270,000	270,000	270,000
Total Reserve Balance	7,224,496	8,211,778	7,403,638	6,450,584	5,430,584	4,080,584	2,714,584	1,164,584	(561,416)	(2,316,416)
Reserve as a % of the preceding year's Operating Expenditures (3)	58.90%	63.92%	51.02%	44.75%	36.76%	26.96%	17.91%	7.59%	-3.62%	-14.91%

NOTES:

- Note 1: The Clients' Protection Fund assessment collected pursuant to Paragraph 16 of the Rules of the Supreme Court regarding Organization & Government of the VSB has been deducted from both the Operating Revenue and Operating Expenditures. The net impact is \$0.
Attorney Wellness revenue is a revenue reduction when transferred to the Supreme Court of Virginia. The net impact is \$0.
The Operating Revenue and Operating Expenditures are based on anticipated actual results and may not agree with budgeted totals.
- Note 2: The total Operating Reserve balance as of 6/30/2023 includes the Professionalism Course Reserve of \$181,896.
- Note 3: Paragraph 11 of the Rules of the Supreme Court regarding Organization & Government of the VSB provides that "No increase in the annual dues above \$250 for active and \$125 for associate members will be authorized by the Court whenever the total combined cash balances of the State Bar Fund and the VSB A&F Account shall exceed 15% of the total annual operating expenditures of the bar for the year preceding the year in which the dues increase is sought."
- Note 4: FY 2024 revenue decrease - Past and Penalty \$279,000. FY 2024 exp decrease - staff salary increase \$385,000, computer and technology decrease \$522,000.
- Note 5: FY 2025 revenue increase - MCLE fee increase \$275,000. FY 2025 expenditure increase - 3% staff salary increase, rent decrease \$247,500, office renovation \$250,000.
- Note 6: FY 2026 expenditure increase - 3% staff salary increase.
- Note 7: FY 2028 expenditure increase - 2% staff salary increase.
- Note 8: FY 2029 expenditure increase - 2% staff salary increase.

**VIRGINIA STATE BAR
LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
AS OF MARCH 31, 2024**

**FY 2025 and FY 2026 3% Salary Increase - FY 2028 and FY 2029 2% Salary Increase
FY 2027 Active Dues \$270 and Associate Dues \$135**

	2020/2021 ACTUAL	2021/2022 ACTUAL	2022/2023 ACTUAL	2023/2024 PROJECT. (4)	2024/2025 PROJECT. (5)	2025/2026 PROJECT. (6)	2026/2027 PROJECT.	2027/2028 PROJECT. (7)	2028/2029 PROJECT. (8)	2029/2030 PROJECT.
Operating Revenue (1)	13,220,617	13,778,275	13,705,753	13,460,000	13,755,000	13,785,000	14,588,000	14,584,000	14,588,000	14,584,000
Less: Operating Expenditures (1)	12,265,449	12,846,137	14,512,629	14,415,000	14,775,000	15,135,000	15,155,000	15,335,000	15,515,000	15,540,000
Contributions To/(From) Operating Reserve	955,168	932,138	(806,876)	(955,000)	(1,020,000)	(1,350,000)	(567,000)	(751,000)	(927,000)	(956,000)
Add: Beginning Operating Reserve Balance	6,055,154	7,010,322	7,942,460	7,135,584	6,180,584	5,160,584	3,810,584	3,243,584	2,492,584	1,565,584
Ending Operating Reserve Balance (2)	7,010,322	7,942,460	7,135,584	6,180,584	5,160,584	3,810,584	3,243,584	2,492,584	1,565,584	609,584
Ending A&F Reserve Balance	214,174	269,318	268,054	270,000	270,000	270,000	270,000	270,000	270,000	270,000
Total Reserve Balance	7,224,496	8,211,778	7,403,638	6,450,584	5,430,584	4,080,584	3,513,584	2,762,584	1,835,584	879,584
Reserve as a % of the preceding year's Operating Expenditures (3)	58.90%	63.92%	51.02%	44.75%	36.76%	26.96%	23.18%	18.01%	11.83%	5.66%

NOTES:

- Note 1: The Clients' Protection Fund assessment collected pursuant to Paragraph 16 of the Rules of the Supreme Court regarding Organization & Government of the VSB has been deducted from both the Operating Revenue and Operating Expenditures. The net impact is \$0.
Attorney Wellness revenue is a revenue reduction when transferred to the Supreme Court of Virginia. The net impact is \$0.
The Operating Revenue and Operating Expenditures are based on anticipated actual results and may not agree with budgeted totals.
- Note 2: The total Operating Reserve balance as of 6/30/2023 includes the Professionalism Course Reserve of \$181,896.
- Note 3: Paragraph 11 of the Rules of the Supreme Court regarding Organization & Government of the VSB provides that "No increase in the annual dues above \$250 for active and \$125 for associate members will be authorized by the Court whenever the total combined cash balances of the State Bar Fund and the VSB A&F Account shall exceed 15% of the total annual operating expenditures of the bar for the year preceding the year in which the dues increase is sought."
- Note 4: FY 2024 revenue decrease - Past and Penalty \$279,000. FY 2024 exp decrease - staff salary increase \$385,000, computer and technology decrease \$522,000.
- Note 5: FY 2025 revenue increase - MCLE fee increase \$275,000. FY 2025 expenditure increase - 3% staff salary increase, rent decrease \$247,500, office renovation \$250,000.
- Note 6: FY 2026 expenditure increase - 3% staff salary increase.
- Note 7: FY 2028 expenditure increase - 2% staff salary increase.
- Note 8: FY 2029 expenditure increase - 2% staff salary increase.

**VIRGINIA STATE BAR
LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
AS OF MARCH 31, 2024**

**FY 2025 and FY 2026 3% Salary Increase - FY 2028 and FY 2029 2% Salary Increase
FY 2027 Active Dues \$290 and Associate Dues \$145**

	2020/2021 ACTUAL	2021/2022 ACTUAL	2022/2023 ACTUAL	2023/2024 PROJECT. (4)	2024/2025 PROJECT. (5)	2025/2026 PROJECT. (6)	2026/2027 PROJECT.	2027/2028 PROJECT. (7)	2028/2029 PROJECT. (8)	2029/2030 PROJECT.
Operating Revenue (1)	13,220,617	13,778,275	13,705,753	13,460,000	13,755,000	13,785,000	15,387,000	15,383,000	15,387,000	15,383,000
Less: Operating Expenditures (1)	12,265,449	12,846,137	14,512,629	14,415,000	14,775,000	15,135,000	15,155,000	15,335,000	15,515,000	15,540,000
Contributions To/(From) Operating Reserve	955,168	932,138	(806,876)	(955,000)	(1,020,000)	(1,350,000)	232,000	48,000	(128,000)	(157,000)
Add: Beginning Operating Reserve Balance	6,055,154	7,010,322	7,942,460	7,135,584	6,180,584	5,160,584	3,810,584	4,042,584	4,090,584	3,962,584
Ending Operating Reserve Balance (2)	7,010,322	7,942,460	7,135,584	6,180,584	5,160,584	3,810,584	4,042,584	4,090,584	3,962,584	3,805,584
Ending A&F Reserve Balance	214,174	269,318	268,054	270,000	270,000	270,000	270,000	270,000	270,000	270,000
Total Reserve Balance	7,224,496	8,211,778	7,403,638	6,450,584	5,430,584	4,080,584	4,312,584	4,360,584	4,232,584	4,075,584
Reserve as a % of the preceding year's Operating Expenditures (3)	58.90%	63.92%	51.02%	44.75%	36.76%	26.96%	28.46%	28.44%	27.28%	26.23%

NOTES:

- Note 1: The Clients' Protection Fund assessment collected pursuant to Paragraph 16 of the Rules of the Supreme Court regarding Organization & Government of the VSB has been deducted from both the Operating Revenue and Operating Expenditures. The net impact is \$0.
Attorney Wellness revenue is a revenue reduction when transferred to the Supreme Court of Virginia. The net impact is \$0.
The Operating Revenue and Operating Expenditures are based on anticipated actual results and may not agree with budgeted totals.
- Note 2: The total Operating Reserve balance as of 6/30/2023 includes the Professionalism Course Reserve of \$181,896.
- Note 3: Paragraph 11 of the Rules of the Supreme Court regarding Organization & Government of the VSB provides that "No increase in the annual dues above \$250 for active and \$125 for associate members will be authorized by the Court whenever the total combined cash balances of the State Bar Fund and the VSB A&F Account shall exceed 15% of the total annual operating expenditures of the bar for the year preceding the year in which the dues increase is sought."
- Note 4: FY 2024 revenue decrease - Past and Penalty \$279,000. FY 2024 exp decrease - staff salary increase \$385,000, computer and technology decrease \$522,000.
- Note 5: FY 2025 revenue increase - MCLE fee increase \$275,000. FY 2025 expenditure increase - 3% staff salary increase, rent decrease \$247,500, office renovation \$250,000.
- Note 6: FY 2026 expenditure increase - 3% staff salary increase.
- Note 7: FY 2028 expenditure increase - 2% staff salary increase.
- Note 8: FY 2029 expenditure increase - 2% staff salary increase.

**VIRGINIA STATE BAR
LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
AS OF MARCH 31, 2024**

**FY 2025 and FY 2026 3% Salary Increase - FY 2028 and FY 2029 2% Salary Increase
FY 2027 Active Dues \$300 and Associate Dues \$150**

	2020/2021 ACTUAL	2021/2022 ACTUAL	2022/2023 ACTUAL	2023/2024 PROJECT. (4)	2024/2025 PROJECT. (5)	2025/2026 PROJECT. (6)	2026/2027 PROJECT.	2027/2028 PROJECT. (7)	2028/2029 PROJECT. (8)	2029/2030 PROJECT.
Operating Revenue (1)	13,220,617	13,778,275	13,705,753	13,460,000	13,755,000	13,785,000	15,787,000	15,783,000	15,787,000	15,783,000
Less: Operating Expenditures (1)	12,265,449	12,846,137	14,512,629	14,415,000	14,775,000	15,135,000	15,155,000	15,335,000	15,515,000	15,540,000
Contributions To/(From) Operating Reserve	955,168	932,138	(806,876)	(955,000)	(1,020,000)	(1,350,000)	632,000	448,000	272,000	243,000
Add: Beginning Operating Reserve Balance	6,055,154	7,010,322	7,942,460	7,135,584	6,180,584	5,160,584	3,810,584	4,442,584	4,890,584	5,162,584
Ending Operating Reserve Balance (2)	7,010,322	7,942,460	7,135,584	6,180,584	5,160,584	3,810,584	4,442,584	4,890,584	5,162,584	5,405,584
Ending A&F Reserve Balance	214,174	269,318	268,054	270,000	270,000	270,000	270,000	270,000	270,000	270,000
Total Reserve Balance	7,224,496	8,211,778	7,403,638	6,450,584	5,430,584	4,080,584	4,712,584	5,160,584	5,432,584	5,675,584
Reserve as a % of the preceding year's Operating Expenditures (3)	58.90%	63.92%	51.02%	44.75%	36.76%	26.96%	31.10%	33.65%	35.02%	36.52%

NOTES:

- Note 1: The Clients' Protection Fund assessment collected pursuant to Paragraph 16 of the Rules of the Supreme Court regarding Organization & Government of the VSB has been deducted from both the Operating Revenue and Operating Expenditures. The net impact is \$0.
Attorney Wellness revenue is a revenue reduction when transferred to the Supreme Court of Virginia. The net impact is \$0.
The Operating Revenue and Operating Expenditures are based on anticipated actual results and may not agree with budgeted totals.
- Note 2: The total Operating Reserve balance as of 6/30/2023 includes the Professionalism Course Reserve of \$181,896.
- Note 3: Paragraph 11 of the Rules of the Supreme Court regarding Organization & Government of the VSB provides that "No increase in the annual dues above \$250 for active and \$125 for associate members will be authorized by the Court whenever the total combined cash balances of the State Bar Fund and the VSB A&F Account shall exceed 15% of the total annual operating expenditures of the bar for the year preceding the year in which the dues increase is sought."
- Note 4: FY 2024 revenue decrease - Past and Penalty \$279,000. FY 2024 exp decrease - staff salary increase \$385,000, computer and technology decrease \$522,000.
- Note 5: FY 2025 revenue increase - MCLE fee increase \$275,000. FY 2025 expenditure increase - 3% staff salary increase, rent decrease \$247,500, office renovation \$250,000.
- Note 6: FY 2026 expenditure increase - 3% staff salary increase.
- Note 7: FY 2028 expenditure increase - 2% staff salary increase.
- Note 8: FY 2029 expenditure increase - 2% staff salary increase.

TAB 5



Virginia State Bar

1111 East Main Street Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

Fax: (804) 775-0501 TDD: (804) 775-0502

To: Virginia State Bar Executive Committee & Council
From: Renu M. Brennan
Bar Counsel
Date: May 1, 2024

DISCIPLINARY SYSTEM REPORT

I. Public/Private Discipline (July 1, 2023 to April 30, 2024)

Public Discipline – 57 ¹	Private Discipline – 37
<ul style="list-style-type: none">Competence/Diligence – 20	<ul style="list-style-type: none">Competence/Diligence – 15
<ul style="list-style-type: none">Trust Accounting/Safekeeping of Property – 10	<ul style="list-style-type: none">Trust Accounting/Safe Keeping of Property – 9
<ul style="list-style-type: none">Criminal or Deliberately Wrongful Conduct – 6	<ul style="list-style-type: none">Fees – 4
<ul style="list-style-type: none">Dishonesty – 5	<ul style="list-style-type: none">Deliberately Wrongful Conduct – 2
<ul style="list-style-type: none">Reciprocal – 3	<ul style="list-style-type: none">Decline or Term Rep – 2
<ul style="list-style-type: none">UPL – 3	<ul style="list-style-type: none">Failure to Supervise – 2
<ul style="list-style-type: none">Terms Violation – 3	<ul style="list-style-type: none">Fairness to Opposing Party & Counsel – 1
<ul style="list-style-type: none">Fees – 2	<ul style="list-style-type: none">Meritorious Claims & Contentions – 1
<ul style="list-style-type: none">13-29 - Duties of Disbarred or Suspended Respondent – 2	<ul style="list-style-type: none">UPL – 1
<ul style="list-style-type: none">Fairness to Opposing Party & Counsel – 1	
<ul style="list-style-type: none">Communication with Persons Rep'd by Counsel – 1	
<ul style="list-style-type: none">Judicial Officials – 1	

Recent disciplinary actions can be accessed on the [VSB website](#).

¹ Number of respondents in each category.

II. Docket Statistics (March 31, 2024)

Total Open Cases/Cases at Preliminary Investigation and Subcommittee Level:

- **Total open cases are at 249, a five-year “low”.** In the previous five years, open cases fluctuated between 255 (2022) and 350 (2020).
- **There is one prior fiscal year case, i.e., cases opened before July 1, 2022.** The range for the prior five years was between one (2022 and 2023) and 21 (2019).
- **Cases over 365 days are at 11, down 12 from last year.** The range for the prior five years was between 23 (2023) and 62 (2019). **This is a significant five-year low.**
- **Preliminary Investigation and District Committee cases are at 164, down 69 from last year at this time.** The range for the prior five years was between 211 (2022) and 300 (2019). **This is another five-year low.**
- **District Committee cases over 180 days are at 38, down 36 from last year at this time, and another five-year low.** The range for the prior five years was between 64 (2022) and 90 (2019).
- **Cases awaiting report by bar counsel are at seven, down four from last year; a five-year low.** The range for the prior five years was between 11 (2023) and 38 (2021).
- **Cases awaiting report by investigator are at 26, down significantly from last year’s number of 60; another five-year low.** The range for the prior five years was between 36 (2021) and 60 (2023).
- **There are five cases awaiting meeting by subcommittee.** The range for the previous five years was between three (2023) and 13 (2019).
- **Cases awaiting Certification and Charges of Misconduct are at four and zero respectively.** The range for cases awaiting Certification for the past five years was between zero (2022) and nine (2019 and 2023), and the range for Charges of Misconduct was between zero (2020 and 2022) and nine (2019).

Trials, Sanctions, Agreed Dispositions, Consents to Revocation, and Impairments:

- **We have 34 cases to be tried** (31 Disciplinary Board/Circuit Court and three District Committee). The range for the prior five years was between 36 (2022 and 2023) and 49 (2020).

- **We have held 41 trials year to date, a five-year “high,” but this stems from multiple cases against two respondents.** The range for the prior five years was between 20 (2022 and 2023) and 28 (2020).
- **Subcommittees have issued 60 sanctions year to date, a five-year high.** The range for the prior five years was between 18 (2019) and 55 (2022).
- **We have entered into 57 agreed dispositions year to date.** The range for the prior five years was between 34 (2019) and 65 (2021).
- **We have entered into 11 consents to revocation year to date.** The range for the prior five years was between five (2023) and 22 (2022).
- **We have closed ten impairments year to date.** The range for the prior five years was between one (2019) and 13 (2023).

III. Intake Report – James C. Bodie, Intake Counsel

The VSB received 2475 bar complaints between July 1, 2023 and April 30, 2024. During the same period in FY2023, the VSB received 2,626 bar complaints.

IV. Matters Before the Supreme Court of Virginia (“Court”)

A. Pending Appeal

Effective January 17, 2024, the Circuit Court for the County of Rockbridge suspended Jared Jenkins’ license to practice law in Virginia for nine months. Jenkins noted an appeal and requested the Court stay the suspension pending appeal. By Order entered January 31, 2024, the Court stayed the suspension pending the appeal. Assistants Attorney General Cooper Vaughn and Robert Claiborne represent the VSB in this appeal.

B. Dismissed Appeal

On April 29, 2024, the Court dismissed Dale Reese Jensen’s appeal of the Circuit Court for the City of Staunton’s Memorandum Order revoking his license to practice law in Virginia. Attorney General Cooper Vaughn and Robert Claiborne represented the VSB in this appeal.

V. Court Action on Changes to Disciplinary Procedure, Part Six, Section IV, Paragraph 13 of the Rules of the Supreme Court, Rules of Professional Conduct, and Legal Ethics Opinions

Paragraph 13-5

By Order entered April 19, 2024, and effective June 18, 2024, the Court approved changes by the Committee on Lawyer Discipline ("COLD") to Paragraph 13-5 which add a third lay member to COLD.

VI. Unauthorized Practice of Law (UPL) Update

As of April 30, 2024, there are four open investigations; of those, two are out for investigation, and two are in the preliminary stage. There is currently one matter under review.

There have been three dispositions made since the prior UPL update on March 25, 2024: two dismissals with caution, and one letter agreement.

VII. Receiverships

In the FY 2023-2024 VSB budget for the fiscal year ending June 30, 2024, the amount budgeted for receiverships is \$175,000. The total amount expended through April 30, 2024 was \$49,747.13, of which \$10,694.30 was expended on a receivership for one attorney.

The VSB currently has 15 receiverships pending; of these 14 involve deceased or disabled attorneys, and one is a misconduct case. The geographic distribution of the total number of pending receiverships is as follows: Alexandria (2); Fairfax County (2); Prince William County (1); Roanoke (1); Grayson County (1); Prince Edward County (1); Accomack County (1); Richmond (1); Henrico County (1); Chesterfield County (1); and Charlottesville (3).

Attachments: Statistics - Five-Year Comparison and Six-Month Comparison

STATISTICS – FIVE-YEAR COMPARISON						
Docket Period Ending→	3/31/24	3/31/23	3/31/22	3/31/21	3/10/20	3/8/19
Total Open Cases	249	278	255	324	350	341
DISTRICT COMMITTEE CASES OVER 180 DAYS						
Cases Awaiting Report by Investigator	26	60	38	36	41	43
Cases Awaiting Report by Bar Counsel !	7	11	21	38	29	34
Cases Awaiting Meeting by Subcommittee*!	5	3	5	6	10	13
Total	38	74	64	80	80	90
PRELIMINARY INVESTIGATIONS & DC CASES						
Preliminary Investigation Cases	33	55	59	68	91	97
District Committee Cases	131	178	152	206	196	203
Total	164	233	211	274	287	300
SANCTIONS ISSUED BY DISTRICT COMMITTEE SUBCOMMITTEES Y-T-D						
Total	60	54	55	42	48	18
DC CASES AWAITING CERTIFICATION TO DB TO BE WRITTEN BY BAR COUNSEL						
Total	4	9	0	2	5	9
DC CASES AWAITING CHARGE OF MISCONDUCT TO BE WRITTEN BY BAR COUNSEL						
Total	0	1	0	1	0	9
CASES TO BE TRIED						
District Committee	3	2	2	3	3	11
Disciplinary Board / Circuit Court	31	34	34	43	46	26
Total	34	36	36	46	49	37
CONSENTS TO REVOCATION Y-T-D						
Total	11	5	22	10	16	8
TRIALS HELD Y-T-D						
District Committee	6	0	0	1	1	4
Disciplinary Board / Circuit Court	35	20	20	22	27	23
Total	41	20	20	23	28	27
AGREED DISPOSITIONS Y-T-D						
District Committee	45	31	34	30	20	12
Disciplinary Board / Circuit Court	12	20	18	35	23	22
Total	57	51	52	65	43	34
CLOSED IMPAIRMENTS Y-T-D	10	13	5	4	2	1

STATISTICS—SIX-MONTH COMPARISON						
Docket Period Ending→	3/31/24	2/29/24	1/31/24	12/31/23	11/30/23	10/31/23
Total Open Cases	249	249	244	241	255	253
DISTRICT COMMITTEE CASES OVER 180 DAYS						
Cases Awaiting Report by Investigator	26	26	23	57	43	39
Cases Awaiting Report by Bar Counsel !	7	4	16	22	20	18
Cases Awaiting Meeting by Subcommittee *!	5	9	17	26	31	26
Total	38	39	56	105	94	83
PRELIMINARY INVESTIGATIONS & DC CASES						
Preliminary Investigation Cases	33	58	59	55	22	29
District Committee Cases	131	120	122	137	142	136
Total	164	178	181	192	164	165
SANCTIONS ISSUED BY DISTRICT COMMITTEE SUBCOMMITTEES Y-T-D						
Total	60	53	48	45	37	31
DC CASES AWAITING CERTIFICATION TO DB TO BE WRITTEN BY BAR COUNSEL						
Total	4	1	0	1	3	0
DC CASES AWAITING CHARGE OF MISCONDUCT TO BE WRITTEN BY BAR COUNSEL						
Total	0	1	0	0	1	1
CASES TO BE TRIED						
District Committee	3	3	0	0	1	1
Disciplinary Board/Circuit Court	31	27	39	26	20	23
Total	34	30	39	26	21	24
CONSENTS TO REVOCATION Y-T-D						
Total	11	11	9	9	8	8
TRIALS HELD Y-T-D						
District Committee	6	4	4	4	4	3
Disciplinary Board/Circuit Court	35	27	26	23	23	21
Total	41	31	30	27	27	24
AGREED DISPOSITIONS Y-T-D						
District Committee	45	42	37	34	29	25
Disciplinary Board/Circuit Court	12	11	9	7	5	5
Total	57	53	46	41	34	30
CLOSED IMPAIRMENTS Y-T-D	10	7	7	7	5	5

TAB 6

VIRGINIA STATE BAR
Report of the Conference of Local and Specialty Bar Associations
Dillina Stickley, Chair
May 30-31, 2024

The CLSBA Executive Committee continues fulfilling its mission with the below activities.

As a reminder, the Solo & Small-Firm Practitioner Forums are held in conjunction with and by direction of the Supreme Court of Virginia. They are designed to offer free practice management CLE programming to rural attorneys who don't often have access to live CLEs and/or don't have large law firms helping pay for their CLE attendance. *Because we don't limit participation only to those in rural areas, they also offer Virginia's attorneys value for their dues.*

The next Solo & Small-Firm Practitioner Forum is scheduled on Friday, May 17, 2024, at Mountain Empire Community College in Big Stone Gap. This event will be recorded and offered for on-demand credit from May-October 2024.

Solo & Small-Firm Practitioner Forums (SSF) and the Bar Leaders Institute (BLI) for Fiscal Year 2024-25 are being planned. Mark your calendar!

SSF – September 30, 2024 – Smithfield Center, Smithfield
SSF – October 18, 2024 – Wytheville Meeting Center, Wytheville
BLI – March 7, 2025 – Virginia Museum of History & Culture, Richmond
SSF – Spring 2025 – Charlottesville (exact location tbd)

We are always looking for topic and speaker ideas for the BLI and Solo programs. Please reach out to Paulette Davidson (pdavidson@vsb.org) with your suggestions. The CLSBA is continually looking to present topics at its Solo programs that will help the solo and small firm practitioners with law office management.

As chair of the Virginia State Bar Conference of Local and Specialty Bar Associations, it is my honor and privilege to invite each of you to attend the CLSBA's Annual Meeting and Breakfast on Friday, May 31, 2024, 7:30 a.m., at the Hilton Garden Inn, Virginia Beach. CLSBA awards being presented at the breakfast this year include:

1. Awards of Merit
 - a. Roanoke Bar Association – *Operation Family Time*
 - b. Virginia Chapter American Academy of Matrimonial Lawyers – *The Barry Kantor Series on Trial Advocacy and Civility in Family Law*
 - c. Virginia Mountain/Valley Lawyers Association – *Josephine City Project*
 - d. Multi-bar: Fairfax Bar Association, Northern Virginia Black Attorneys Association, and Asian Pacific American Bar Association of Virginia – *21 Day Racial Equity Challenge*
2. Specialty Bar Leader of the Year – *Linda Choe of the Asian Pacific American Bar Association of Virginia*
3. Bar Association of the Year – *Northern Virginia Black Attorneys Association*

4. Excellence in Wellness and Well-Being in the Legal Profession – *Virginia Law Foundation*

The *So You're 18* handbook has been updated and is available for distribution to schools, J&DR Courts, departments of social services, election registrars, juvenile detention centers, and other groups/organizations as requested. This information is also available [online](#). More than 25,000 booklets have been distributed as of the writing of this report. If you would like copies of the *So You're 18* for distribution, please contact Paulette Davidson at 804-775-0521 or pdavidson@vsb.org.

I would like to challenge each of you to reach out to the local bar associations in your respective circuits. There may be opportunities for you to speak at bar meetings or find out if a local bar needs assistance with planning programs. Paulette Davidson is available to provide you with contact information, and she's available to the local and specialty bars to help with things like program ideas (for both attorneys and communities), governance, and other various topics.

The CLSBA continually seeks to improve its efforts to better serve the needs of Virginia's local and specialty bar associations, to identify best practices, and to inform bar leaders of developments and trends on issues of importance to bar association leadership.

TAB 7

VIRGINIA STATE BAR
REPORT OF THE DIVERSITY CONFERENCE CHAIR

Candace A. Blydenburgh

May 20, 2024

The Diversity Conference Board of Governors held their fourth meeting for fiscal year 2023-2024 on March 14, 2024 at the Jepson Alumni Executive Center at the University of Mary Washington.

CLSBA Bar Leaders Institute. I attended the 2024 Bar Leaders Institute Conference held on 3/8/24 at the Virginia Museum of History & Culture in Richmond Virginia. I participated on a panel with Cameron Rountree, Cristina Mougin-Boal (Chair-Elect, CLSBA Executive Committee), Benjamin A. Shute (President-Elect, Young Lawyers Conference) and Carter Younger (Chair, Senior Lawyers Conference) and discussed the various programs and activities of the Diversity Conference in which various members of the CLSBA can assist in participating as well as the various resources that the Diversity Conference can provide to local and specialty bar associations.

I spoke with the Chairs of **Hill-Tucker Bar Association** who are interested in hosting a Juneteenth picnic in Richmond.

The Fourth Annual **Forum on Diversity and Inclusion in the Legal Profession** was held on March 15, 2024 at the Jepson Alumni Executive Center at the University of Mary Washington. Thanks much to everyone including Alicia Johnson, Tammie Currie, Nancy Donner, our panelists, and everyone for their work in pulling together the programs. The topics included:

- Best Practices and Encouraging a Culture of Improving Diversity in the Legal Profession
- The Impact of the *Students for Fair Admission v. Harvard*, 600 U.S. 181 (2023) on Employers, DEI Initiatives and What's Next
- Recognizing Generational, Cultural and Gender Differences and How They Impact the Workforce
- Implicit Bias, Voir Dire and *Batson* Reprised

A continental breakfast and lunch were provided. Also, a reception was held at the conclusion of the Forum.

In terms of the Diversity Conference's **Nominating Committee**, Alicia Johnson and Julie McClellan are rotating off the Board of Governors. Further, Judge Tran, Daniel Frankl and Claire Gastanaga resigned from the Board of Governors at the end of their first term. We are so grateful for their years of active support, hard work and promoting greater inclusion and equity within the bar.

The following individuals are returning to the Board of Governors for their second three-year term:

- Courtney Michelle Frazier
- Kyung Nam Dickerson
- Shemeka Hankins

In addition, the **Nominating Committee** recommended the following individuals be appointed/elected to the Board of Governors beginning June, 2024

- Doug Smith, Morgan Stanley
- Carol Capsalis, Bean, Kinney & Korman, P.C.
- Sara Tandy, Assistant Dean of Diversity, Equity, Inclusion and Belonging, UR School of Law
- Gershon Young, Dycio & Biggs
- Rex Flynn, The Flynn Law Firm
- Judge Angela Roberts (Honorary Member)

The slate of incoming officers for 2024-2025 is as follows:

- | | |
|------------------------|---------------------------|
| - Chair | Zaida Thompson |
| - Chair-Elect | Debra Lynn Powers |
| - Treasurer | Brian Thornton Wesley |
| - Secretary | Courtney Michelle Frazier |
| - Immediate Past Chair | Candace A. Blydenburgh |

Finally, Luis Perez will be receiving the Clarence M. Dunnaville, Jr. Award at the VSB Annual Meeting.

Diversity Conference and VSB Annual Meeting. DC's Annual Meeting CLE, "***Transgender Legal Issue and Access to Justice In Virginia***" will be moderated by Wyatt Rolla and include Professor Kornott, UVA School of Law, Brian Goodman (Assistant Commonwealth Attorney, Fairfax County), and Sasha Buchert (Director, Lambda Legal).

DC will host a reception on Thursday, May 30th during the VSB Annual Meeting. Also, DC is still looking for volunteers for mentors for its mentor-mentee program held in connection with the VSB Annual Meeting. Currently 15 law students are set to attend the annual meeting.

Next Meeting: VSB Annual Meeting, May 31, 2024

Upcoming Affinity Months. May is a celebration of Asian American and Pacific Islander Heritage & Jewish American Heritage Month. June is LGBTQ+ Pride Month and July is Disability Pride Month. The DC will encourage its members to explore the various events being held in Virginia throughout these months.

TAB 8

Virginia State Bar Senior Lawyers Conference

Chair's Report to Bar Council

May 30, 2024

This report of the Senior Lawyers Conference (SLC) is submitted to the VSB Bar Council for its meeting on May 30, 2024, in Virginia Beach Virginia.

Meetings and SLC Involvement.

On February 23 and 24, I participated in the VSB Executive Committee and Bar Council Meetings in Richmond. I submitted a written report of the SLC's activities, a copy of which was provided to the SLC Governing Board with the materials for the Governing Board's February 22 virtual meeting. I also attended the Executive Committee meeting on April 24 in Richmond.

On March 8, I attended the VSB Bar Leaders Institute and spoke on behalf of the SLC on a panel with the Chairs of the Young Lawyers Conference, the Conference on Diversity, and the Conference of Local and Specialty Bars, along with the Executive Director of the VSB. The Panel was intended to provide Bar leaders with information about the programs and resources that are available to them and their organizations in carrying out their missions. The attendees received a two-page summary of the SLC's activities, resources and committee contact information.

"Civility and Professionalism" Film Project

The two-hour version of the film *Civility and Professionalism in a Successful Litigation Practice* has been approved for a full two hours of MCLE Ethics credit. It is now available on the VSB's website under the "Calendar" heading, "Free and Low-Cost Webinars" tab. It can be accessed directly with this link: <https://attendee.gotowebinar.com/register/9061625518650572119>.

Production of the film required several years of work and the generous financial support of the Virginia Law Foundation as well as the annual budgets of the VSB Litigation Section and the SLC. The SLC deeply appreciates the encouragement and financial support for this project.

In the film, moderator Glenn Kirschner interviews Chief Justice S. Bernard Goodwin, VSB President Chidi I. James, and other distinguished judges and lawyers about the benefits of civility and professionalism in litigation and in building a successful practice; and poses practical hypotheticals to Cynthia Epps Hudson and Thomas E. Spahn about dealing with the intersection, and sometimes conflict, of the Rules of Ethics with the non-mandatory Principles of Professionalism and aspirations of civility. The two-hour film is supported by extensive written materials authored by Tom Spahn and is offered at no cost for two hours of MCLE Ethics credit.

The SLC thanks and congratulates our moderator and all the judges and lawyers who are interviewed in the film. Special recognition goes to Kevin Kertscher and Big Ocean Studios for the expert and creative scripting, directing, videography, and editing work on this project. Kevin and his Big Ocean team exceeded our ambitious goal of creating a film that would be engaging, entertaining, and inspirational as well as informative.

Our next task will be to focus on publicity and marketing of the film to its potential viewers. We will be working with the VSB, the VLF, and other groups to get the word out. We are also investigating the cost of adding content to the current film "trailer" to reflect the second hour

content and the availability of MCLE credit. The current trailer can be viewed at:
<https://vimeo.com/866129987/fe3ec216e9?share=copy>

Senior Lawyer News

I have submitted a report as SLC Chair for the upcoming issue of the “Senior Lawyer News. Barbara Anderson also submitted an article in relation to the SLC’s new initiative to address the challenges of succession planning. Frank Brown continues his outstanding service to the Bar as organizer, author, and editor-in-chief of this excellent newsletter, which reaches approximately 25,000 lawyers and judges.

Senior Virginians Handbook

Veronica Williams is overseeing the 2024 updating of the Handbook, with assistance from Board member Andrea Bridgeman. To get the most up-to-date content following the 2024 sessions of the Virginia General Assembly, deadlines for submitting sections for the new edition have been extended. The printed English language Handbook has been in very high demand, and our supply is currently exhausted. We will not incur the expense of printing more copies of the English language Handbook until it has been fully updated, but the text is available on-line at the Conference’s page on the VSB website. The Spanish language edition is available in print as well as on-line, and it will be updated along with the English language edition.

Pro Bono Initiatives

Pro Bono Chair Andrea Bridgeman has initiated a study group within the Board to explore how the Conference can best assist senior lawyers in contributing to pro bono work.

Succession Planning Committee

The Board of Governors voted to form a committee to review the multifaceted needs of lawyers as they relocate, retire, or close their practices. Governing Board Member and SLC Vice-Chair Elect Barbara S. Anderson will chair the Successorship Planning Committee during the coming year.

The Succession Planning Committee will coordinate its work with that of Board Member Carole Capsalis, who has assumed leadership of the Frank Brown’s longstanding and highly successful programs on *Protecting Your and Your Client’s Interests in the Event of Death, Disability or Other Disaster* (sometimes called the 3 Ds). The Successorship Planning Committee expects to address what is often a difficult transition for lawyers who closely identify their sense of self with their profession, and there are many ethical and practical requirements to be met. The new multi-disciplinary Succession Planning Committee will study and make recommendations to the SLC Governing Board to provide ongoing services to Virginia lawyers and law firms to ease transitions. Working with lawyers in various practice models, insurers, VSB Ethics staff, other conferences, and committees, both within and outside the VSB, the goal is to create comprehensive CLE programs, checklists, and guidance for attorneys and firms of all sizes and practice areas as they create and work through their individual succession plans.

Revised SLC By-Laws

The By-Laws Committee chaired by Gary Hancock proposed By-Laws amendments, which have been approved by the SLC Governing Board. VSB Deputy Executive Director Janet Van Cuyk and Director of Bar Services Maureen Stengel assisted the Committee in reviewing and improving the amendments. The amendments will be voted on by the SLC membership at the June 1, 2024, Annual Meeting then submitted for approval by Bar Council.

Election of SLC Governing Board Members and Officers, 2024 Annual Meeting and Fifty-Year Awards

The SLC Annual Meeting is scheduled for 9:30 AM, June 1, 2024, when the SLC will elect new Board members for the 2024-2025 term.

The Nominating Committee presented a slate of candidates for Board Member-at-Large vacancies. The Committee nominated current Governing Board members Carole Capsalis (Alexandria), who completed an unexpired term and was nominated for a full two-year term, and Rhysa G. South (Midlothian), who is completing her first-year term and was nominated for a second two-year term. The Committee also nominated Eugene M. Elliott (Roanoke), Stephen D. Lentz (Virginia Beach), Mark Matney (Williamsburg), Lynn L. Robinson (Richmond), Hon. Deanis L. Simmons (Smyth County), Martin Wegbreit (Richmond), Edward L. Weisner (Fairfax), and John E. Whitfield (Staunton) for election as new Members-at-Large.

Hon. Joel C. Cunningham declined a second term on the Board because of other responsibilities. The Governing Board expressed its appreciation to Judge Cunningham for his service as a Member-at-Large of the Board. Hon. Colin R. Gibb is completing his second two-year term and was nominated to continue as an Honorary Member.

Bruce Sams is completing his second two-year term on the Governing Board and is therefore not eligible for reelection. The SLC Governing Board expressed appreciation for Mr. Sams's service as a Member-at-Large and Liaison to the Litigation Section.

Phillip Anderson announced to the Governing Board that he is regrettably resigning because of the demands of other responsibilities. This creates a vacancy for the one-year remainder of his term. The Governing Board expressed its appreciation to Mr. Anderson for his service on the Board.

At the SLC Governing Board meeting on April 18, 2024, the following officers were elected for the 2024-2025 term: Thomas G. Bell, Jr. (Staunton) for Chair, Barbara S. Anderson (Alexandria) for Vice-Chair, Richard A. Gray (Oakton) for Secretary, and Veronica Williams (Newport News) for Treasurer.

On Saturday, June 1, 2024, 560 lawyers will be recognized with 50-year awards. This is a significant increase from the 2023 Annual Meeting, at which 375 lawyers received 50-year awards.

VSB Annual Meeting CLE Program on Elder Abuse

The SLC and the VSB Criminal Law Section are co-sponsoring an important CLE seminar at the VSB Annual Meeting, "*Combating Elder Abuse and Vulnerable Adult Exploitation in Virginia.*"

The seminar will discuss the growing threats to senior citizens and vulnerable adults from financial scams, physical injury and other forms of abuse and mistreatment. The program will feature presentations by SLC Governing Board member Veronica Williams and other experts in elder law and estate planning, as well as prosecutors of elder abuse cases.

Respectfully submitted,

W. Carter Younger
SLC Governing Board Chair

TAB 9



**Virginia State Bar Young Lawyers Conference
President's Report, Craig E. Ellis
May 2024**

I. Awards and Honors

We will be submitting award applications to the ABA this Spring for new programming.

II. Initiatives for 2023-2024

The YLC is focused this year on continued success in the areas of service to the public, professional development, and wellness with additional emphasis on growing diversity and promoting holistic well-being in the profession. Last year we focused on core programming and transitioning from a "Covid footing." This year we improved our older programs, brought back programming that was dormant and created new initiatives applying what we've learned in the past few years.

III. Past Programs and Meetings

Young Lawyers Conference Board Meetings

The YLC hosted a board meeting in late April in Fredericksburg.

Wills for Heroes

The YLC, with support from the Virginia Law Foundation, hosted a Wills for Heroes event on February 7&8 for Fairfax County first responders and their spouses. Forty-eight volunteer attorneys served more than 200 individuals and prepared more than 600 documents. This program had gone dormant due to the dissolution of national program. YLC volunteers revived the program absent national guidance and provided a rubric for the organization to take this to other parts of the state.

Minority Pre-Law Conference

The MPC Hampton Roads committee hosted a conference at Regent University on Saturday, April 6. Participants learned about the law school experience, received LSAT strategies and tips, networked with law schools from across the country, and heard from a panel of attorneys and judges with varied careers and from Keynote Speaker, Chief Justice S. Bernard Goodwyn of the Supreme Court of Virginia. A raffle concluded the program with prizes such as free LSAT prep courses.

Fore Everyone Golf Classic

On April 27, the YLC, Podium RVA and sponsoring firms and organizations hosted an inaugural golf tournament designed to make the game of golf

accessible to professionals who have faced barriers to participating and are just getting started in the game. The YLC sourced loaner clubs for players who had never played, awarded prizes including free golf lessons and items to encourage participants to continue learning the sport, and raised just over \$5,000 for Podium RVA whose efforts in the community help to reach children who one day may enter our ranks as young lawyers. This program, spearheaded by the YLC President-Elect Ben Shute, was a first of its kind and had 34 participants, over 50% of whom were new or beginner golfers.

IV. Upcoming Programs and Meetings

5-Year Plan Working Group

Our working group to map the next 5 years of the YLC will conclude its work taking into account responses from our membership and the most recent guidance from the VSB Strategic Planning Initiative.

Bylaws Review Working Group

In light of the new FOIA rules, and because such review is necessary every few years, the YLC BOG has started a working group to suggest changes to our bylaws. We hope this review will help make our work more efficient, in part by making the bylaws more concise and by removing vague aspects that could lead to multiple interpretations.

Bench-Bar Relations Committee

On May 17, the committee will host a Bench-Bar Breakfast in Norfolk where approximately 30 lawyers will hear from a panel of esteemed judges on insightful topics.

VSB Annual Meeting – May 30 – June 1

- Judicial Squares

YLC volunteers have confirmed judges and justices and are preparing materials for this year's CLE program.

- YLC Dinner & Meeting

The YLC will host a Dinner meeting on Thursday evening instead of its standard Friday luncheon at the VSB Annual Meeting. During the dinner, the YLC board will host a meeting during which the Burnette Young Lawyer of the Year Award will be presented to Diamond C. Royster and the candidates for board positions for the 24-25 bar year will be elected. Additionally, Significant Service Awards will be presented to volunteers who have gone above and beyond, and plaques/gifts will be presented to board members who will be rolling off the board. Lastly, for the first time we will also host the Virginia Chapter of the American College of Trial Lawyers at our dinner. They will present the Chappell-Morris Award for young lawyers.

- 5k



The Annual Meeting Athletics committee is hosting its annual 5k on Friday morning at the Annual Meeting. Start time will move by 30 minutes to 7:00 a.m. to allow participating members more time to prepare to attend other morning events such as the CLSBA breakfast.

Admission & Orientation Ceremony

The next ceremony is scheduled for June 4, 2024, where the Supreme Court of Virginia will swear in newly licensed Virginia attorneys.

TBD: Empowered Women Empowering Women

YLC District 7 Representatives plan to host a program in late June where a addressing generational differences and creating successful multi-generational teams and retaining and advancing women in the legal profession.

Professional Development Conference

The YLC PDC is scheduled for June 7. This half-day conference will be presented in an all-virtual format so as to provide CLE courses to as many young lawyers as possible.

Leadership Institute – August 2024

The Young Lawyers Conference is already preparing for the next bar year which will be kicked off with a training/orientation program in Richmond, intended to onboard new volunteers and allow for networking between all YLC volunteers.

TAB 10



Virginia State Bar

1111 E. Main Street, Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

To: VSB Executive Committee and Council

From: Michael M. York, Legal Ethics Committee Chair & Emily F. Hedrick, Ethics
Counsel

Date: May 30, 2024

Re: Website Guidance on Generative AI Use by Lawyers

The attached information is posted on the Legal Ethics page of the VSB website, adjacent to other ethics questions and answers. The Legal Ethics Committee presents this to Council as an informational item so that Council is aware of the availability of this resource. Both the Legal Ethics Committee and the Committee on Technology and the Future Practice of Law are closely monitoring developments with generative AI and will address questions and issues as they arise.

Guidance on Generative Artificial Intelligence (posted on [VSB website](#))

By now it's well known that lawyers must pay attention to "the benefits and risks associated with relevant technology." Comment [6] to Rule 1.1. In the case of generative AI, those benefits and risks seem to be evolving by the day as the technology, and our skills to use it, rapidly develop. Nonetheless, a lawyer's basic ethical responsibilities have not changed, and many ethics issues involving generative AI are fundamentally similar to issues lawyers face when working with other technology or other people (both lawyers and nonlawyers). These resources attempt to provide some specific guidance on how to evaluate the benefits and risks of particular uses of generative AI and how to apply ethics rules and standards to generative AI applications.

Confidentiality

A lawyer must be aware of the Terms of Service and any other information about the possible use of information input into an AI model. Many free, publicly available models specifically instruct users not to input any confidential or sensitive information and any information input into such a model might be disclosed to other users or used as part of the model's training. Legal-specific products or internally-developed products that are not used or accessed by anyone outside of the firm may provide protection for confidential information, but lawyers must make reasonable efforts to assess that security and evaluate whether and under what circumstances confidential information will be protected from disclosure to third parties. It may be appropriate to consult with IT professionals or other experts before sharing confidential information with any generative AI product.

Disclosure to clients

There is no per se requirement to inform a client about the use of generative AI in their matter. Whether disclosure is necessary will depend on a number of factors, including the existence of any agreement with or instructions from the client on this issue, whether confidential information will be disclosed to the generative AI, and any risks to the client from the use of generative AI.

Competence and supervision

After a few high-profile instances of lawyers submitting court filings citing non-existent cases that were hallucinated by ChatGPT and Google Gemini (formerly Bard), many of those systems have made it more difficult to do legal research and obtain case citations. However, caution is still necessary, especially for general-purpose generative AI products; legal-specific products generally are linked to a legal research database and therefore should be more reliable with case citations. As with any legal research or drafting done by software or by a nonlawyer assistant, a lawyer has a duty to review the work done and verify that any citations are accurate (and real).

Beyond generating information that is simply false, generative AI might also produce information that is not completely accurate or is biased. These issues are thought to arise because of the information in the dataset used for training the models. For example, [IBM reported](#) that researchers found bias in Midjourney, a generative AI art generator. When Midjourney was asked to create images of people in certain professions, it showed a mix of ages, but the older people were always men.

Such issues are difficult to detect or address in advance because of the lack of information about how these systems work and what material they were trained on, so output must be

carefully evaluated to ensure that it is accurate and that it is consistent with the interests of the lawyer's client. Work product generated by generative AI should always be critically reviewed by the lawyer exercising independent judgment about the contents.

The duty of supervision extends to generative AI use by others in a law firm, and partners and other supervisory lawyers should consider whether Rule 5.1 requires adopting a policy on the use of generative AI, including education and safeguards on when use of generative AI is appropriate. Firms should also consider systems for tracking use of generative AI within the firm – for example, when it is used, what specific prompts and other information are used, and what output is generated.

Billing and fees

In all instances, fees must be reasonable and adequately explained to the client under Rule 1.5. A lawyer may not charge an hourly fee in excess of the time actually spent on the case and may not bill for time saved by using generative AI. The lawyer may bill for actual time spent using generative AI in a client's matter or may wish to consider alternative fee arrangements to account for the value generated by the use of generative AI. The lawyer may only charge the client for costs associated with generative AI if permitted by the fee agreement and by Rule 1.5; any costs passed along to the client and described to the client as costs must be actual costs and cannot be marked up. See [LEO 1850](#).

Court disclosure requirements

Some courts throughout the country have imposed requirements to certify whether generative AI has been used in any document filed with the court. The content and scope of these requirements vary depending on the court, and new requirements may be added at any time. A lawyer must determine whether any disclosure requirement applies to a filing that the lawyer is making and must comply with that requirement pursuant to Rule 3.4(d).

Resources from other bars

American Bar Association

The ABA has established a [task force](#) that is expected to issue a report this year. The task force mission is to (1) address the impact of AI on the legal profession and the practice of law, (2) provide insights on developing and using AI in a trustworthy and responsible manner, and (3) identify ways to address AI risks, with a focus on six critical issues: AI in the legal profession; AI risk management; AI and access to justice; AI governance; AI challenges: generative AI; AI in legal education.

The task force also provides resources including webinars, articles, and compilations of government policy statements.

State Bar of California

The State Bar of California issued [“Practical Guidance for the Use of Generative Artificial Intelligence in the Practice of Law,”](#) a document that describes itself as guiding principles rather than best practices and that demonstrates how to comply with lawyers' professional responsibility obligations while using generative AI products.

Florida Bar

The Florida Bar issued an [advisory ethics opinion](#) giving guidance on the use of generative AI in the practice of law, with specific discussions of appropriate billing for the use of generative AI and use of generative AI chatbots.

New Jersey Supreme Court

The New Jersey Supreme Court issued [preliminary guidelines](#) on the use of artificial intelligence by New Jersey lawyers.

New York State Bar Association

The NYSBA Task Force on Artificial Intelligence issued [a report](#) analyzing the legal ethics issues as well as the need for more education to make sure that lawyers and judges are handling the technology properly, the possible need for new legislation to govern AI, the impact that AI tools might have on access to the legal system, and whether there is a need for changes to the Rules of Professional Conduct to make it clear that lawyers should have the latest information on technology that improves the quality of legal services, determine whether the use of AI enhances legal services on a case-by-case basis, and be competent about how AI tools operate to better ensure that the research generated is legitimate.

Washington D.C. Bar

The DC Bar issued [Ethics Opinion 388](#), Attorneys' Use of Generative Artificial Intelligence in Client Matters.

TAB 11

MINUTES OF THE VIRGINIA STATE BAR EXECUTIVE COMMITTEE MEETING

Date: April 24, 2024, 10:30 a.m.

Location: Bank of America Building, 3rd floor conference room, 1111 E. Main Street,
Richmond

The VSB Executive Committee met in-person on Thursday, April 24, 2024. At 10:39 a.m., President Chidi I. James called the meeting to order. Nine (9) committee members attended in-person satisfying the meeting quorum requirement in Part I, Art. V, Sec. 2 of the Bylaws of the Virginia State Bar (VSB). There was no remote participation.

Committee members in attendance:

President Chidi I. James

Immediate Past President Stephanie E. Grana

Member Timothy R. Baskerville

Member Kyung N. "Kathryn" Dickerson

Member Bruce H. Russell II

Member E. M. Wright, Jr.

Conference of Local and Specialty Bar Associations Chair Dillina W. Stickley

Diversity Conference Chair Candace A. Blydenburgh

Senior Lawyers Conference Chair W. Carter Younger

Absent:

President-Elect Michael M. York

Member Veronica E. Meade

Member Joanna L. Suyes

Young Lawyers Conference President Craig E. Ellis

Also attending:

Cameron M. Rountree	VSB	Executive Director and Chief Operating Officer
Janet P. Van Cuyk	VSB	Deputy Executive Director
Renu M. Brennan	VSB	Bar Counsel
Crystal T. Hendrick	VSB	Director of Finance and Procurement
K. Brett Marston	VSB	President-Elect Designee
Shawne D. Moore	VSB	Assistant to the Executive Director
Caryn B. Persinger	VSB	Director of Communications
Maureen D. Stengel	VSB	Director of Bar Services

I. Reports and Information Items

A. President's Report

Chidi James reported on his activities. The President's Report dated April 24, 2024 was included in the materials provided to the Executive Committee. President James noted that he was unable to attend the Old Dominion Bar Association Winter Meeting on February 3, 2024. Also noted was the In

Memoriam section of the report. Renu Brennan made remarks to recognize the passing of former VSB President Bernard J. ("Ben") DiMuro, and Stephanie Grana noted the significance of the passing of John Pope Ellis. After remarks, the Committee held a moment of silence.

B. Executive Director's Report

Cameron Rountree reported on matters relating to the VSB and staff. The Executive Director's April 2024 report was included in the materials provided to the Executive Committee.

C. Financial Reports

Crystal Hendrick presented the VSB financial report. The Financial Report as of February 29, 2024, was included in the materials provided to the Executive Committee.

D. Bar Counsel Report

Renu Brennan reported on the activities in the Office of Bar Counsel. The Disciplinary System report dated March 27, 2024, was included in the materials provided to the Executive Committee.

II. Action Items

A. Minutes of the February 23, 2024 Meeting

Chidi James presented the minutes of the February 23, 2024 meeting. Cameron Rountree noted a change on Page 5 from Alison R. Mullins of Alexandria to Alison G. M. Martin of Richmond for appointment as Second vice-Chair of the 2024-2025 Disciplinary Board. A motion was made by Bruce Russell II and seconded by Stephanie Grana to approve the minutes of the February 23, 2024 meeting, as amended.

The Executive Committee voted unanimously to approve the minutes of the February 23, 2024 meeting, as amended.

B. Approval of the Nominating Committee's Recommendation for the 2024-2025 Disciplinary Board

Stephanie Grana presented the request for approval of the Nominating Committee's Recommendation for the 2024-2025 Disciplinary Board. A copy of the Nominating Committee memo dated April 24, 2024, was included in the materials provided to the Executive Committee. A motion was made by Timothy Baskerville and seconded by Bruce Russell II to accept and approve the recommendation of the Nominating Committee to appoint member Melanie A. Friend of Chesterfield to the 2024-2025 Disciplinary Board and send its' recommendation to the Supreme Court.

The Executive Committee voted unanimously to approve the recommendation of the Nominating Committee to appoint member Melanie A. Friend of

Chesterfield to the 2024-2025 Disciplinary Board and send its' recommendation to the Supreme Court.

C. Approval of Member Request for a Change in Membership Status

Cameron Rountree presented the request for a change in membership status from member Maureen O'Malley of Waynesboro, Pennsylvania. A copy of the letter dated February 28, 2024, from Maureen O'Malley, requesting a change in membership status from Disabled to Retired was included in materials provided to the Executive Committee. A motion was made by E. M. Wright, Jr. and seconded by Candace Blydenburgh to approve the request from member Maureen O'Malley for a change in membership status from Disabled to Retired.

The Executive Committee voted unanimously to approve the request from member Maureen O'Malley for a change in membership status from Disabled to Retired.

D. Approval of the Criminal Law Section Request for a Budget Increase

Maureen Stengel presented the Request for Approval of a Budget Income Adjustment for FY25 for the Criminal Law Section. A copy of the memo dated April 24, 2024, requesting an increase in section dues from \$20 to \$30, was included in the materials provided to the Executive Committee. After a discussion, a motion was made by Bruce Russell II and seconded by Timothy Baskerville to vote to approve the request for a Criminal Law Section budget increase by increasing section dues from \$20 to \$30.

The Executive Committee voted unanimously to approve the request for a Criminal Law Section budget increase by increasing section dues from \$20 to \$30.

E. Approval of the Business Law Section Solicitation Request

Maureen Stengel presented the request for Approval of the Business Law Section Solicitation Request. A copy of the VSB Request Form for Solicitation of Grants and Other Funds for the Business Law Section Advanced Business CLE 2024, dated April 4, 2024, was included in the materials provided to the Executive Committee. A motion was made by Dillina Stickley and seconded by W. Carter Younger to vote to approve the solicitation request for the Business Law Section Advanced Business CLE 2024.

The Executive Committee voted unanimously to approve the solicitation request for the Business Law Section Advanced Business CLE 2024.

F. Approval of the Young Lawyers Conference Solicitation Request

Maureen Stengel presented the request for Approval of the Young Lawyer's Conference Solicitation Request. A copy of the VSB Request Form for Solicitation of Grants and Other Funds for the Young Lawyer's Conference YLC District Representative Programming for Bar Year 2024-2025, dated April

17, 2024, was included in the materials provided to the Executive Committee. A motion was made by W. Carter Younger and seconded by Candace Blydenburgh to vote to approve the solicitation request for the YLC District Representative Programming for Bar Year 2024-2025.

The Executive Committee voted unanimously to approve the request the solicitation request for YLC District Representative Programming for Bar Year 2024-2025

There being no other business for the Committee, President James solicited a motion to adjourn. A motion was made by Timothy Baskerville and seconded by Bruce Russell II to adjourn the meeting.

At 11:45 a.m. the meeting was adjourned.

MINUTES OF THE VIRGINIA STATE BAR COUNCIL MEETING

Date: February 24, 2024, 9:00 am
Location: Omni Richmond Hotel, 110 S. 12th Street, Richmond

The Virginia State Bar Council met in-person on Saturday, February 24, 2024. At 9:07 am, President Chidi I. James called the meeting to order. Sixty-three (63) committee members attended in-person satisfying the meeting quorum requirement in Part I, Art. V, Sec. 2 of the Bylaws of the Virginia State Bar (VSB). There was no remote participation.

Committee members in attendance:

President Chidi I. James
President-elect Michael M. York
Immediate Past President Stephanie E. Grana

Circuit 1	D.J. Hansen	Circuit 19	Tamika D. Jones
Circuit 2	Jeremiah A. "Jake" Denton IV	Circuit 19	Paul H. Melnick
Circuit 2	Bretta Zimmer Lewis	Circuit 19	Nathan J. Olson
Circuit 3	Matthew R. Foster	Circuit 19	Luis A. Perez
Circuit 4	Corrynn J. Peters	Circuit 19	Debra L. Powers
Circuit 4	Caswell W. Richardson	Circuit 19	Gina L. Schaecher
Circuit 5	Thomas G. Shaia	Circuit 19	Gobind S. Sethi
Circuit 6	Derek A. Davis	Circuit 19	Robert B. "Bob" Walker
Circuit 7	Patrick C. Murphrey	Circuit 20	R. Penn Bain
Circuit 8	Veronica E. Meade	Circuit 20	Marie E. Washington
Circuit 9	Susan B. Tarley	Circuit 21	G. Andrew Hall
Circuit 10	E. M. Wright, Jr.	Circuit 22	W. Huntington "Hunter" Byrnes, Sr.
Circuit 13	Timothy R. Baskerville	Circuit 23	Kevin W. Holt
Circuit 13	Jonathan M. Petty	Circuit 24	Hope R. Townes
Circuit 13	Cullen D. Seltzer	Circuit 25	David B. "Brian" Richardson
Circuit 13	Samuel T. Towell	Circuit 26	Peter K. McDermott II
Circuit 13	Susheela Varky	Circuit 27	W. Grant Back
Circuit 14	William J. Egen	Circuit 28	Bruce H. Russell II
Circuit 14	Joel R. McClellan	Circuit 29	Bradley D. Fleming
Circuit 15	Allen F. Bareford	Circuit 30	D. Sue Baker
Circuit 16	Richard H. Howard-Smith	Circuit 31	Anna B. Bristle
Circuit 16	Ann Marie Park	Member at Large	Lenard T. Myers, Jr.
Circuit 17	Carole H. Capsalis	Member at Large	Molly E. Newton
Circuit 17	Jennifer S. Golden	Member at Large	Lonnie D. "Chip" Nunley III
Circuit 18	Nicholas J. Gehrig	Member at Large	Nicole E. Upshur
Circuit 18	Sebastian M. Norton	Member at Large	Lisa A. Wilson
Circuit 18	Todd A. Pilot	CLSBA Chair-elect	Christine H. Mougins-Boal
Circuit 19	Susan M. Butler	DC Chair	Candace A. Blydenburgh
Circuit 19	Stephen K. Gallagher	SLC Chair	W. Carter Younger
Circuit 19	Chidinma U. Harley	YLC President	Craig E. Ellis

Absent:

Circuit 2	Naveed Kalantar
Circuit 4	Charlene A. Moring
Circuit 11	Dale W. Pittman
Circuit 12	P. George Eliades II
Circuit 13	Mark D. Dix
Circuit 13	Henry I. Willett III
Circuit 14	Thomas A. Edmonds
Circuit 17	G. L. "Rex" Flynn, Jr.
Circuit 17	Adam M. Krischer
Circuit 17	David E. Sher
Circuit 19	Gary V. Davis
Circuit 19	Kyung N. "Kathryn" Dickerson
Circuit 19	Carly J. Hart
Circuit 23	Daniel P. Frankl
Member at Large	Patricia E. Smith
Member at Large	Joanna L. Suyes
Member at Large	David P. Weber
CLSBA Chair	Dillina W. Stickley

Council Invitees:

David J. Gogal	Virginia Law Foundation
Shelia B. Holmes	Old Dominion Bar Association
Alison R. Mullins	Virginia Women Attorneys Association
Valerie O'Brien	Virginia Trial Lawyers Association
K. Danielle Payne	Virginia Association of Criminal Defense Lawyers
W. Ryan Snow	Virginia Bar Association
Shannon L. Taylor	Virginia Association of Commonwealth's Attorneys
T. Vaden Warren, Jr.	Virginia Trial Lawyers Association

Also attending:

Cameron M. Rountree	VSB Executive Director and Chief Operating Officer
Janet P. Van Cuyk	VSB Deputy Executive Director
Renu M. Brennan	VSB Bar Counsel
Marni E. Byrum	VSB Standing Committee on Budget and Finance chair
DaVida M. Davis	VSB Director of Regulatory Compliance
Joanne "Jo" Fronfelter	VSB Clerk of the Disciplinary System
Crystal T. Hendrick	VSB Director of Finance and Procurement
Lauren P. Langle	VSB Deputy Director of Regulatory Compliance
Kevin E. Martingayle	VSB Mandatory Continuing Legal Education Board member
Shawne D. Moore	VSB Assistant to the Executive Director
Caryn B. Persinger	VSB Director of Communications
Aidan Stengel	VSB IT Specialist
Maureen D. Stengel	VSB Director of Bar Services
Jennifer J. West	VSB Standing Committee on Lawyer Discipline member

I. Reports and Information Items

A. President's Report

President Chidi I. James reported on his activities. The President's Report for February 2024 was included in the materials provided to Council. President James highlighted the In Memoriam section of the report and requested Cameron M. Rountree was invited to say a few words about the late Hon. Robert G. Doumar, a U. S. District Court Judge for the Eastern District. W. Carter Younger was asked to say a few words to recognize the passing of former VSB Bar President Edward B. Lowry. Afterwards, a moment of silence was held.

B. Executive Director's Report

Executive Director Cameron M. Rountree reported on matters relating to the VSB. The Executive Director's February 2024 report was included in the materials provided to Council.

C. Financial Reports

Director of Finance Crystal T. Hendrick presented the VSB financial report. The Financial Report as of December 31, 2023, was included in the materials provided to Council.

D. Bar Counsel Report

Bar Counsel Renu M. Brennan reported on the activities in the Office of Bar Counsel. The Disciplinary System report dated January 31, 2024, and the Supplement to Bar Counsel Report for February 2024, were included in the materials provided to Council.

E. Conference of Local & Specialty Bar Associations Report

Chair-elect Christine H. Mougin-Boal reported on the activities of the Conference of Local & Specialty Bar Associations (CLSBA) on behalf of Chair Dillina W. Stickley. A copy of the CLSBA report dated February 23-24, 2024, was included in the materials provided to Council.

F. Diversity Conference Report

Chair Candace A. Blydenburgh presented the report on the activities of the Diversity Conference. The Report of the Diversity Conference dated January 29, 2024 was included in the materials provided to Council.

G. Senior Lawyers Conference Report

Chair W. Carter Younger reported on the activities of the Senior Lawyers Conference. The Report of the Senior Lawyers Conference dated February 24, 2024, was included in the materials provided to Council.

H. Young Lawyer Conference Report

Young Lawyer Conference (YLC) President Craig E. Ellis reported on the activities of the YLC. The YLC President's Report dated February 2024 was included in the materials provided to Council.

I. Mandatory Continuing Legal Education Board Report (MCLE)

Board member Kevin E. Martingayle provided an informational summary of the MCLE recommendations for increasing MCLE sponsor fees:

1. To recoup VSB expenses from course sponsors due to rising costs, and
2. To ameliorate the vast gulf between what non-accredited and law firm sponsors pay, on the one hand, compared to what accredited sponsors pay on the other.

A copy of the Board Recommendation for Sponsor Fee Increase dated February 2024 was made available electronically on the VSB website.

II. Action Items

A. Minutes of the October 13, 2023 Meeting

President Chidi I. James presented the minutes of the October 13, 2023, meeting and solicited a motion. A motion was made by Bruce H. Russell II and seconded by Luis A. Perez to approve the minutes of the October 13, 2023, meeting.

The motion passed and Council approved the minutes of the October 13, 2023, meeting. Members Carole H. Capsalis, Peter K. McDermott II, and Molly E. Newton voted “yes” verbally. Member Anna B. Bristle verbally voted to “abstain.” All other members voted using the electronic Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

B. Approval of the VSB FY 2025 Proposed Budget

Budget and Finance Committee Chair Marni Byrum presented the FY 2025 Proposed Budget on behalf of the committee. A copy of the memorandum dated January 26, 2024, from the Director of Finance and Procurement, and the FY 2025 Proposed Budget were included in the materials provided to Council. A motion was made by Stephanie E. Grana and seconded by Bruce H. Russell II to approve the committee’s request for approval to send the proposed budget for FY 2025 to the Supreme Court for approval.

The motion passed and Council approved the request. Members Carole H. Capsalis and Caswell W. Richardson voted “yes” verbally. All other members voted using the electronic Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

C. Approval of Proposed changes to Paragraph 13-5 and Bylaws of the Council, Article VIII, Section 2 to add a third lay member to the Committee on Lawyer Discipline (COLD)

Committee member, and subcommittee chair, Jennifer J. West presented the request for Approval of Proposed changes to Paragraph 13-5 and Bylaws of the Council, Article VIII, Section 2 to add a third lay member on behalf of the COLD Oversight Subcommittee. A copy of the memo dated January 25, 2024, from Bar Counsel on the proposed revisions to Part Six, Section IV, Paragraph

13-5 (“Para. 13-5” Authority and Duties of COLD) of the Rules of the Supreme Court of Virginia and Bylaws of the Virginia State Bar and Council, Part II, Article VIII, Section 2 (“VSB Bylaws”) was included in materials provided to Council. After a discussion, a motion was made by Susan B. Tarley and seconded by Bruce H. Russell II to approve the subcommittee’s request for approval to add a third lay member to COLD, and to send to the Supreme Court.

The motion passed and Council approved the request. Members Paul H. Melnick and Michael M. York voted “yes” verbally. All other members voted using the electronic Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

D. Approval of Nominating Committee Recommendations for 2024-2025

Nominating Committee Chair Stephanie E. Grana presented the request for approval of the Nominating Committee Recommendations for 2024-2025. A copy of the Nominating Committee Report dated January 24, 2024, was included in the materials provided to Council. A motion was made by Tamika D. Jones and seconded by Luis A. Perez to accept and approve the recommendations of the Nominating Committee for the American Bar Association House of Delegates and the Clients’ Protection Fund Board, and to approve and send the recommendations for Council Members at Large, Disciplinary Board and Mandatory Continuing Legal Education Board to the Supreme Court for appointment to the appropriate entities.

- American Bar Association House of Delegates
 - Weiner, Brianna B., Fairfax/YLC Member
- Clients’ Protection Fund Board
 - Reiner, Jacqueline M., Richmond
 - Engle, Elizabeth G., Charlottesville
 - Owens, Mary K. B., Chesterfield
- Council Members at Large
 - Suyes, Joanna L., Richmond
 - Upshur, Nicole E., Virginia Beach
 - Ellis, Craig E., Fairfax
- Disciplinary Board
 - Royer, Jennifer D., Attorney-Roanoke
 - Gibney, Yvonne S., Attorney-Chesterfield
 - Moore, Michael C., Attorney-Henrico
 - Massenberg, Jr., Samuel E., Lay Member-Haymarket
- Mandatory Continuing Legal Education Board
 - Mullins, Alison R., Alexandria
 - Lehman, Jessica R., Fairfax
 - Obregón, Raymond J., Fairfax

The motion passed and Council approved the request. Member Craig E. Ellis verbally voted to “abstain.” All other members voted using the electronic Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

E. Approval of 2024-2025 Disciplinary Board Chair and Vice-Chair Recommendations

Council Member at Large Lisa A. Wilson presented a request from the Disciplinary Board. A copy of the memorandum from the Clerk of the Disciplinary System dated January 26, 2024, was included in the materials provided to Council. A motion was made by Bruce H. Russell II and seconded by Samuel T. Towell to accept the recommendations of the board and send them to the Supreme Court for appointment.

1. David J. Gogal, Chair.
2. Jennifer D. Royer, First Vice-Chair.

The motion passed and Council approved the request. Members voted using the electronic Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

F. Presentation of Council Service Award to Samuel T. Towell

President Chidi I. James presented a Council Service Award to Samuel T. Towell, with deep appreciation for significant service as a member of Council from July 2022 to March 2024. On January 24, 2024, Mr. Towell was appointed by the General Assembly to the State Corporation Commission as a Commissioner.

There being no other business for the Council, at 11:08 am the meeting was adjourned.

A. Do You Approve of the Minutes from October 13, 2023 Meeting?

Results Summary

Response	Count
Yes	51
No	0
Abstain	2
Total	53

Individual Results:

Response #	Created At	Screen name	Response
1	2/24/2024 9:40	Debra Powers	Yes
2	2/24/2024 9:40	Nathan Olson	Yes
3	2/24/2024 9:40	e m wright jr	Yes
4	2/24/2024 9:39	Susheela Varky	Yes
5	2/24/2024 9:39	Jonathan Petty	Yes
6	2/24/2024 9:39	Ann Marie Park	Yes
7	2/24/2024 9:39	Susie Baker	Yes
8	2/24/2024 9:39	Nick Gehrig	Yes
9	2/24/2024 9:39	Bruce Russell	Yes
10	2/24/2024 9:39	Jeremiah Denton IV	Yes
11	2/24/2024 9:39	Chidi James	Yes
12	2/24/2024 9:39	Kevin W. Holt	Yes
13	2/24/2024 9:39	Susan Tarley	Yes
14	2/24/2024 9:39	Chidinma Harley	Yes
15	2/24/2024 9:39	Luis Perez	Yes
16	2/24/2024 9:39	Candace Blydenburgh	Yes
17	2/24/2024 9:39	W. Grant Back	Yes
18	2/24/2024 9:39	Chip Nunley	Yes
19	2/24/2024 9:39	Lenard Myers	Yes
20	2/24/2024 9:39	Lisa Wilson	Yes
21	2/24/2024 9:39	Michael York	Yes
22	2/24/2024 9:39	Hope Townes	Yes
23	2/24/2024 9:39	Richard Howard-Smith	Yes
24	2/24/2024 9:39	Sam Towell	Yes
25	2/24/2024 9:39	Christine Mougin-Boal	Yes
26	2/24/2024 9:39	Wells Huntington Byrnes	Yes
27	2/24/2024 9:39	W. Carter Younger	Yes
28	2/24/2024 9:39	Nicole Upshur	Yes
29	2/24/2024 9:39	Gina Schaecher	Yes
30	2/24/2024 9:39	Gobind Sethi	Yes

A. Do You Approve of the Minutes from the October 13, 2023 Meeting?

31	2/24/2024 9:39	Penn Bain	Yes
32	2/24/2024 9:39	Robert Walker	Yes
33	2/24/2024 9:39	Todd Pilot	Yes
34	2/24/2024 9:39	Corrynn Peters	Yes
35	2/24/2024 9:39	Derek Davis	Yes
36	2/24/2024 9:39	DJ Hansen	Yes
37	2/24/2024 9:39	William Egen	Yes
38	2/24/2024 9:39	Joel McClellan	Yes
39	2/24/2024 9:39	Allen Bareford	Yes
40	2/24/2024 9:39	Paul Melnick	Yes
41	2/24/2024 9:39	Patrick C. Murphrey	Yes
42	2/24/2024 9:39	Stephen Gallagher	Yes
43	2/24/2024 9:39	Tamika Jones	Yes
44	2/24/2024 9:39	Bretta Lewis	Yes
45	2/24/2024 9:39	D Brian Richardson	Yes
46	2/24/2024 9:39	Stephanie Grana	Yes
47	2/24/2024 9:39	Glen Andrew Hall	Yes
48	2/24/2024 9:39	Matthew Foster	Yes
49	2/24/2024 9:39	Sebastian Norton	Yes
50	2/24/2024 9:39	J. Golden	Yes
51	2/24/2024 9:39	Susan Butler	Yes
52	2/24/2024 9:39	Jim Hundley	Abstain
53	2/24/2024 9:39	Thomas Shaia	Abstain

B. Do You Approve of the VSB Fiscal Year 2025 Proposed Budget?

Results Summary:

Response	Count
Yes	59
No	0
Abstain	0
Total	59

Individual Results:

Response #	Created At	Screen name	Response
1	2/24/2024 9:47	Brad Fleming	Yes
2	2/24/2024 9:46	Todd Pilot	Yes
3	2/24/2024 9:46	Susan Butler	Yes
4	2/24/2024 9:46	Nicole Upshur	Yes
5	2/24/2024 9:45	Susie Baker	Yes
6	2/24/2024 9:45	Peter McDermott	Yes
7	2/24/2024 9:45	Chidinma Harley	Yes
8	2/24/2024 9:45	Sam Towell	Yes
9	2/24/2024 9:45	Susan Tarley	Yes
10	2/24/2024 9:45	Anna Bristle	Yes
11	2/24/2024 9:45	Debra Powers	Yes
12	2/24/2024 9:45	Tim Baskerville	Yes
13	2/24/2024 9:45	Derek Davis	Yes
14	2/24/2024 9:45	Richard Howard-Smith	Yes
15	2/24/2024 9:45	Cullen Seltzer	Yes
16	2/24/2024 9:45	Lisa Wilson	Yes
17	2/24/2024 9:45	W. Grant Back	Yes
18	2/24/2024 9:45	Molly Newton	Yes
19	2/24/2024 9:45	Gina Schaecher	Yes
20	2/24/2024 9:45	Chidi James	Yes
21	2/24/2024 9:45	Jim Hundley	Yes
22	2/24/2024 9:45	William Egen	Yes
23	2/24/2024 9:45	Gobind Sethi	Yes
24	2/24/2024 9:45	Kevin W. Holt	Yes
25	2/24/2024 9:45	Glen Andrew Hall	Yes
26	2/24/2024 9:45	Christine Mouglin-Boal	Yes
27	2/24/2024 9:45	Allen Bareford	Yes
28	2/24/2024 9:45	Chip Nunley	Yes
29	2/24/2024 9:45	Ann Marie Park	Yes

B. Do You Approve of the VSB Fiscal Year 2025 Proposed Budget?

30	2/24/2024 9:45	Thomas Shaia	Yes
31	2/24/2024 9:45	Patrick C. Murphrey	Yes
32	2/24/2024 9:45	W. Carter Younger	Yes
33	2/24/2024 9:45	Corrynn Peters	Yes
34	2/24/2024 9:45	Jennifer Golden	Yes
35	2/24/2024 9:45	Stephen Gallagher	Yes
36	2/24/2024 9:45	Paul Melnick	Yes
37	2/24/2024 9:45	D Brian Richardson	Yes
38	2/24/2024 9:45	Penn Bain	Yes
39	2/24/2024 9:45	Jeremiah Denton IV	Yes
40	2/24/2024 9:45	Hope Townes	Yes
41	2/24/2024 9:45	Robert Walker	Yes
42	2/24/2024 9:45	Susheela Varky	Yes
43	2/24/2024 9:45	Nathan Olson	Yes
44	2/24/2024 9:45	Tamika Jones	Yes
45	2/24/2024 9:45	Nick Gehrig	Yes
46	2/24/2024 9:45	e m wright jr	Yes
47	2/24/2024 9:45	Bretta Lewis	Yes
48	2/24/2024 9:45	Michael York	Yes
49	2/24/2024 9:45	Candace Blydenburgh	Yes
50	2/24/2024 9:45	Lenard Myers	Yes
51	2/24/2024 9:45	Wells Huntington Byrnes	Yes
52	2/24/2024 9:45	Jonathan Petty	Yes
53	2/24/2024 9:45	DJ Hansen	Yes
54	2/24/2024 9:45	Luis Perez	Yes
55	2/24/2024 9:45	Bruce Russell	Yes
56	2/24/2024 9:45	Stephanie Grana	Yes
57	2/24/2024 9:45	Joel McClellan	Yes
58	2/24/2024 9:45	Matthew Foster	Yes
59	2/24/2024 9:45	Sebastian Norton	Yes

C. Do You Approve of the Proposed Changes to Paragraph 13-5 and the Bylaws of the Council, Article VIII, Section 2 to Add a Third Lay Member to the Committee on Lawyer Discipline?

Results Summary:

Response	Count
Yes	55
Abstain	3
No	2
Total	60

Individual Results:

Response #	Created At	Screen name	Response
1	2/24/2024 9:54	Susie Baker	Yes
2	2/24/2024 9:54	Allen Bareford	Yes
3	2/24/2024 9:54	Carole capsalis	Yes
4	2/24/2024 9:54	Gina Schaecher	Yes
5	2/24/2024 9:54	Chidi James	Yes
6	2/24/2024 9:54	Stephanie Grana	Yes
7	2/24/2024 9:54	Chip Nunley	Yes
8	2/24/2024 9:54	Tim Baskerville	Yes
9	2/24/2024 9:54	Jonathan Petty	Yes
10	2/24/2024 9:54	Peter McDermott	Yes
11	2/24/2024 9:54	Todd Pilot	Yes
12	2/24/2024 9:54	Derek Davis	Yes
13	2/24/2024 9:54	W. Grant Back	Yes
14	2/24/2024 9:54	Molly Newton	Yes
15	2/24/2024 9:54	Nick Gehrig	Yes
16	2/24/2024 9:54	Jennifer Golden	Yes
17	2/24/2024 9:54	Ann Marie Park	Yes
18	2/24/2024 9:54	e m wright jr	Yes
19	2/24/2024 9:53	Hope Townes	Yes
20	2/24/2024 9:53	Glen Andrew Hall	Yes
21	2/24/2024 9:53	Gobind Sethi	Yes
22	2/24/2024 9:53	Christine Mougin-Boal	Yes
23	2/24/2024 9:53	Corrynn Peters	Yes
24	2/24/2024 9:53	Robert Walker	Yes
25	2/24/2024 9:53	Sam Towell	Yes
26	2/24/2024 9:53	Patrick C. Murphrey	Yes
27	2/24/2024 9:53	Tamika Jones	Yes

C. Do You Approve of the Proposed Changes to Paragraph 13-5 and the Bylaws of the Council, Article VIII, Section 2 to Add a Third Lay Member to the Committee on Lawyer Discipline?

28	2/24/2024 9:53	Bretta Lewis	Yes
29	2/24/2024 9:53	Cas Richardson	Yes
30	2/24/2024 9:53	Lisa Wilson	Yes
31	2/24/2024 9:53	Wells Huntington Byrnes	Yes
32	2/24/2024 9:53	Brad Fleming	Yes
33	2/24/2024 9:53	Kevin W. Holt	Yes
34	2/24/2024 9:53	Anna Bristle	Yes
35	2/24/2024 9:53	W. Carter Younger	Yes
36	2/24/2024 9:53	Lenard Myers	Yes
37	2/24/2024 9:53	Debra Powers	Yes
38	2/24/2024 9:53	Bruce Russell	Yes
39	2/24/2024 9:53	Susan Butler	Yes
40	2/24/2024 9:53	Nicole Upshur	Yes
41	2/24/2024 9:53	Richard Howard-Smith	Yes
42	2/24/2024 9:53	Candace Blydenburgh	Yes
43	2/24/2024 9:53	Thomas Shaia	Yes
44	2/24/2024 9:53	Joel McClellan	Yes
45	2/24/2024 9:53	DJ Hansen	Yes
46	2/24/2024 9:53	Jeremiah Denton IV	Yes
47	2/24/2024 9:53	William Egen	Yes
48	2/24/2024 9:53	Susheela Varky	Yes
50	2/24/2024 9:53	Matthew Foster	Yes
51	2/24/2024 9:53	Penn Bain	Yes
52	2/24/2024 9:53	Cullen Seltzer	Yes
53	2/24/2024 9:53	Sebastian Norton	Yes
54	2/24/2024 9:53	Susan Tarley	Yes
55	2/24/2024 9:53	Chidinma Harley	Yes
56	2/24/2024 9:54	D Brian Richardson	No
57	2/24/2024 9:53	Jim Hundley	No
58	2/24/2024 9:54	Luis Perez	Abstain
59	2/24/2024 9:53	Nathan Olson	Abstain
60	2/24/2024 9:53	Stephen Gallagher	Abstain

D. Do You Approve of the Nominating Committee Recommendations?

Results Summary:

Response	Count
Yes	58
No	0
Abstain	2
Total	60

Individual Results:

Response #	Created At	Screen name	Response
1	2/24/2024 9:59	Stephanie Grana	Yes
2	2/24/2024 9:59	Todd Pilot	Yes
3	2/24/2024 9:59	Cas Richardson	Yes
4	2/24/2024 9:59	Corrynn Peters	Yes
5	2/24/2024 9:59	Robert Walker	Yes
6	2/24/2024 9:59	Chidi James	Yes
7	2/24/2024 9:59	Peter McDermott	Yes
8	2/24/2024 9:58	Cullen Seltzer	Yes
9	2/24/2024 9:58	Chidinma Harley	Yes
10	2/24/2024 9:58	Tim Baskerville	Yes
11	2/24/2024 9:58	Candace Blydenburgh	Yes
12	2/24/2024 9:58	Debra Powers	Yes
13	2/24/2024 9:58	Hope Townes	Yes
14	2/24/2024 9:58	Lisa Wilson	Yes
15	2/24/2024 9:58	Jeremiah Denton IV	Yes
16	2/24/2024 9:58	D Brian Richardson	Yes
17	2/24/2024 9:58	Allen Bareford	Yes
18	2/24/2024 9:58	Matthew Foster	Yes
19	2/24/2024 9:58	Carole capsalis	Yes
20	2/24/2024 9:58	Jim Hundley	Yes
21	2/24/2024 9:58	Glen Andrew Hall	Yes
22	2/24/2024 9:58	Gina Schaecher	Yes
23	2/24/2024 9:58	Susie Baker	Yes
24	2/24/2024 9:58	Paul Melnick	Yes
25	2/24/2024 9:58	Kevin W. Holt	Yes
26	2/24/2024 9:58	W. Carter Younger	Yes
27	2/24/2024 9:58	Michael York	Yes
28	2/24/2024 9:58	Susheela Varky	Yes
29	2/24/2024 9:58	Christine Mougín-Boal	Yes

D. Do You Approve of the Nominating Committee Recommendations?

30	2/24/2024 9:58	Ann Marie Park	Yes
31	2/24/2024 9:58	Thomas Shaia	Yes
32	2/24/2024 9:58	Richard Howard-Smith	Yes
33	2/24/2024 9:58	Nathan Olson	Yes
34	2/24/2024 9:58	Brad Fleming	Yes
35	2/24/2024 9:58	DJ Hansen	Yes
36	2/24/2024 9:58	William Egen	Yes
37	2/24/2024 9:58	Molly Newton	Yes
38	2/24/2024 9:58	Susan Tarley	Yes
39	2/24/2024 9:58	Susan Butler	Yes
40	2/24/2024 9:58	Gobind Sethi	Yes
41	2/24/2024 9:58	Sebastian Norton	Yes
42	2/24/2024 9:58	Derek Davis	Yes
43	2/24/2024 9:58	Anna Bristle	Yes
44	2/24/2024 9:58	Lenard Myers	Yes
45	2/24/2024 9:58	Bretta Lewis	Yes
46	2/24/2024 9:58	W. Grant Back	Yes
47	2/24/2024 9:58	Chip Nunley	Yes
48	2/24/2024 9:58	Wells Huntington Byrnes	Yes
49	2/24/2024 9:58	Patrick C. Murphrey	Yes
50	2/24/2024 9:58	Penn Bain	Yes
51	2/24/2024 9:58	Nick Gehrig	Yes
52	2/24/2024 9:58	e m wright jr	Yes
53	2/24/2024 9:58	Tamika Jones	Yes
54	2/24/2024 9:58	Jonathan Petty	Yes
55	2/24/2024 9:58	Joel McClellan	Yes
56	2/24/2024 9:58	Jennifer Golden	Yes
57	2/24/2024 9:58	Sam Towell	Yes
58	2/24/2024 9:58	Luis Perez	Yes
59	2/24/2024 9:58	Nicole Upshur	Abstain
60	2/24/2024 9:58	Bruce Russell	Abstain

E. Do You Approve of the 2024-2025 Disciplinary Board Chair and Vice-Chair Recommendations?

Results Summary:

Response	Count
Yes	53
No	0
Abstain	3
Total	56

Individual Results:

Response #	Created At	Screen name	Response
1	2/24/2024 10:02	Christine Mougin-Boal	Yes
2	2/24/2024 10:02	Debra Powers	Yes
3	2/24/2024 10:02	Penn Bain	Yes
4	2/24/2024 10:02	Todd Pilot	Yes
5	2/24/2024 10:02	Chip Nunley	Yes
6	2/24/2024 10:02	Cas Richardson	Yes
7	2/24/2024 10:02	Lisa Wilson	Yes
8	2/24/2024 10:02	Stephanie Grana	Yes
9	2/24/2024 10:02	Bruce Russell	Yes
10	2/24/2024 10:02	Derek Davis	Yes
11	2/24/2024 10:02	Hope Townes	Yes
12	2/24/2024 10:02	Molly Newton	Yes
13	2/24/2024 10:02	Ann Marie Park	Yes
14	2/24/2024 10:02	Peter McDermott	Yes
15	2/24/2024 10:02	Gina Schaecher	Yes
16	2/24/2024 10:02	Chidi James	Yes
17	2/24/2024 10:02	Paul Melnick	Yes
18	2/24/2024 10:02	Sam Towell	Yes
19	2/24/2024 10:02	Glen Andrew Hall	Yes
20	2/24/2024 10:02	Candace Blydenburgh	Yes
21	2/24/2024 10:02	Matthew Foster	Yes
22	2/24/2024 10:02	W. Grant Back	Yes
23	2/24/2024 10:02	Carole capsalis	Yes
24	2/24/2024 10:02	Allen Bareford	Yes
25	2/24/2024 10:02	Lenard Myers	Yes
26	2/24/2024 10:02	Kevin W. Holt	Yes
27	2/24/2024 10:02	D Brian Richardson	Yes
28	2/24/2024 10:02	Susie Baker	Yes

E. Do You Approve of the 2024-2025 Disciplinary Board Chair and Vice-Chair Recommendations?

29	2/24/2024 10:02	Richard Howard-Smith	Yes
30	2/24/2024 10:02	Nicole Upshur	Yes
31	2/24/2024 10:02	Robert Walker	Yes
32	2/24/2024 10:02	Susan Butler	Yes
33	2/24/2024 10:02	Brad Fleming	Yes
34	2/24/2024 10:02	Cullen Seltzer	Yes
35	2/24/2024 10:02	Jeremiah Denton IV	Yes
36	2/24/2024 10:02	Susheela Varky	Yes
37	2/24/2024 10:02	Michael York	Yes
38	2/24/2024 10:02	Bretta Lewis	Yes
39	2/24/2024 10:02	Tamika Jones	Yes
40	2/24/2024 10:02	Thomas Shaia	Yes
41	2/24/2024 10:02	Jim Hundley	Yes
42	2/24/2024 10:02	Wells Huntington Byrnes	Yes
43	2/24/2024 10:02	Corrynn Peters	Yes
44	2/24/2024 10:02	DJ Hansen	Yes
45	2/24/2024 10:02	Patrick C. Murphrey	Yes
46	2/24/2024 10:02	e m wright jr	Yes
47	2/24/2024 10:02	Gobind Sethi	Yes
48	2/24/2024 10:02	Jennifer Golden	Yes
49	2/24/2024 10:02	Sebastian Norton	Yes
50	2/24/2024 10:02	Joel McClellan	Yes
51	2/24/2024 10:02	Jonathan Petty	Yes
52	2/24/2024 10:02	Susan Tarley	Yes
53	2/24/2024 10:02	William Egen	Yes
54	2/24/2024 10:02	Chidinma Harley	Abstain
55	2/24/2024 10:02	Nathan Olson	Abstain
56	2/24/2024 10:02	Tim Baskerville	Abstain

TAB 12



Virginia State Bar

1111 E. Main Street, Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

To: The Virginia State Bar Executive Committee and State Bar Council

From: Vivian R. Byrd, Clients' Protection Fund Administrator

Date: April 30, 2024

Re: Clients' Protection Fund Board Rule Revisions adopted on February 1, 2024, and April 19, 2024

On February 1, 2024, the Clients' Protection Fund Board approved rule revisions to become effective on June 1, 2024, stating that a Petitioner is not required to submit separate petitions if the Petitioner's claim has different components; clarifying the process if a Petitioner submits an Amended Petition; clarifying the Petitioner's duty to submit documentation, including tax identification information, before receiving a payment; and addressing the effect of non-negotiated payments. The board also adopted a written Consent Agenda Policy making claims for \$5,000.00 or less eligible for inclusion on a consent agenda for consideration by the board.

On April 19, 2024, the Clients' Protection Fund Board approved rule revisions to Rule II.G.4. regarding the definition of Dishonest Conduct to become effective on August 17, 2024.

Section 5.3 of the Preamble of the Clients' Protection Fund Rules allows the board "[t]o establish and revise administrative rules and supervisory policies and procedures involving the Fund, following the advice and comment of Council. The effective date of any amendments to administrative rules and supervisory policies and procedures adopted by the Board shall be as prescribed by the Board, but in no event earlier than one hundred twenty (120) days following such adoption.

Proposed Rule Revisions:

1. Add a new Rule of Procedure IV.E stating that the Petitioner is not required to submit separate petitions if the Petitioner's claim has multiple components.

2. Amend Rule of Procedure V.F.4 to clarify the process to follow if a Petitioner submits an amended petition.
3. Amend Rule of Procedure VIII requiring a Petitioner to provide documentation, including tax identification information, to receive a payment and stating the outcome if a Petitioner fails to negotiate a payment for more than 180 days.
4. Add a new Rule II.G.4. stating that any act committed by a Lawyer in the nature of failure, refusal or inability to refund unearned fees where the Lawyer's conduct serves the Lawyer's personal interests over the client's objectives or is otherwise contrary to the authorized scope of the client representation.

Proposed Consent Agenda Policy

The board adopted a Consent Agenda Policy making claims for \$5,000.00 or less eligible for inclusion on a consent agenda for consideration by the board.

I. Action Requested

The Council may reject any amendments adopted by the Board by a majority vote of those members of Council present and voting. Council's rejection of any amendments shall have the effect of revoking the amendments effective on the date of Council's rejection." If not rejected, the rule revisions adopted by the Board will go into effect June 1, 2024.

Therefore, it is respectfully requested that VSB's Executive Committee and State Bar Council approve the attached proposed rule revisions and the Consent Agenda Policy.

Attached: CPF Rules (clean and edited versions) and Consent Agenda Policy

RULES OF THE CLIENTS' PROTECTION FUND OF THE VIRGINIA STATE BAR

These rules are composed of a Preamble consisting of 10 sections regarding the Purpose, Funding, Authority and Administration of the Clients' Protection Fund, and 12 Rules of Procedure.

DRAFT

PREAMBLE

Section 1 PURPOSE AND FUNDING

A. The purpose of the Clients' Protection Fund (the "Fund") is to promote public confidence in the administration of justice and the honor and integrity of the legal profession by, as set forth at Part Six, Section IV, Paragraph 16 of the Rules of the Supreme Court, reimbursing all or part of losses sustained by clients or those to whom a fiduciary duty is owed as a result of a Virginia State Bar member's dishonest conduct.

B. The Council of the Virginia State Bar ("Council") shall appoint a Clients' Protection Fund Board (the "Board") to receive, hold, manage, invest and distribute the monies transferred to the Fund in accordance with Board rules and Council oversight, as set forth herein. Only Council may amend the provisions of Sections 1 – 5 of the Preamble.

C. Pursuant to Va. Code § 54.1-3913.1, the Clients' Protection Fund is a special fund of the Virginia State Bar that consists of moneys transferred to it from the State Bar Fund and the Virginia State Bar's Administration and Finance Account. Va. Code § 54.1-3913.1 authorizes the Supreme Court of Virginia to adopt rules assessing members an annual fee of up to \$25 to fund the Clients' Protection Fund. The Council shall transfer to the Fund all amounts specially assessed upon Virginia State Bar members for the Fund and shall make appropriations adequate to maintain the funding of the Fund at a reasonable level.

D. Council shall review the financial condition of the Fund annually as part of the Virginia State Bar's budgetary process at which time Council may approve disbursements to the Fund.

E. Investment of monies of the Clients' Protection Fund shall be restricted to the following:

1. Interest-bearing deposits, in federally insured banks and savings institutions (including certificates of deposit as authorized by Va. Code §§ 2.2-4407, 4509 and 4518);
2. Direct obligations of the Commonwealth of Virginia and the United States Government, and securities of entities created by Congress and authorized to issue such securities; provided that no such obligation or security shall have a maturity beyond ten years from the date of the investment; and provided further that the interest, discount or other gain or income realized from any such investment, net of any bank or brokerage charges incurred in connection therewith, shall automatically become a part of the Fund; and
3. Corporate notes as authorized by Va. Code § 2.2-4510.

F. The interest and any other income received from any other sources by the Fund is to be added to and automatically become a part of the Clients' Protection Fund.

G. The Council at any time may abolish the Clients' Protection Fund and the Board. In the event of such abolition, all assets of the Clients' Protection Fund shall be and remain the

property of the Virginia State Bar to be used for its general purposes, as determined by the Council.

Section 2 THE CLIENTS' PROTECTION FUND BOARD

The Board shall consist of fourteen (14) members, one of whom shall be a non-lawyer, appointed by the Council. One member shall be from each of the ten (10) Disciplinary Districts in Virginia, and four (4) shall be appointed from the Commonwealth at large. All appointments shall be for a term of three (3) years. No appointee shall serve more than two (2) consecutive full terms. No appointee shall be reappointed until after the expiration of at least one (1) year following the end of the second full term. Vacancies shall be filled by appointment by the president of the Virginia State Bar for the unexpired term.

Section 3 POWERS OF BOARD

The Board may use or employ the Clients' Protection Fund for any of the following purposes within the scope of the Board's objectives:

1. To make payments or reimbursements on approved petitions as herein provided to clients or other persons or entities to whom a fiduciary duty is owed;
2. To purchase insurance to cover such losses in whole or in part, provided that such insurance is obtainable at reasonable cost and is deemed appropriate and provided that the purchase of such insurance is approved by the Council;
3. To pay the Board's operating expenses in accordance with Council policies; and
4. To reimburse to the Virginia State Bar, in whole or in part, only those costs of receiverships initiated by the Virginia State Bar that were occasioned by the need for the receiver to administer, pursue or defend assets, the recovery or preservation of which would inure to the benefit of one or more clients or other members of the public who have suffered losses as a result of the dishonest conduct of the Virginia State Bar member who is the subject of the receivership, acting as either a lawyer or as a fiduciary in the matter or matters in which the loss or losses occurred.
5. To pay a loss to any one Petitioner not to exceed \$100,000 for losses incurred on or after July 1, 2021, or \$75,000 for losses incurred on or after July 1, 2015 and prior to July 1, 2021, or \$50, 000 for losses incurred on or after July 1, 2000, and prior to July 1, 2015, or \$25,000 for losses incurred prior to July 1, 2000. For purposes of this provision, the Board may regard two or more persons, firms, or entities as one Petitioner with respect to a Lawyer's dishonest conduct in handling a given matter where the facts and entities are found to justify such a conclusion in the sole discretion of the Board.
6. To pay as a total amount of losses reimbursable on account of the misconduct of any one lawyer or association of lawyers (including, without limitation, a law firm, professional corporation, or an office-sharing arrangement among lawyers) up to fifteen percent (15%) of the net worth of the Fund at the time the first claim is made. In the event of multiple claims on account of the misconduct of any one lawyer or association of lawyers, claims may be considered in any order or grouping which the Board, in its discretion, finds appropriate, taking into account the equities and timeliness of each claim, and no further payment shall be made in respect to misconduct of any one lawyer

- or association of lawyers once the fifteen percent (15%) limit has been reached.
7. To establish and revise rules for the administration of the Fund, subject to the oversight of the Council of the Virginia State Bar as prescribed in Section 5 of the Preamble.

Section 4 ELIGIBLE CLAIMS

- A. The Board is authorized to consider petitions for reimbursement of actual, quantifiable losses caused by the dishonest conduct of a member of the Virginia State Bar, acting either as a lawyer or as a fiduciary in the matter in which the loss arose, except to the extent to which they are bonded or such losses are otherwise covered. The Fund is intended to be a remedy of last resort for persons who cannot obtain reimbursement from other sources. The Fund does not cover malpractice or the inadequate, insufficient or negligent rendition of services by the lawyer or collateral losses suffered as a result of the lawyer's malpractice or the inadequate, insufficient or negligent rendition of services.
- B. Eligible claims arise from cases in which a member:
1. has been disbarred or suspended from the practice of law pursuant to any provision of Paragraph 13 of Part 6, Section IV of the Rules of the Supreme Court of Virginia or has transferred to a class of membership and affirmed that the member will not seek a further transfer to any other class of membership under Paragraph 3 of Part 6, Section IV of the Rules of the Supreme Court of Virginia; or
 2. has voluntarily resigned from the practice of law in Virginia; or
 3. has died; or
 4. has been adjudicated incompetent; or
 5. has been the subject of a bankruptcy case that would stay, reduce or discharge the claims of the member's past or present clients; or
 6. whose whereabouts are unknown to the Petitioner after reasonable efforts to locate the member.
- C. The Board shall have complete discretion to approve or deny petitions including the order, extent and manner of payment.
- D. In establishing, maintaining and administering the Fund, the Virginia State Bar does not create or acknowledge any legal responsibility for the acts of individual lawyers.
- E. All reimbursements of losses from the Fund shall be in the sole discretion of the Board and not as a matter of right. No client or member of the public shall have any right in the Fund as a third party beneficiary or otherwise.

F. No attorney shall be compensated for presenting a petition except as authorized by the Board.

Section 5 DUTIES AND RESPONSIBILITIES OF BOARD

The Board shall have the following duties and responsibilities:

1. To investigate and review all claims submitted to the Board in accordance with its Rules of Procedure;
2. To approve or deny the claim, and if approved, determine the amount which should be paid on the claim;
3. To establish and revise administrative rules and supervisory policies and procedures involving the Fund, following the advice and comment of Council. The effective date of any amendments to administrative rules and supervisory policies and procedures adopted by the Board shall be as prescribed by the Board, but in no event earlier than one hundred twenty (120) days following such adoption. The Council may reject any amendments adopted by the Board by a majority vote of those members of Council present and voting. Council's rejection of any amendments shall have the effect of revoking the amendments effective on the date of Council's rejection.
4. To provide a full report at least annually to Council and to provide all necessary reports;
5. To publicize, as permitted by law, its activities to the public and the members of the Virginia State Bar; and
6. To manage the monies in the Fund.

Section 6 BOARD MEETINGS

The Board shall meet at least one time during each fiscal year and as frequently as necessary to conduct the business of the Fund and to timely process claims upon call of the Chair or two or more members of the Board. Written minutes of each meeting shall be prepared and maintained as required by law and Library of Virginia guidance.

Section 7 NOTICE OF MEETINGS

Board members shall be given not less than fifteen (15) days' written notice of the time and place of a regular meeting and not less than five (5) days' written notice of each special meeting. Notice of any meeting may be waived by a Board member either before or after the meeting.

Section 8 QUORUM

Six or more members of the Board shall constitute a quorum for the transaction of business.

Section 9 OFFICERS AND TERMS

The chair and vice chair of the Board shall be elected by a majority of the Board at the last meeting of the fiscal year. Their terms shall extend until the last meeting of the next fiscal year and until their successors are elected. Should a vacancy occur in the office of chair or vice chair, such vacancy shall be filled by majority vote of the members of the Board at the meeting next following the occurrence of the vacancy.

Section 10 CONFLICT OF INTEREST

A Board member who has or has had an attorney-client relationship or fiduciary relationship with a Petitioner or Lawyer who is the subject of a claim shall not participate in the investigation or adjudication of a claim involving that Petitioner or Lawyer. A Board member with any other past or present relationship with a Petitioner or the Lawyer whose alleged conduct is the subject of the claim shall disclose such relationship to the Board and, if the Board deems appropriate, that Board member shall not participate in any investigation or adjudication of the claim.

RULES OF PROCEDURE OF THE CLIENTS' PROTECTION FUND

I. JURISDICTION

The Board is authorized to consider petitions for reimbursement of actual, quantifiable losses caused by the dishonest conduct of a member of the Virginia State Bar, acting either as a lawyer or as a fiduciary in the matter in which the loss arose, except to the extent to which they are bonded or such losses are otherwise covered. The Fund is intended to be a remedy of last resort for persons who cannot obtain reimbursement from other sources, including from the Lawyer after the exercise of reasonable efforts proportional to the value of the case. The Fund does not cover malpractice or the inadequate, insufficient, ineffective, or negligent rendition of services by the lawyer or collateral losses suffered as a result of the lawyer's malpractice or the inadequate, insufficient or negligent rendition of services.

II. DEFINITIONS

For the purpose of these Rules of Procedure, the following definitions shall apply:

- A. The “**Board**” shall mean the Clients' Protection Fund Board.
- B. The “**Fund**” shall mean the Clients' Protection Fund of the Virginia State Bar.
- C. A “**Lawyer**,” “**Attorney**” or “**Respondent**” shall mean one who, at the time of the act complained of, was a member of the Virginia State Bar, as defined in the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 2, and was actually engaged in the practice of law in Virginia. The fact that the act complained of took place outside of the Commonwealth of

Virginia does not necessarily mean that the Lawyer was not engaged in the practice of law in Virginia.

D. A “**Petitioner**” or “**Claimant**” shall mean a person or entity that applies to the Board for payment pursuant to the rules applicable to the Fund.

E. “**Reimbursable Losses**” are limited to actual, quantifiable losses, supported by documentation, of money or other property that meet the following test, and not otherwise excluded in these Rules.

1. There is a lack of recourse to the Lawyer because the Lawyer:
 - a) has been disbarred or suspended from the practice of law pursuant to any provision of Paragraph 13 of Part 6, Section IV of the Rules of the Supreme Court of Virginia or has transferred to a class of membership and affirmed that the member will not seek a further transfer to any other class of membership under Paragraph 3 of Part 6, Section IV of the Rules of the Supreme Court of Virginia; or
 - b) has voluntarily resigned from the practice of law in Virginia; or
 - c) has died; or
 - d) has been adjudicated incompetent; or
 - e) has been the subject of a bankruptcy case that would stay, reduce or discharge the claims of the member’s past or present clients; or
 - f) whose whereabouts are unknown to the Petitioner after reasonable efforts to locate the Lawyer; and
2. The loss was caused by the dishonest conduct of the Lawyer and arose out of, and by reason of, a lawyer-client or fiduciary relationship; and
3. The loss had a nexus to the Commonwealth of Virginia.

F. The following shall be excluded from “**Reimbursable Losses**”:

1. Losses of spouses, parents, children, grandparents, siblings or other close relatives, partners, associates, employers and employees of the Lawyer causing the losses;
2. Losses by any business entity controlled by the Lawyer;
3. Losses of any governmental entity or agency;
4. Losses occasioned by a loan or an investment transaction with the Lawyer, unless it arose out of and in the course of the attorney-client or fiduciary relationship and, which, but for the fact that the Lawyer enjoyed an attorney-client or fiduciary relationship with the Petitioner, could not have occurred. In considering whether that standard has been met, the following factors will be considered:

- a. Any disparity in bargaining power between the Lawyer and the client, including differences in their respective educational backgrounds and business sophistication;
 - b. The extent to which the attorney-client or fiduciary relationship overcame the will or wishes of the Petitioner;
 - c. The extent to which the Lawyer, by virtue of the attorney-client or fiduciary relationship with the Petitioner, became privy to information as to the Petitioner's financial affairs; and
 - d. Whether a principal part of the service arose out of a relationship requiring a license to practice law.
5. Losses or collateral losses arising from the Lawyer's malpractice or the inadequate, insufficient or negligent rendition of services;
 6. Claims by a Petitioner for damages for a cause of action in which a Lawyer represented the Petitioner and that never resulted in a settlement or judgment;
 7. Claims for interest, late fees, penalties or surcharges or any type of consequential or incidental losses or damages, whether or not such losses or damages arise out of Reimbursable Losses; and
 8. Because the Fund is intended to be a remedy of last resort, and the Petitioner must first pursue other sources of recovery, the following shall be excluded from Reimbursable Losses:
 - a. Losses covered by any bond, surety agreement or insurance contract to the extent covered thereby, including any loss to which any bonding agent, surety or insurer is subrogated to the extent of that subrogated interest. The Fund is intended to be a remedy of last resort;
 - b. Losses that may be covered from any source, such as through litigation, mediation or enforcement of a judgment by the Petitioner; and
 - c. Losses of any financial institution which are recoverable under a "banker's blanket bond" or similar commonly available insurance or surety contract.

G. **"Dishonest Conduct"** may include, but is not necessarily limited to:

1. Any act committed by a Lawyer in the nature of theft, conversion, embezzlement or withholding of money or property from its rightful owner, recipient or person entitled to receive such money or property.
2. Any act committed by a Lawyer in the nature of failure, refusal or inability to

refund unearned fees received in advance where the Lawyer performed no legal services or such an insignificant service that the failure, refusal or inability to refund the unearned fees constitutes a wrongful taking or conversion.

3. Any act where the Board finds that the legal services performed by the Lawyer are more than insignificant, but the Lawyer has not fully earned the entire fee, the failure, refusal or inability to refund the unearned fees may still constitute a wrongful taking or conversion.

4. Any act committed by a Lawyer in the nature of failure, refusal or inability to refund unearned fees where the Lawyer's conduct serves the Lawyer's personal interests over the client's objectives or is otherwise contrary to the authorized scope of the client representation.

III. BOARD'S DISCRETION AND FACTORS TO CONSIDER IN EVALUATING PETITION

The Board shall exercise its discretion in deciding whether a Lawyer committed Dishonest Conduct. In making its determination, the Board may consider such evidence as it deems appropriate, including, but not limited to, the following:

- A. An order from any court or disciplinary tribunal disciplining a Lawyer for the same act or conduct alleged in a petition or otherwise finding that a Lawyer committed Dishonest Conduct; or
- B. A final judgment imposing civil or criminal liability upon a Lawyer for such conduct.

IV. PETITION FOR REIMBURSEMENT

- A. The Virginia State Bar staff shall prepare a form of petition for reimbursement. In its discretion the Board may waive a requirement that a petition be filed on such form.
- B. The petition shall contain the following statement:

“IN ESTABLISHING THE CLIENTS' PROTECTION FUND, THE VIRGINIA STATE BAR DID NOT CREATE OR ACKNOWLEDGE ANY LEGAL RESPONSIBILITY FOR THE ACTS OF INDIVIDUAL LAWYERS. THE PAYMENT OF REIMBURSABLE LOSSES FROM THE CLIENTS' PROTECTION FUND SHALL BE IN THE SOLE DISCRETION OF THE CLIENTS' PROTECTION FUND BOARD AND NOT AS A MATTER OF RIGHT. THE CLIENTS' PROTECTION FUND IS INTENDED TO BE A REMEDY OF LAST RESORT, AND PETITIONERS MUST PURSUE OTHER RECOVERY OPTIONS BEFORE FILING A CLAIM. NO PERSON OR ENTITY SHALL HAVE ANY RIGHT IN THE CLIENTS' PROTECTION FUND AS A THIRD PARTY BENEFICIARY OR OTHERWISE.”

- C. At a minimum the Board will require the following information from the Petitioner:

1. Petitioner's name, address and telephone number;
2. The name and last known address of the Lawyer allegedly responsible for the claimed loss;
3. The amount of the loss claimed and documentation supporting the loss, including a copy of any written fee or retainer agreement pertaining to the claim and proof of payment for monies the Petitioner or anyone on his or her behalf paid directly to the Lawyer;
4. The date or period of time over which the alleged loss occurred;
5. The date the Petitioner discovered the loss and how the Petitioner discovered the loss;
6. A description of the Lawyer's dishonest conduct and the names and addresses of any witnesses who have knowledge of the loss;
7. The name of the person or entity, if any, to whom or which the loss has been reported (e.g. Commonwealth's Attorney, police, Virginia State Bar, disciplinary agency, or other person or entity);
8. Any other source of reimbursement, including but not limited to, any insurance, fidelity or surety agreement or bond;
9. A description of the efforts by the Petitioner to recover the alleged loss from the Lawyer or from other sources of reimbursement besides the Virginia State Bar;
10. The circumstances under which the Petitioner has been, or will be, reimbursed for any part of the claim (including the amount received, or to be received, and the source), along with a statement that the Petitioner agrees to notify the Fund of any reimbursements the Petitioner received during the pendency of the claim;
11. The existence of facts known to the Petitioner relevant to the claim;
12. The name, address, e-mail address and phone number of the lawyer assisting the Petitioner with the claim, if any;
13. The Petitioner's agreement to cooperate with the Virginia State Bar regarding the claim or with any civil actions which may be brought in the name of the Virginia State Bar and/or the Petitioner, pursuant to a subrogation and assignment clause;
14. The Petitioner's agreement to repay the Fund if the Petitioner is subsequently reimbursed from another source, but only to the extent the Petitioner's recovery from the other source would exceed the amount of the claim;

15. The name and address of any other fund to which the Petitioner has applied or intends to apply for reimbursement, together with a copy of the application;

16. A statement that the Petitioner agrees to the publication of appropriate information about the nature of the claim and the amount of reimbursement, if reimbursement is approved; and

17. The notarized signature of the Petitioner.

D. All information and statements by the Petitioner shall be under oath.

E. A Petition may include separate claims for reimbursement by a single Petitioner.

~~E.~~ F. Petitions shall be submitted to the Virginia State Bar. If the staff of the Virginia State Bar determines that the petition complies with the minimum requirements of these Rules, the petition shall be investigated and approved or denied by the Board.

V. PROCESSING PETITIONS

A. Virginia State Bar staff shall promptly send each petition to a Board member for investigation and report. A copy shall be sent to the Lawyer at his or her address of record maintained by the Virginia State Bar. The Lawyer or his or her representative may respond to the petition within thirty (30) days of the date of the letter transmitting the petition to him or her.

B. Petitions shall be assigned based on the workload of each Board member, and, when possible, by giving preference for assignment to a Board member who works or lives in the jurisdiction in which the Lawyer maintained his office, place of employment or address of record with the Virginia State Bar.

C. A member to whom a petition is referred for investigation shall conduct such investigation as to him or her seems necessary and desirable in order (1) to determine whether the petition is for a Reimbursable Loss, and (2) to guide the Board in determining the extent, if any, to which the loss should be reimbursed from the Fund.

D. The Board member who investigates a petition shall prepare a written report and recommendation as to whether the petition should be approved or denied. Such report shall be available for inspection by the Board members attending the meeting at which the petition is reviewed.

E. Petitions shall be processed based on the investigating Board member's written report and recommendation. Upon request of a Board member, the Board shall hear the Petitioner, the Lawyer or such other evidence as may be presented. The Lawyer or his or her personal representative, or the Petitioner or his or her personal representative, may request to address the Board at a meeting at which the Board is considering the claim. Any such request must be made to the Chair or his or her designee, and the Chair may restrict or limit the length or subject matter of any statements permitted.

F. The Board shall, in its sole discretion and by a majority vote, determine whether a claim is approved or denied, and if approved, the amount of loss, if any, for which any Petitioner shall be reimbursed from the Fund. Although only a majority vote is required to approve or deny a petition, the Board should aspire to come to a consensus on every petition. In making such determination, the Board shall consider *inter alia*, the following:

1. Any conduct of the Petitioner which contributed to the loss.
2. Where the Board finds that the Lawyer performed no legal services or such an insignificant service that the failure, refusal or inability to refund the unearned fees constitutes a wrongful taking or conversion, the Board may reimburse 100% of the total fees paid by the Petitioner.
3. Where the Board finds that the Lawyer performed more than insignificant legal services, but the Lawyer has not fully earned the entire fee, the failure, refusal or inability to refund the unearned fees constitutes a wrongful taking or conversion, and the Board may reimburse 50% percent of the total fees paid by the Petitioner.
4. In the event the investigator or Board discovers that Petitioner's loss exceeds the amount sought in the petition, the Petitioner may amend his or her petition within 30 days of notice or proceed with petition limited to original amount claimed. If the Petitioner submits an amended Petition, the Board will transmit the amended petition to the Lawyer, and the Layer must submit any ~~may~~ response to the amended petition within thirty (30) days of the date of the letter transmitting the amended petition to ~~him or her~~ the Lawyer. The Board may hear the amended petition at the next scheduled Board meeting if the Board has not already authorized payment of the amended petition.
5. The total amount of Reimbursable Losses in previous years for which payment has not been made, the jurisdictional limits on Fund reimbursements set forth in Section 3 of the Preamble, and the total assets of the Fund.
6. The Board may, in its sole discretion, allow further payment in any year on account of a Reimbursable Loss allowed by it in prior years which has not been fully paid; provided such further payment would not be inconsistent or in conflict with any previous determination with respect to such loss.
7. No payment shall be made upon any petition, a summary of which has not been submitted to the Board members in accordance with these Rules of Procedure. No payment shall be made to any Petitioner unless said payment is duly approved by the Board as set forth above.
8. No claim shall be considered by the Board unless the same shall have been filed within seven (7) years from the time the Petitioner knew or should have known of the Lawyer's Dishonest Conduct, or within one (1) year after the first occurrence of one of the following events, whichever date is later:

- a. the Lawyer has been disbarred or suspended from the practice of law, pursuant to any provision of Part 6, Section IV, Paragraph 13 of the Rules of the Supreme Court of Virginia or has transferred to a class of membership and affirmed that the member will not seek a further transfer to any other class of membership under Paragraph 3 of Part 6, Section IV of the Rules of the Supreme Court of Virginia; or
- b. the Lawyer has voluntarily resigned from the practice of law in Virginia; or
- c. the Lawyer has been adjudicated incompetent; or
- d. the Lawyer has been the subject of a bankruptcy that would stay, reduce or discharge the claims.

G. The Board may make a finding of Dishonest Conduct for purposes of adjudicating a claim. Such a determination is not a finding of Dishonest Conduct for purposes of professional discipline.

VI. REQUEST FOR RECONSIDERATION

The Petitioner may request only one reconsideration of a denial decision or the amount of an approved reimbursement. The Lawyer may request only one reconsideration of an approval decision, if the Lawyer has not previously requested a reconsideration in the matter. Any request for reconsideration must be in writing and received by the Virginia State Bar within thirty (30) days of the Board's decision.

When the Petitioner and the Lawyer have been accorded the reconsideration(s) under this rule, or if the Petitioner and Lawyer fail to request a reconsideration under this rule, the Board's decision is final, and the Board will not consider any additional requests for reconsideration or appeals.

VII. RESTITUTION TO FUND

A Lawyer whose Dishonest Conduct has resulted in reimbursement to a Petitioner shall make restitution to the Fund including interest and the expense incurred by the Fund in processing the claim.

VIII. ASSIGNMENT AND SUBROGATION

Payment shall be made from the Fund only upon condition that the Petitioner execute an assignment of Petitioner's assignable rights against the Lawyer or his/her successors in interest including, but not limited to the Lawyer's personal representative, heirs, devisees and assigns, on such terms as the Board may deem proper under the circumstances, including reimbursement of costs incurred in prosecuting a claim against the Lawyer or his or her successors in interest. The Virginia State Bar may bring an action pursuant to the assignment on behalf of the Fund and/or the Petitioner. The net proceeds collected by reason of such assignment shall be for the sole

benefit of the Fund and deposited therein, and enforcement of this right shall be within the sole discretion of the Board. Prior to the commencement of an action by the Board, it shall advise the Petitioner thereof at his or her last known address. The Petitioner may then join in such action to press a claim for his or her loss in excess of the amount of the payment made by the Fund or for any other claims. The Board may impose such other conditions and requirements as it may deem appropriate in connection with payment to any Petitioner including requirements for producing separate tax identification for every payment made to the Petitioner. A payment to a Petitioner which remains unnegotiated for more than 180 days remains in the Fund.

IX. PAYMENT OF RECEIVERSHIP COSTS

Costs of any Virginia State Bar receivership occasioned by the need for the receiver to administer, pursue or defend assets, the recovery or preservation of which would inure to the benefit of one or more clients or other members of the public who have suffered losses as a result of the dishonest conduct of the Virginia State Bar member who is the subject of the receivership, acting as either a lawyer or as a fiduciary in the matter or matters in which the loss or losses occurred, shall be documented and certified to the Board by the Virginia State Bar staff for consideration of payment from the Fund by the Board as an agenda item at a meeting of the Board. The Board may approve payment with a majority vote.

X. CONFIDENTIALITY

The dissemination of information shall comply with Virginia law.

XI. GENERAL PURPOSES

These Rules of Procedure shall be liberally interpreted and, in any given case, the Board may waive technical adherence to these Rules of Procedure in order to achieve the objectives of the Fund.

XII. AMENDMENTS

The Board may establish and revise these Rules at any time by a majority vote of the Board at a duly held meeting at which a quorum is present, subject to the oversight of the Council of the Virginia State Bar as prescribed in Section 5 of the Preamble.

Rev. 2/27/09

Rev. 3/3/2006

Rev. 2/23/2013

Rev. 10/24/2014

Rev. 2/25/2017

Rev. 10/25/2019 – Approved by Virginia State Bar Council October 25, 2019

Rev. 10/29/2021 – Approved by Virginia State Bar Council October 29, 2021

Rev. 02/26/2022 – Approved by Virginia State Bar Council February 26, 2022

Rev. 01/28/2022 – Approved by Virginia State Bar Council June 16, 2022

RULES OF THE CLIENTS' PROTECTION FUND OF THE VIRGINIA STATE BAR

These rules are composed of a Preamble consisting of 10 sections regarding the Purpose, Funding, Authority and Administration of the Clients' Protection Fund, and 12 Rules of Procedure.

PREAMBLE

Section 1 PURPOSE AND FUNDING

A. The purpose of the Clients' Protection Fund (the "Fund") is to promote public confidence in the administration of justice and the honor and integrity of the legal profession by, as set forth at Part Six, Section IV, Paragraph 16 of the Rules of the Supreme Court, reimbursing all or part of losses sustained by clients or those to whom a fiduciary duty is owed as a result of a Virginia State Bar member's dishonest conduct.

B. The Council of the Virginia State Bar ("Council") shall appoint a Clients' Protection Fund Board (the "Board") to receive, hold, manage, invest and distribute the monies transferred to the Fund in accordance with Board rules and Council oversight, as set forth herein. Only Council may amend the provisions of Sections 1 – 5 of the Preamble.

C. Pursuant to Va. Code § 54.1-3913.1, the Clients' Protection Fund is a special fund of the Virginia State Bar that consists of moneys transferred to it from the State Bar Fund and the Virginia State Bar's Administration and Finance Account. Va. Code § 54.1-3913.1 authorizes the Supreme Court of Virginia to adopt rules assessing members an annual fee of up to \$25 to fund the Clients' Protection Fund. The Council shall transfer to the Fund all amounts specially assessed upon Virginia State Bar members for the Fund and shall make appropriations adequate to maintain the funding of the Fund at a reasonable level.

D. Council shall review the financial condition of the Fund annually as part of the Virginia State Bar's budgetary process at which time Council may approve disbursements to the Fund.

E. Investment of monies of the Clients' Protection Fund shall be restricted to the following:

1. Interest-bearing deposits, in federally insured banks and savings institutions (including certificates of deposit as authorized by Va. Code §§ 2.2-4407, 4509 and 4518);
2. Direct obligations of the Commonwealth of Virginia and the United States Government, and securities of entities created by Congress and authorized to issue such securities; provided that no such obligation or security shall have a maturity beyond ten years from the date of the investment; and provided further that the interest, discount or other gain or income realized from any such investment, net of any bank or brokerage charges incurred in connection therewith, shall automatically become a part of the Fund; and
3. Corporate notes as authorized by Va. Code § 2.2-4510.

F. The interest and any other income received from any other sources by the Fund is to be added to and automatically become a part of the Clients' Protection Fund.

G. The Council at any time may abolish the Clients' Protection Fund and the Board. In the event of such abolition, all assets of the Clients' Protection Fund shall be and remain the

property of the Virginia State Bar to be used for its general purposes, as determined by the Council.

Section 2 THE CLIENTS' PROTECTION FUND BOARD

The Board shall consist of fourteen (14) members, one of whom shall be a non-lawyer, appointed by the Council. One member shall be from each of the ten (10) Disciplinary Districts in Virginia, and four (4) shall be appointed from the Commonwealth at large. All appointments shall be for a term of three (3) years. No appointee shall serve more than two (2) consecutive full terms. No appointee shall be reappointed until after the expiration of at least one (1) year following the end of the second full term. Vacancies shall be filled by appointment by the president of the Virginia State Bar for the unexpired term.

Section 3 POWERS OF BOARD

The Board may use or employ the Clients' Protection Fund for any of the following purposes within the scope of the Board's objectives:

1. To make payments or reimbursements on approved petitions as herein provided to clients or other persons or entities to whom a fiduciary duty is owed;
2. To purchase insurance to cover such losses in whole or in part, provided that such insurance is obtainable at reasonable cost and is deemed appropriate and provided that the purchase of such insurance is approved by the Council;
3. To pay the Board's operating expenses in accordance with Council policies; and
4. To reimburse to the Virginia State Bar, in whole or in part, only those costs of receiverships initiated by the Virginia State Bar that were occasioned by the need for the receiver to administer, pursue or defend assets, the recovery or preservation of which would inure to the benefit of one or more clients or other members of the public who have suffered losses as a result of the dishonest conduct of the Virginia State Bar member who is the subject of the receivership, acting as either a lawyer or as a fiduciary in the matter or matters in which the loss or losses occurred.
5. To pay a loss to any one Petitioner not to exceed \$100,000 for losses incurred on or after July 1, 2021, or \$75,000 for losses incurred on or after July 1, 2015 and prior to July 1, 2021, or \$50, 000 for losses incurred on or after July 1, 2000, and prior to July 1, 2015, or \$25,000 for losses incurred prior to July 1, 2000. For purposes of this provision, the Board may regard two or more persons, firms, or entities as one Petitioner with respect to a Lawyer's dishonest conduct in handling a given matter where the facts and entities are found to justify such a conclusion in the sole discretion of the Board.
6. To pay as a total amount of losses reimbursable on account of the misconduct of any one lawyer or association of lawyers (including, without limitation, a law firm, professional corporation, or an office-sharing arrangement among lawyers) up to fifteen percent (15%) of the net worth of the Fund at the time the first claim is made. In the event of multiple claims on account of the misconduct of any one lawyer or association of lawyers, claims may be considered in any order or grouping which the Board, in its discretion, finds appropriate, taking into account the equities and timeliness of each claim, and no further payment shall be made in respect to misconduct of any one lawyer

or association of lawyers once the fifteen percent (15%) limit has been reached.

7. To establish and revise rules for the administration of the Fund, subject to the oversight of the Council of the Virginia State Bar as prescribed in Section 5 of the Preamble.

Section 4 ELIGIBLE CLAIMS

A. The Board is authorized to consider petitions for reimbursement of actual, quantifiable losses caused by the dishonest conduct of a member of the Virginia State Bar, acting either as a lawyer or as a fiduciary in the matter in which the loss arose, except to the extent to which they are bonded or such losses are otherwise covered. The Fund is intended to be a remedy of last resort for persons who cannot obtain reimbursement from other sources. The Fund does not cover malpractice or the inadequate, insufficient or negligent rendition of services by the lawyer or collateral losses suffered as a result of the lawyer's malpractice or the inadequate, insufficient or negligent rendition of services.

B. Eligible claims arise from cases in which a member:

1. has been disbarred or suspended from the practice of law pursuant to any provision of Paragraph 13 of Part 6, Section IV of the Rules of the Supreme Court of Virginia or has transferred to a class of membership and affirmed that the member will not seek a further transfer to any other class of membership under Paragraph 3 of Part 6, Section IV of the Rules of the Supreme Court of Virginia; or
2. has voluntarily resigned from the practice of law in Virginia; or
3. has died; or
4. has been adjudicated incompetent; or
5. has been the subject of a bankruptcy case that would stay, reduce or discharge the claims of the member's past or present clients; or
6. whose whereabouts are unknown to the Petitioner after reasonable efforts to locate the member.

C. The Board shall have complete discretion to approve or deny petitions including the order, extent and manner of payment.

D. In establishing, maintaining and administering the Fund, the Virginia State Bar does not create or acknowledge any legal responsibility for the acts of individual lawyers.

E. All reimbursements of losses from the Fund shall be in the sole discretion of the Board and not as a matter of right. No client or member of the public shall have any right in the Fund as a third party beneficiary or otherwise.

F. No attorney shall be compensated for presenting a petition except as authorized by the Board.

Section 5 DUTIES AND RESPONSIBILITIES OF BOARD

The Board shall have the following duties and responsibilities:

1. To investigate and review all claims submitted to the Board in accordance with its Rules of Procedure;
2. To approve or deny the claim, and if approved, determine the amount which should be paid on the claim;
3. To establish and revise administrative rules and supervisory policies and procedures involving the Fund, following the advice and comment of Council. The effective date of any amendments to administrative rules and supervisory policies and procedures adopted by the Board shall be as prescribed by the Board, but in no event earlier than one hundred twenty (120) days following such adoption. The Council may reject any amendments adopted by the Board by a majority vote of those members of Council present and voting. Council's rejection of any amendments shall have the effect of revoking the amendments effective on the date of Council's rejection.
4. To provide a full report at least annually to Council and to provide all necessary reports;
5. To publicize, as permitted by law, its activities to the public and the members of the Virginia State Bar; and
6. To manage the monies in the Fund.

Section 6 BOARD MEETINGS

The Board shall meet at least one time during each fiscal year and as frequently as necessary to conduct the business of the Fund and to timely process claims upon call of the Chair or two or more members of the Board. Written minutes of each meeting shall be prepared and maintained as required by law and Library of Virginia guidance.

Section 7 NOTICE OF MEETINGS

Board members shall be given not less than fifteen (15) days' written notice of the time and place of a regular meeting and not less than five (5) days' written notice of each special meeting. Notice of any meeting may be waived by a Board member either before or after the meeting.

Section 8 QUORUM

Six or more members of the Board shall constitute a quorum for the transaction of business.

Section 9 OFFICERS AND TERMS

The chair and vice chair of the Board shall be elected by a majority of the Board at the last meeting of the fiscal year. Their terms shall extend until the last meeting of the next fiscal year and until their successors are elected. Should a vacancy occur in the office of chair or vice chair, such vacancy shall be filled by majority vote of the members of the Board at the meeting next following the occurrence of the vacancy.

Section 10 CONFLICT OF INTEREST

A Board member who has or has had an attorney-client relationship or fiduciary relationship with a Petitioner or Lawyer who is the subject of a claim shall not participate in the investigation or adjudication of a claim involving that Petitioner or Lawyer. A Board member with any other past or present relationship with a Petitioner or the Lawyer whose alleged conduct is the subject of the claim shall disclose such relationship to the Board and, if the Board deems appropriate, that Board member shall not participate in any investigation or adjudication of the claim.

RULES OF PROCEDURE OF THE CLIENTS' PROTECTION FUND

I. JURISDICTION

The Board is authorized to consider petitions for reimbursement of actual, quantifiable losses caused by the dishonest conduct of a member of the Virginia State Bar, acting either as a lawyer or as a fiduciary in the matter in which the loss arose, except to the extent to which they are bonded or such losses are otherwise covered. The Fund is intended to be a remedy of last resort for persons who cannot obtain reimbursement from other sources, including from the Lawyer after the exercise of reasonable efforts proportional to the value of the case. The Fund does not cover malpractice or the inadequate, insufficient, ineffective, or negligent rendition of services by the lawyer or collateral losses suffered as a result of the lawyer's malpractice or the inadequate, insufficient or negligent rendition of services.

II. DEFINITIONS

For the purpose of these Rules of Procedure, the following definitions shall apply:

- A. The “**Board**” shall mean the Clients' Protection Fund Board.
- B. The “**Fund**” shall mean the Clients' Protection Fund of the Virginia State Bar.
- C. A “**Lawyer**,” “**Attorney**” or “**Respondent**” shall mean one who, at the time of the act complained of, was a member of the Virginia State Bar, as defined in the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 2, and was actually engaged in the practice of law in Virginia. The fact that the act complained of took place outside of the Commonwealth of

Virginia does not necessarily mean that the Lawyer was not engaged in the practice of law in Virginia.

D. A “**Petitioner**” or “**Claimant**” shall mean a person or entity that applies to the Board for payment pursuant to the rules applicable to the Fund.

E. “**Reimbursable Losses**” are limited to actual, quantifiable losses, supported by documentation, of money or other property that meet the following test, and not otherwise excluded in these Rules.

1. There is a lack of recourse to the Lawyer because the Lawyer:
 - a) has been disbarred or suspended from the practice of law pursuant to any provision of Paragraph 13 of Part 6, Section IV of the Rules of the Supreme Court of Virginia or has transferred to a class of membership and affirmed that the member will not seek a further transfer to any other class of membership under Paragraph 3 of Part 6, Section IV of the Rules of the Supreme Court of Virginia; or
 - b) has voluntarily resigned from the practice of law in Virginia; or
 - c) has died; or
 - d) has been adjudicated incompetent; or
 - e) has been the subject of a bankruptcy case that would stay, reduce or discharge the claims of the member’s past or present clients; or
 - f) whose whereabouts are unknown to the Petitioner after reasonable efforts to locate the Lawyer; and
2. The loss was caused by the dishonest conduct of the Lawyer and arose out of, and by reason of, a lawyer-client or fiduciary relationship; and
3. The loss had a nexus to the Commonwealth of Virginia.

F. The following shall be excluded from “**Reimbursable Losses**”:

1. Losses of spouses, parents, children, grandparents, siblings or other close relatives, partners, associates, employers and employees of the Lawyer causing the losses;
2. Losses by any business entity controlled by the Lawyer;
3. Losses of any governmental entity or agency;
4. Losses occasioned by a loan or an investment transaction with the Lawyer, unless it arose out of and in the course of the attorney-client or fiduciary relationship and, which, but for the fact that the Lawyer enjoyed an attorney-client or fiduciary relationship with the Petitioner, could not have occurred. In considering whether that standard has been met, the following factors will be considered:

- a. Any disparity in bargaining power between the Lawyer and the client, including differences in their respective educational backgrounds and business sophistication;
 - b. The extent to which the attorney-client or fiduciary relationship overcame the will or wishes of the Petitioner;
 - c. The extent to which the Lawyer, by virtue of the attorney-client or fiduciary relationship with the Petitioner, became privy to information as to the Petitioner's financial affairs; and
 - d. Whether a principal part of the service arose out of a relationship requiring a license to practice law.
5. Losses or collateral losses arising from the Lawyer's malpractice or the inadequate, insufficient or negligent rendition of services;
6. Claims by a Petitioner for damages for a cause of action in which a Lawyer represented the Petitioner and that never resulted in a settlement or judgment;
7. Claims for interest, late fees, penalties or surcharges or any type of consequential or incidental losses or damages, whether or not such losses or damages arise out of Reimbursable Losses; and
8. Because the Fund is intended to be a remedy of last resort, and the Petitioner must first pursue other sources of recovery, the following shall be excluded from Reimbursable Losses:
- a. Losses covered by any bond, surety agreement or insurance contract to the extent covered thereby, including any loss to which any bonding agent, surety or insurer is subrogated to the extent of that subrogated interest. The Fund is intended to be a remedy of last resort;
 - b. Losses that may be covered from any source, such as through litigation, mediation or enforcement of a judgment by the Petitioner; and
 - c. Losses of any financial institution which are recoverable under a "banker's blanket bond" or similar commonly available insurance or surety contract.

G. **“Dishonest Conduct”** may include, but is not necessarily limited to:

- 1. Any act committed by a Lawyer in the nature of theft, conversion, embezzlement or withholding of money or property from its rightful owner, recipient or person entitled to receive such money or property.
- 2. Any act committed by a Lawyer in the nature of failure, refusal or inability to

refund unearned fees received in advance where the Lawyer performed no legal services or such an insignificant service that the failure, refusal or inability to refund the unearned fees constitutes a wrongful taking or conversion.

3. Any act where the Board finds that the legal services performed by the Lawyer are more than insignificant, but the Lawyer has not fully earned the entire fee, the failure, refusal or inability to refund the unearned fees may still constitute a wrongful taking or conversion.

III. BOARD'S DISCRETION AND FACTORS TO CONSIDER IN EVALUATING PETITION

The Board shall exercise its discretion in deciding whether a Lawyer committed Dishonest Conduct. In making its determination, the Board may consider such evidence as it deems appropriate, including, but not limited to, the following:

- A. An order from any court or disciplinary tribunal disciplining a Lawyer for the same act or conduct alleged in a petition or otherwise finding that a Lawyer committed Dishonest Conduct; or
- B. A final judgment imposing civil or criminal liability upon a Lawyer for such conduct.

IV. PETITION FOR REIMBURSEMENT

A. The Virginia State Bar staff shall prepare a form of petition for reimbursement. In its discretion the Board may waive a requirement that a petition be filed on such form.

B. The petition shall contain the following statement:

“IN ESTABLISHING THE CLIENTS' PROTECTION FUND, THE VIRGINIA STATE BAR DID NOT CREATE OR ACKNOWLEDGE ANY LEGAL RESPONSIBILITY FOR THE ACTS OF INDIVIDUAL LAWYERS. THE PAYMENT OF REIMBURSABLE LOSSES FROM THE CLIENTS' PROTECTION FUND SHALL BE IN THE SOLE DISCRETION OF THE CLIENTS' PROTECTION FUND BOARD AND NOT AS A MATTER OF RIGHT. THE CLIENTS' PROTECTION FUND IS INTENDED TO BE A REMEDY OF LAST RESORT, AND PETITIONERS MUST PURSUE OTHER RECOVERY OPTIONS BEFORE FILING A CLAIM. NO PERSON OR ENTITY SHALL HAVE ANY RIGHT IN THE CLIENTS' PROTECTION FUND AS A THIRD PARTY BENEFICIARY OR OTHERWISE.”

C. At a minimum the Board will require the following information from the Petitioner:

- 1. Petitioner's name, address and telephone number;
- 2. The name and last known address of the Lawyer allegedly responsible for the claimed loss;

3. The amount of the loss claimed and documentation supporting the loss, including a copy of any written fee or retainer agreement pertaining to the claim and proof of payment for monies the Petitioner or anyone on his or her behalf paid directly to the Lawyer;
4. The date or period of time over which the alleged loss occurred;
5. The date the Petitioner discovered the loss and how the Petitioner discovered the loss;
6. A description of the Lawyer's dishonest conduct and the names and addresses of any witnesses who have knowledge of the loss;
7. The name of the person or entity, if any, to whom or which the loss has been reported (e.g. Commonwealth's Attorney, police, Virginia State Bar, disciplinary agency, or other person or entity);
8. Any other source of reimbursement, including but not limited to, any insurance, fidelity or surety agreement or bond;
9. A description of the efforts by the Petitioner to recover the alleged loss from the Lawyer or from other sources of reimbursement besides the Virginia State Bar;
10. The circumstances under which the Petitioner has been, or will be, reimbursed for any part of the claim (including the amount received, or to be received, and the source), along with a statement that the Petitioner agrees to notify the Fund of any reimbursements the Petitioner received during the pendency of the claim;
11. The existence of facts known to the Petitioner relevant to the claim;
12. The name, address, e-mail address and phone number of the lawyer assisting the Petitioner with the claim, if any;
13. The Petitioner's agreement to cooperate with the Virginia State Bar regarding the claim or with any civil actions which may be brought in the name of the Virginia State Bar and/or the Petitioner, pursuant to a subrogation and assignment clause;
14. The Petitioner's agreement to repay the Fund if the Petitioner is subsequently reimbursed from another source, but only to the extent the Petitioner's recovery from the other source would exceed the amount of the claim;
15. The name and address of any other fund to which the Petitioner has applied or intends to apply for reimbursement, together with a copy of the application;
16. A statement that the Petitioner agrees to the publication of appropriate information about the nature of the claim and the amount of reimbursement, if

reimbursement is approved; and

17. The notarized signature of the Petitioner.

D. All information and statements by the Petitioner shall be under oath.

E. Petitions shall be submitted to the Virginia State Bar. If the staff of the Virginia State Bar determines that the petition complies with the minimum requirements of these Rules, the petition shall be investigated and approved or denied by the Board.

V. PROCESSING PETITIONS

A. Virginia State Bar staff shall promptly send each petition to a Board member for investigation and report. A copy shall be sent to the Lawyer at his or her address of record maintained by the Virginia State Bar. The Lawyer or his or her representative may respond to the petition within thirty (30) days of the date of the letter transmitting the petition to him or her.

B. Petitions shall be assigned based on the workload of each Board member, and, when possible, by giving preference for assignment to a Board member who works or lives in the jurisdiction in which the Lawyer maintained his office, place of employment or address of record with the Virginia State Bar.

C. A member to whom a petition is referred for investigation shall conduct such investigation as to him or her seems necessary and desirable in order (1) to determine whether the petition is for a Reimbursable Loss, and (2) to guide the Board in determining the extent, if any, to which the loss should be reimbursed from the Fund.

D. The Board member who investigates a petition shall prepare a written report and recommendation as to whether the petition should be approved or denied. Such report shall be available for inspection by the Board members attending the meeting at which the petition is reviewed.

E. Petitions shall be processed based on the investigating Board member's written report and recommendation. Upon request of a Board member, the Board shall hear the Petitioner, the Lawyer or such other evidence as may be presented. The Lawyer or his or her personal representative, or the Petitioner or his or her personal representative, may request to address the Board at a meeting at which the Board is considering the claim. Any such request must be made to the Chair or his or her designee, and the Chair may restrict or limit the length or subject matter of any statements permitted.

F. The Board shall, in its sole discretion and by a majority vote, determine whether a claim is approved or denied, and if approved, the amount of loss, if any, for which any Petitioner shall be reimbursed from the Fund. Although only a majority vote is required to approve or deny a petition, the Board should aspire to come to a consensus on every petition. In making such determination, the Board shall consider *inter alia*, the following:

1. Any conduct of the Petitioner which contributed to the loss.
2. Where the Board finds that the Lawyer performed no legal services or such an insignificant service that the failure, refusal or inability to refund the unearned fees constitutes a wrongful taking or conversion, the Board may reimburse 100% of the total fees paid by the Petitioner.
3. Where the Board finds that the Lawyer performed more than insignificant legal services, but the Lawyer has not fully earned the entire fee, the failure, refusal or inability to refund the unearned fees constitutes a wrongful taking or conversion, and the Board may reimburse 50% percent of the total fees paid by the Petitioner.
4. In the event the investigator or Board discovers that Petitioner's loss exceeds the amount sought in the petition, the Petitioner may amend his or her petition, or proceed with petition limited to original amount claimed. If the Petitioner submits an amended Petition the Lawyer may respond to the amended petition within thirty (30) days of the date of the letter transmitting the amended petition to him or her.
5. The total amount of Reimbursable Losses in previous years for which payment has not been made, the jurisdictional limits on Fund reimbursements set forth in Section 3 of the Preamble, and the total assets of the Fund.
6. The Board may, in its sole discretion, allow further payment in any year on account of a Reimbursable Loss allowed by it in prior years which has not been fully paid; provided such further payment would not be inconsistent or in conflict with any previous determination with respect to such loss.
7. No payment shall be made upon any petition, a summary of which has not been submitted to the Board members in accordance with these Rules of Procedure. No payment shall be made to any Petitioner unless said payment is duly approved by the Board as set forth above.
8. No claim shall be considered by the Board unless the same shall have been filed within seven (7) years from the time the Petitioner knew or should have known of the Lawyer's Dishonest Conduct, or within one (1) year after the first occurrence of one of the following events, whichever date is later:
 - a. the Lawyer has been disbarred or suspended from the practice of law, pursuant to any provision of Part 6, Section IV, Paragraph 13 of the Rules of the Supreme Court of Virginia or has transferred to a class of membership and affirmed that the member will not seek a further transfer to any other class of membership under Paragraph 3 of Part 6, Section IV of the Rules of the Supreme Court of Virginia; or
 - b. the Lawyer has voluntarily resigned from the practice of law in Virginia;
or

- c. the Lawyer has been adjudicated incompetent; or
- d. the Lawyer has been the subject of a bankruptcy that would stay, reduce or discharge the claims.

G. The Board may make a finding of Dishonest Conduct for purposes of adjudicating a claim. Such a determination is not a finding of Dishonest Conduct for purposes of professional discipline.

VI. REQUEST FOR RECONSIDERATION

The Petitioner may request only one reconsideration of a denial decision or the amount of an approved reimbursement. The Lawyer may request only one reconsideration of an approval decision, if the Lawyer has not previously requested a reconsideration in the matter. Any request for reconsideration must be in writing and received by the Virginia State Bar within thirty (30) days of the Board's decision.

When the Petitioner and the Lawyer have been accorded the reconsideration(s) under this rule, or if the Petitioner and Lawyer fail to request a reconsideration under this rule, the Board's decision is final, and the Board will not consider any additional requests for reconsideration or appeals.

VII. RESTITUTION TO FUND

A Lawyer whose Dishonest Conduct has resulted in reimbursement to a Petitioner shall make restitution to the Fund including interest and the expense incurred by the Fund in processing the claim.

VIII. ASSIGNMENT AND SUBROGATION

Payment shall be made from the Fund only upon condition that the Petitioner execute an assignment of Petitioner's assignable rights against the Lawyer or his/her successors in interest including, but not limited to the Lawyer's personal representative, heirs, devisees and assigns, on such terms as the Board may deem proper under the circumstances, including reimbursement of costs incurred in prosecuting a claim against the Lawyer or his or her successors in interest. The Virginia State Bar may bring an action pursuant to the assignment on behalf of the Fund and/or the Petitioner. The net proceeds collected by reason of such assignment shall be for the sole benefit of the Fund and deposited therein, and enforcement of this right shall be within the sole discretion of the Board. Prior to the commencement of an action by the Board, it shall advise the Petitioner thereof at his or her last known address. The Petitioner may then join in such action to press a claim for his or her loss in excess of the amount of the payment made by the Fund or for any other claims. The Board may impose such other conditions and requirements as it may deem appropriate in connection with payment to any Petitioner.

IX. PAYMENT OF RECEIVERSHIP COSTS

Costs of any Virginia State Bar receivership occasioned by the need for the receiver to

administer, pursue or defend assets, the recovery or preservation of which would inure to the benefit of one or more clients or other members of the public who have suffered losses as a result of the dishonest conduct of the Virginia State Bar member who is the subject of the receivership, acting as either a lawyer or as a fiduciary in the matter or matters in which the loss or losses occurred, shall be documented and certified to the Board by the Virginia State Bar staff for consideration of payment from the Fund by the Board as an agenda item at a meeting of the Board. The Board may approve payment with a majority vote.

X. CONFIDENTIALITY

The dissemination of information shall comply with Virginia law.

XI. GENERAL PURPOSES

These Rules of Procedure shall be liberally interpreted and, in any given case, the Board may waive technical adherence to these Rules of Procedure in order to achieve the objectives of the Fund.

XII. AMENDMENTS

The Board may establish and revise these Rules at any time by a majority vote of the Board at a duly held meeting at which a quorum is present, subject to the oversight of the Council of the Virginia State Bar as prescribed in Section 5 of the Preamble.

Rev. 2/27/09

Rev. 3/3/2006

Rev. 2/23/2013

Rev. 10/24/2014

Rev. 2/25/2017

Rev. 10/25/2019 – Approved by Virginia State Bar Council October 25, 2019

Rev. 10/29/2021 – Approved by Virginia State Bar Council October 29, 2021

Rev. 02/26/2022 – Approved by Virginia State Bar Council February 26, 2022

Rev. 01/28/2022 – Approved by Virginia State Bar Council June 16, 2022

Consent Agenda Policy

Purpose: The Clients' Protection Fund Board Consent Agenda is a listing of those cases on the Board's docket for an amount of \$5,000.00 or less at a particular meeting whose facts are relatively simple and indicate that the claim clearly fits within the criteria for reimbursable claims, as defined in the Clients' Protection Fund rules. The Board wishes to institute the use of a consent agenda to streamline the decision-making process and reserve meeting time for discussion of complex matters that require extensive analysis, discussion and the exercise of discretion.

Policy: A case involving a Petition seeking reimbursement from the Clients' Protection Fund for an amount of \$5,000.00 or less may be added to a Consent Agenda for action by the Board without discussion on the recommendation of the investigating board member with the concurrence of the Chair, provided the report is completed by the established reporting deadline and circulated to the Board no later than one week before the board meeting for review. Any item added to a Consent Agenda may be removed and presented for active discussion at the request of any member of the Board or staff at any time. **If an interested party, including the Petitioner, the Lawyer, or an advocate for the Petitioner or Lawyer, is present at the meeting and the Petition is on the Consent Agenda, the Petition shall, if requested by the Petitioner, Lawyer or advocate, be removed from the Consent Agenda and placed on the regular agenda of the meeting.**

The Chair will offer the Consent Agenda for the Board's unanimous approval before the presentation of the other cases on the Board's docket. The Board will adopt the recommendation of the investigating board members of the cases on the Consent Agenda by general consent without discussion.

These guidelines were adopted by the Clients' Protection Fund Board at its meeting on February 1, 2024.

TAB 13

2024 – 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

FIRST DISTRICT COMMITTEE

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Arthur C. Bredemeyer	Suffolk	2024-1
Aaron F. Kass	Portsmouth	2024-U
Jeanette M. Dodson-O’Connell	Newport News	2025-1
Lisa M. Moore	Newport News	2025-2
Marqueta N. Tyson	Hampton	2025-1
Robert C. Barclay, IV	Portsmouth	2026-2
Nancy G. Parr	Chesapeake	2026-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Ronald K. Ritter	Chesapeake	2024-1
Ann W. Templeman	Hampton	2026-2
Phil Johnson	Chesapeake	2026-1

Vacancies/Reappointments:

One (1) attorney to fill the unexpired term of Robert C. Barclay, IV who was appointed to the bench

Two (2) attorney reappointments to serve a term of three (3) years each

One (1) non-attorney reappointment to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Benjamin M. Mason	Newport News	2026-U
Arthur C. Bredemeyer	Suffolk	2027-2
Aaron F. Kass	Portsmouth	2027-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Ronald K. Ritter	Chesapeake	2027-2

**2024 – 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024**

SECOND DISTRICT COMMITTEE, SECTION I

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Kathryn N. Byler	Virginia Beach	2024-2
Constance J. Vandervelde	Virginia Beach	2024-1
Jeffrey H. Gray	Virginia Beach	2025-2
Ann B. Brogan	Norfolk	2025-1
Jonathan V. Gallo	Norfolk	2025-1
Regis N. Rice	Norfolk	2025-1
Gordon C. Ufkes	Norfolk	2026-2
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Lloyd Petersen	Virginia Beach	2026-1
Zoah Scheneman	Norfolk	2026-1
Lewis J. Georges	Norfolk	2026-1

Vacancies/Reappointments:

One (1) attorney to serve a term of three (3) years
One (1) attorney reappointment to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Tammy McClenney	Virginia Beach	2027-1
Constance J. Vandervelde	Virginia Beach	2027-2
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
n/a		

2024 – 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

SECOND DISTRICT COMMITTEE, SECTION II

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Edwin S. Booth	Virginia Beach	2024-U
Gerald L. Harris	Virginia Beach	2025-2
Gregory W. Klein	Virginia Beach	2025-1
Patrick L. Maurer	Virginia Beach	2026-2
Jessica H. Dixon	Virginia Beach	2026-1
Shannon M. Twohig	Virginia Beach	2026-1
Solomon H. Ashby, Jr.	Portsmouth	2026-1

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Ann R. Caudle	Virginia Beach	2025-1
Andrew Kellam	Virginia Beach	2025-1
Sarah B. Stedfast	Norfolk	2026-2

Vacancies/Reappointments:

One (1) attorney to serve the unexpired term of Solomon Ashby, Jr. who
was appointed to the bench

One (1) attorney reappointment to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Elizabeth K. Ufkes	Norfolk	2026-U
Edwin S. Booth	Virginia Beach	2027-1

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
n/a		

2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

THIRD DISTRICT COMMITTEE, SECTION I

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Michael C. Moore	Richmond	2024-2
James H. Ritchie, Jr.	Dinwiddie	2024-1
Wyatt J. Taylor	Midlothian	2024-1
Alexandra M. Griffin	Richmond	2025-1
Lee Ann Anderson	Henrico	2025-1
Erin L. T. Ranney	Chesterfield	2025-1
Mary K. Martin	Hopewell	2026-1

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Garrison M. Hickman	Richmond	2026-1
R. Douglas Robbins	Chester	2026-1
Gordon R. Hickey	Midlothian	2026-2

Vacancies/Reappointments:

One (1) attorney to serve a term of three (3) years
Two (2) attorney reappointments to serve a term of three years each

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Christopher L. Spinelli	Richmond	2027-1
James H. Ritchie, Jr.	Dinwiddie	2027-2
Wyatt J. Taylor	Midlothian	2027-2

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
n/a		

**2024 – 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024**

THIRD DISTRICT COMMITTEE, SECTION II

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Eric H. Feiler	Richmond	2024-2
David A. Stock	Henrico	2024-1
Guy C. Crowgey	Richmond	2025-2
Meredith M. Haynes	Richmond	2025-2
Brielle M. Hunt	Richmond	2025-2
Matthew G. Howells	Richmond	2026-1
Julie E. McConnell	Richmond	2026-1

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Rabbi Randi C. Nagel	Henrico	2024-2
David Q. Robinson	Henrico	2025-1
Vanessa Griggs	Henrico	2026-1

Vacancies/Reappointments:

One (1) attorney to serve a term of three (3) years
One (1) attorney reappointment to serve a term of three (3) years

One (1) non-attorney to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Brian L. Bunia	Midlothian	2027-1
David A. Stock	Henrico	2027-2
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Karen McCarthy	Richmond	2027-1

2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

THIRD DISTRICT COMMITTEE, SECTION III

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Melanie A. Friend	N. Chesterfield	2024-2
Jason W. Konvicka	Richmond	2024-1
Bobbi R. Graves	Richmond	2024-1
K. Matthew Long	Richmond	2025-2
Dennis R. Kiker	Chester	2026-1
Tracy E. Paner	Richmond	2026-1
Brewster S. Rawls	Richmond	2026-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Rev. Daniel R. Greenwood, III	Richmond	2024-2
Elizabeth Chancy	Henrico	2026-1
Barbara S. Lanier	Henrico	2026-2

Vacancies/Reappointments:

One (1) attorney to serve a term of three (3) years
Two (2) attorney reappointments to serve a term of three (3) years each

One (1) non-attorney to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
(VACANCY)		2027-1
Jason W. Konvicka	Richmond	2027-2
Bobbi R. Graves	Richmond	2027-2
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Cody Anderson	Henrico	2027-1

Blanton, Stephanie

From: Emilee Hasbrouck <hasbrouck@theramfirm.com>
Sent: Friday, February 23, 2024 11:54 AM
To: District Committees
Subject: EXTERNAL SENDER Disciplinary Committee Application
Attachments: Cover Letter.pdf; 2024 resume.pdf

You don't often get email from hasbrouck@theramfirm.com. [Learn why this is important](#)

Good Afternoon,

Please find my application materials attached. I appreciate your time and consideration.

Best,
EMH

Emilee Hasbrouck
The Ram Law Firm PLLC
7202 Glen Forest Drive, Suite 306
Henrico, VA 23226
Tel: (804) 939-6609
Fax: (804) 597-6306
Hasbrouck@theramfirm.com
www.theramfirm.com



DISCLAIMER: The information in this email and any attachments may be confidential and privileged. Access to this email by anyone other than the intended addressee is unauthorized. If you are not the intended recipient or the employee or agent responsible for delivering this information to the intended recipient, please notify the sender by reply email and immediately delete this email and any copies from your computer and/or storage system. The sender does not authorize other use, distribution, disclosure or reproduction of this email or any part of its contents by anyone other than the intended recipient(s). No presentation is made that this email and any attachments are free of viruses. Virus scanning is recommended and is the responsibility of the recipient.



THE RAM LAW FIRM PLLC

7202 Glen Forest Drive, Suite 306
Richmond, VA 23226
Tel: 804-404-2654
Fax: 804-597-6306

Emilee Manzi Hasbrouck, Esq
Email: Hasbrouck@TheRamFirm.com
Text: 804-939-6609

February 23, 2024

VIA EMAIL

Stephanie Blanton
Virginia State Bar
111 East Main Street
Richmond, VA 23219
Email: districtcommittees@vsb.org

RE: Interest in serving on the Third District's Disciplinary Committee

Dear Ms. Blanton,

Thank you for considering my application to serve on the Third District's Disciplinary Committee. It is an honor to be considered. I have been a licensed attorney in good standing since 2009. As I have aged in the profession, I have had the opportunity to see the significant impacts lawyers can have on their clients and on their communities. While we can uplift, we can also engage in activities and behaviors that harm those we are duty bound to serve.

Our rules of professional conduct are founded on the basic principles of loyalty and honesty. Unfortunately, some lawyers lose sight of these cornerstones. Trust accounts are treated as personal bank accounts, people at their most vulnerable are taken advantage of, and candor to each other and to the Courts is sacrificed to gain an edge. Such conduct reflects poorly not just on the individual attorney, but on all of us. We are a self-governing body and owe a duty to our clients, to the Commonwealth, and to her citizens to ensure that our colleagues behave ethically.

I firmly believe people are more than the worst thing they have ever done. We all make mistakes and do things we wish we never had. We deserve grace, understanding and the opportunity to improve. If selected to serve on the Third District Disciplinary Committee, I will couple accountability with this belief to help ensure that poor behavior is addressed, while aiming to provide those who have violated our professional rules with the opportunity and the tools for improvement.

I greatly appreciate your consideration of my application. Please feel free to contact me if you would like any additional information.

Sincerely,

Emilee Hasbrouck

Emilee Manzi Hasbrouck

theramfirm.com

EMILEE MANZI HASBROUCK
The Ram Law Firm
7202 Glen Forest Drive, Suite 306
Richmond VA, 23226
804.939.6609
Hasbrouck@theramfirm.com

EXPERIENCE

The Ram Law Firm, Richmond, Virginia

Attorney, January 2022 - Present

- Represent those facing criminal prosecution throughout the Commonwealth. Practice is focused on complex felony cases.
- Represent individuals in post-conviction relief efforts throughout the Commonwealth, including petitions for writs of habeas corpus, petitions for writs of actual innocence, appeals, and representation of exonerees in efforts to obtain compensation through the General Assembly.

Virginia Office of the Attorney General, Conviction Integrity Unit, Richmond, Virginia

Assistant Attorney General, March 2021 - January 2022

- Assisted in creating the Conviction Integrity Unit, including the development of internal and external protocols, case eligibility and investigative procedures.
- Investigated claims of actual innocence.
- Drafted and filed written pleadings in the Virginia Court of Appeals and Circuit Courts throughout the Commonwealth.
- Litigated claims of actual innocence.

Office of the Capital Defender Central Region, Henrico, Virginia

Assistant Capital Defender, January 2018 - March 2021

- Direct representation of those facing the death penalty throughout central Virginia.
- Developed and implemented investigative strategies into underlying offense.
- Maintained a zealous and varied pretrial motions practice.
- Built and maintained trusting relationships with clients.
- Worked closely with a large defense team including investigators, mitigation specialists, co-counsel, local counsel, and experts.
- Substantial exposure to, and familiarity with, forensic and medical evidence.
- Significant experience with voluminous records review.

Richmond Office of the Public Defender, Richmond, Virginia

Deputy Public Defender, April 2010 – January 2018

- Represented indigent clients charged with criminal offenses, appearing in the Juvenile and Domestic Relations, General District and Circuit Courts for the City of Richmond.
- Tried hundreds of bench and jury trials in the City of Richmond court system.
- Represented clients charged with a multitude of offenses including: homicide, malicious wounding, robbery, rape, drug possession and distribution, and firearm offenses.

- Specialized in serious offenses, including mandatory life cases, homicides, serious sex offenses.
- Essential member of management structure in the office. Directly responsible for day-to-day supervision of 12 attorneys in General District Court. Supervise all serious sex offenses in the office.
- Managed intern program for office.

EDUCATION

University of Richmond School of Law, Richmond, Virginia

Juris Doctor, May 2009

- Honors: *Journal of Law and the Public Interest*, Publications Editor
Pro Bono Certificate, Recipient
- Activities: Juris Publici, Managing Editor (2008-2009)

The College of Charleston, Charleston, South Carolina

Bachelor of Arts in Political Science, May 2006

Bachelor of Science in Psychology, May 2006

BAR MEMBERSHIPS

- Virginia, 2009

CERTIFICATIONS

- Misdemeanor, Juvenile and Felony certified by the Indigent Defense Commission
- Prior Capital Trial Co-Counsel certified by the Indigent Defense Commission.

COMMUNITY ENGAGEMENT

- *Pro-Bono Committee*, Metro Women's Bar Association, December 2023 - Present
 - Developing opportunities for pro-bono service for our members.
- *Co-Founder*, RVA Legal Collaborative, June 2020 - March 2021
 - Created an organizational framework to connect pro-bono attorneys with those arrested protesting against police brutality and for racial equality.
 - Provided pro-bono representation of protesters.

Adam E. Strauchler
1605 Denham Rd.
Richmond, VA 23229
(804) 400-4107
strchlr@gmail.com

March 28, 2024

Virginia State Bar
Local Disciplinary District Committees
111 East Main Street, Suite 700
Richmond, Virginia 23219-0026

Re: Third District Disciplinary Committee Vacancy

Fellow Members of the Virginia State Bar:

I write to express my interest in serving on the Third District Disciplinary Committee (Fourteenth Circuit).

Over my roughly twenty-five years of practice, I have been the recipient of the boons of the Virginia State Bar. Most of my career has been spent defending personal injury cases. It is a wonderful thing to meet a client for the first time, and to have that client's trust almost immediately. As much as I would like to believe that trust is entirely the result of my own reputation or earnest manner, the truth is that it largely stems from the public's faith that our profession is overseen. The promise of confidentiality or of unconflicted advocacy stands implicitly upon the existence of a just disciplinary body. The Virginia State Bar provides the public with confidence in its members, and we members of the Bar benefit from that confidence.

Having been the beneficiary of the Bar and the trust it cultivates among my clients, I want to help ensure that these benefits are enjoyed by its other members. Our profession best serves the public when that public has faith that lawyers can be trusted, and that faith relies upon the oversight of the Bar.

I would be very pleased for this opportunity and appreciate your consideration.

Sincerely,



Adam E. Strauchler

AES/

Adam E. Strauchler
1605 Denham Rd.
Richmond, VA 23229
(804) 400-4107
strchlr@gmail.com
Virginia State Bar Number 42412, Admitted June 1, 1998

Professional Experience

Senior Trial Attorney Nationwide Trial Division, Richmond, VA
April 2002 – Present

- Defend Nationwide Insurance and its insureds in personal injury trials and workers' compensation hearings.
- Litigate declaratory judgments.
- Conduct examinations under oath.
- Author advisory opinions for Nationwide Claims.
- Train Nationwide claim adjusters.
- Serve on Digital Workplace Experience, Medicare Set Aside, and Emerging Vehicle Technology committees.

Legal Analyst LexisNexis, Charlottesville, VA
May 2001 – April 2002

Associate Attorney – Litigation Framme Law Firm, PLC, Richmond, VA
January 1998 – April 2001

Admissions

Virginia Supreme Court and all lower Virginia State Courts
United States Court of Appeals for the Fourth Circuit
United States District Court, Eastern District of Virginia

Education

T.C. Williams School of Law, University of Richmond, Richmond, VA
Juris Doctor, 1997

The College of New Jersey (formerly Trenton State College), Trenton, NJ
Bachelor of Arts, English (major) and Electronic Communications (minor), 1992

Hobbies

Backpacking
Running

DC3
JC14

Blanton, Stephanie

From: Seltzer, Cullen D. <cseltzer@sandsanderson.com>
Sent: Thursday, March 28, 2024 10:32 PM
To: Blanton, Stephanie
Subject: EXTERNAL SENDER Nomination of Adam Strauchler to Third District Committee
Attachments: Local Disciplinary Committee Submission STRAUCHLER.pdf

Stephanie –

I am writing to nominate Adam Strauchler to serve as an attorney member of the Third District Committee. He's a skillful lawyer and advocate. He's a savvy and committed professional. I know him to uphold the highest and best traditions of the bar and to exemplify our ethical expectations and ideals. He is thoughtful and curious. He's a respectful and committed collaborator. I've known him for more than twenty years and can attest to his diligence, keen intellect, and hard work. I have no doubt he'll be an excellent addition to service to the Bar and to the disciplinary system.

Thanks,
Cullen



Cullen D. Seltzer
Attorney

Sands Anderson PC

PO Box 1998, Richmond, VA 23218-1998

Direct: (804) 783-7235 | Main: (804) 648-1636

www.sandsanderson.com | cseltzer@sandsanderson.com | Bio | vCard

Sands Anderson is delighted to share that we moved our Richmond office!

Effective February 1, 2024, our Richmond office is located at 919 East Main Street, Suite 2300, Richmond, Virginia 23219

NOTICE from Sands Anderson PC: This message and its attachments are confidential and may be protected by the attorney/client privilege. If you are not the named addressee or if this message has been addressed to you in error, you are directed not to read, disclose, reproduce, distribute, disseminate or otherwise use this transmission. Please notify the sender immediately by e-mail and delete and destroy this message and its attachments.

**2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024**

FOURTH DISTRICT COMMITTEE, SECTION I

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Devanshi P. Patel	Arlington	2024-2
Edward Y. Szeto	Arlington	2024-U
Elizabeth L. Tuomey	Arlington	2025-2
Dusty S. Reed	Arlington	2025-2
Gregory J. Golden	Arlington	2026-2
Allison H. Carpenter	Arlington	2026-2
Robert T. Hicks	Arlington	2026-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Gayle E. Dennis	Arlington	2024-1
Lindsay Rose	Arlington	2025-1
Roxana L. Ordal	Annandale	2026-1

Vacancies/Reappointments:

One (1) attorney to serve a term of three (3) years
One (1) attorney reappointment to serve a term of three (3) years

One (1) non-attorney reappointment to serve a term of three years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Colleen M. Haddow	Alexandria	2027-1
Edward Y. Szeto	Arlington	2027-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Gayle E. Dennis	Arlington	2027-2

**2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024**

FOURTH DISTRICT COMMITTEE, SECTION II

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Sean P. Schmergel	Arlington	2024-U
Kenneth E. Labowitz	Alexandria	2025-2
Foster S. B. Friedman	Alexandria	2025-1
M. Jarred Wright	Alexandria	2025-1
Sean A. O. Sherlock	Alexandria	2026-2
Michelle Bartoli-Cain	Alexandria	2026-1
Samuel C. Moore	Alexandria	2026-1

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Barbara Moore	Alexandria	2024-2
William E. Campbell	Alexandria	2025-1
Jennifer J. Krischer	Arlington	2026-1

Vacancies/Reappointments:

One (1) attorney reappointment to serve a term of (3) years

One (1) non-attorney to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Sean P. Schmergel	Arlington	2027-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Amy-Leah Joaquim	Alexandria	2027-1

2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

FIFTH DISTRICT COMMITTEE, SECTION I

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Brendan D. Harold	Fairfax	2024-2
Michael K. Kim	Fairfax	2024-2
Staci H. Figueroa	Fairfax	2024-1
Craig A. Guthery	Tysons	2025-1
David E. Bateman	Fairfax	2026-1
Andrea C. Weiss-Bryk	Fairfax	2026-1
Tara J. Mooney	Fairfax	2025-U

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Marshall B. Rose	Springfield	2024-2
Jennifer Neel	Springfield	2025-1
Jeffrey J. Berkin	Vienna	2025-2

Vacancies/Reappointments:

Two (2) attorneys to serve a term of three (3) years each
One (1) attorney reappointment to serve a term of three (3) years

One (1) non-attorney to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Darrin J. M. Behr	Fairfax	2027-1
Priti Khanna	Fairfax	2027-1
Staci H. Figueroa	Fairfax	2027-2

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Joseph C. Fleig	Woodbridge	2027-1

**2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024**

FIFTH DISTRICT COMMITTEE, SECTION II

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Robert H. Cox	Vienna	2024-2
Michelle M. Kaminsky	Fairfax	2024-U
Micah E. Ticatch	Vienna	2025-1
Marisa L. Santana	Fairfax	2025-1
Lauren A. D'Agostino	Fairfax	2026-2
Richard B. Orsino	Fairfax	2026-1
Brandon R. Sloane	Fairfax	2026-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Avery D. Mims	Haymarket	2025-2
Courtney Reheiser	Manassas	2026-2
Jeffrey A. Skigen	Vienna	2026-2

Vacancies/Reappointments:

One (1) attorney to serve a term of three (3) years
One (1) attorney reappointment to serve a term of three (3) years

Nominees:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Nicholas J. Lawrence	Fairfax	2027-1
Michelle M. Kaminsky	Fairfax	2027-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
n/a		

**2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024**

FIFTH DISTRICT COMMITTEE, SECTION III

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Kevin L. Leahy	Manassas	2024-2
Kiah D. Spinks	Occoquan	2024-1
Samuel A. Leven	Oakton	2025-2
Daniel L. Swanwick	Falls Church	2025-1
Elizabeth M. Bookwalter	Fairfax	2025-U
Matthew P. Tsun	Annandale	2026-1
Kristen L. Kugel	Fairfax	2026-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Maura Burke Weiner	Fairfax	2024-2
Poonam H. Magar	Fairfax	2025-2
Barbara W. Hutto	Clifton	2026-1

Vacancies/Reappointments:

Two (2) attorneys to serve a term of three (3) years each
(Kiah Spinks was appointed to the bench; she is unable to serve a second term)

One (1) non-attorney to serve a term of three (3) years

Nominees:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Timothy Purnell	Manassas	2027-1
Gabrielle A. Best Husband	McLean	2027-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Charles R. Markham	Gainesville	2027-1

2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

SIXTH DISTRICT COMMITTEE

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Adam R. Kinsman	Williamsburg	2024-U
S. David Schiller	Mechanicsville	2024-1
Shelia H. B. Holmes	Mechanicsville	2025-1
Daniel C. Yates	Yorktown	2025-1
John Tarley, Jr.	Williamsburg	2026-2
Gary D. Godman	Fredericksburg	2026-1
Jane S. Chambers	Williamsburg	2026-1

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Donald C. Hill	Williamsburg	2024-2
Roy H. Smith	Spotsylvania	2025-1
David Fagiano	Spotsylvania	2026-1

Vacancies/Reappointments:

Two (2) attorney reappointments to fill a term of three (3) years each

One (1) non-attorney to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Adam R. Kinsman	Williamsburg	2027-1
S. David Schiller	Mechanicsville	2027-2
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Ti'Juana A. Gholson	Williamsburg	2027-1

2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

SEVENTH DISTRICT COMMITTEE

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Dillina W. Stickley	Harrisonburg	2024-1
Benjamin B. Fitzgerald	Leesburg	2025-U
Seth J. Ragosta	Charlottesville	2025-2
Hope V. Payne	Charlottesville	2025-1
Lisa S. Brook	Charlottesville	2025-1
Ryan D. Ruzic	Warrenton	2026-2
Bret M. Reed	Charlottesville	2026-1

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Dr. Stephen J. Napolitano	Round Hill	2024-2
Kimberly Gregg	Earlysville	2026-2
Matt Caesar	Charlottesville	2026-1

Vacancies/Reappointments:

One (1) attorney reappointment to serve a term of three (3) years

One (1) non-attorney to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Dillina W. Stickley	Harrisonburg	2027-2
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Michael Z. Blumberg	Goochland	2027-1

2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

EIGHTH DISTRICT COMMITTEE

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Jennifer K. M. Crawford	Covington	2024-2
Lauren M. Ellerman	Roanoke	2024-1
Bryson J. Hunter	Roanoke	2024-1
John C. Johnson	Roanoke	2024-U
Paul C. Kuhnel	Roanoke	2025-2
James W. Curd	Fishersville	2026-2
Vicki L. Francois	Roanoke	2026-2

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Jennifer T. Brothers	Roanoke	2025-1
Charles S. Coulter	Roanoke	2026-1
Eric W. Bond	Waynesboro	2026-2

Vacancies/Reappointments:

One (1) attorney to serve a term of three (3) years
Three (3) attorney reappointments to serve a term of three (3) years each

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
John C. Blair	Staunton	2027-1
John C. Johnson	Roanoke	2027-1
Lauren M. Ellerman	Roanoke	2027-2
Bryson J. Hunter	Roanoke	2027-2

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
n/a		

2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

NINTH DISTRICT COMMITTEE

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Nolan G. Elder	Farmville	2024-2
Melissa E. Fraser	South Boston	2024-2
Michael C. Pflieger	Lynchburg	2024-2
Kimble Reynolds, Jr.	Martinsville	2024-1
Greg T. Haymore	Danville	2026-2
Michael C. Keenan	Lynchburg	2026-2
Kemper M. Beasley, III	Farmville	2026-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Marc A. Schewel	Lynchburg	2025-2
Sharlene Howell	Dillwyn	2026-1
Thomas J. Miles, III	Buckingham	2026-1

Vacancies/Reappointments:

Four (4) attorneys to serve a term of three (3) years each
(Greg Haymore was appointed to the bench and is unable to
continue to serve)

One (1) attorney reappointment to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
P. Scott De Bruin	Lynchburg	2027-1
Lisa C. Francisco	Halifax	2027-1
Megan L. Clark	Farmville	2027-1
Richard T. Gilman	Forest	2027-1
Kimble Reynolds, Jr.	Martinsville	2027-2

<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
n/a		

2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024

TENTH DISTRICT COMMITTEE, SECTION I

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Bettye E. Ackerman	Blacksburg	2024-2
Robert A. Campbell	Wytheville	2024-2
Bethany M. Long-Hampsten	Wytheville	2025-1
Zachary B. Smith	Pearisburg	2025-1
Anthony D. Covington	Radford	2026-2
Alexandra D. Goodpaster	Abingdon	2026-1
Phillip L. Blevins	Marion	2026-1
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
D. Michael Barber	Christiansburg	2024-2
James N. Lloyd	Rural Retreat	2024-2
Brian J. Craig	Willis	2025-1

Vacancies/Reappointments:

Two (2) attorneys to serve a term of three (3) years each

Two (2) non-attorneys to serve a term of three (3) years each

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Patrick R. Jensen	Christiansburg	2027-1
Sheri H. Kelly	Abingdon	2027-1
<u>Non-Attorney</u>	<u>Address</u>	<u>Term Expires</u>
Jeffrey N. Hurst	Richlands	2027-1
Kevin Wright	Bristol	2027-1

**2024 - 2025
NOMINEES FOR DISTRICT COMMITTEES
June 2024**

TENTH DISTRICT COMMITTEE, SECTION II

Current Composition:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Malcolm M. Brown	Marion	2024-2
Stacy E. Munsey	Jonesville	2024-2
Michael F. M. Carrico	Gate City	2024-1
Timothy A. Boyer	Bristol	2025-1
Chase D. Collins	Tazwell	2026-1
Aaron M. Gillespie	Tazwell	2026-1
Michael A. Thomas	Tazwell	2026-U
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Angela C. Fannon	Pennington Gap	2025-2
Jenny Nichols	Bristol	2026-1
Connie Comer	Lebanon	2026-1

Vacancies/Reappointments:

Two (2) attorneys to serve a term of three (3) years each

One (1) attorney reappointment to serve a term of three (3) years

Nominees are:

<u>Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
Hugh Shannon Cooke	Cedar Bluff	2027-1
William C. Wampler, III	Abingdon	2027-1
Michael F. M. Carrico	Gate City	2027-2
<u>Non-Attorneys</u>	<u>Address</u>	<u>Term Expires</u>
n/a		

TAB 14



RESOLUTION

WHEREAS, Chidi I. James, a partner of Blankingship & Keith PC, has diligently and generously served as the president of the Virginia State Bar during the 2023-24 Bar year; and

WHEREAS, Chidi I. James has enhanced the legal profession as the first Black man to serve as Virginia State Bar president, as a former president of the Northern Virginia Black Attorneys Association, as a board member of the Virginia Trial Lawyers Association, as a member of the Old Dominion Bar Association, and as a champion for Legal Services of Northern Virginia; and

WHEREAS, since his admission to the Bar in 2001, Chidi I. James has contributed his time and leadership skills to the Virginia State Bar, serving on the Executive Committee, VSB Council, the Diversity Conference Board of Governors, the Better Annual Meeting Committee, the Bench-Bar Relations Committee, the Fifth District – Section I Disciplinary Committee, the Committee on Lawyer Discipline, the Nominating Committee, the Professionalism Course Faculty, the Budget and Finance Committee, and as an ABA Delegate; and

WHEREAS, Chidi I. James showed courage and selflessness in accepting the call to serve and represented the Virginia State Bar at numerous events including the Virginia Bar Association Annual Meeting, the Virginia Law Foundation Grant Recipient Luncheon, the Solo & Small-Firm Practitioner Forum, the Appalachian School of Law President's Reception, the VSB Annual Pro Bono Conference, the Southern Conference of Bar Presidents' meeting, the Virginia Association of Defense Attorneys Annual Meeting, the Minority Pre-Law Conference at George Mason Law School, the Annual National Trial Advocacy College at the University of Virginia Law School, and the Old Dominion Bar Association Winter Meeting; and

WHEREAS, Chidi I. James tirelessly promoted the legal profession by speaking at events including the VSB Hill-Tucker Institute for high school students interested in the law, the VSB Disciplinary Conference, the Professionalism Course, the Northern Virginia Black Attorneys' Association 40th Anniversary Convention, the Virginia Judges & Lawyers Assistance Program Annual Fall Retreat, the Legal Services of Northern Virginia Fall Gala, the Young Lawyers Conference Women & Minorities Bench-Bar Dinner at Virginia Union University, the Regent University Law School Chapel, the Hayfield Secondary School Career Day, the VSB Forum on Diversity in the Legal Profession, and the historic DC-Maryland-Virginia Bar Presidents' Panel; and

WHEREAS, Chidi I. James has written columns for *Virginia Lawyer* magazine on the importance of lawyer bar service and the VSB's mission; on ways to close the justice gap; on the loss of his son, Gabriel, and how lawyers should consider the Virginia Judges and Lawyers Assistance Program when they need help; on what he would tell his younger self and lessons learned thus far in his career; on encouraging lawyers to do the 21-Day Racial Equity Challenge; and tales from Appalachia to Onancock; and

WHEREAS, Chidi I. James's leadership as president of the Virginia State Bar was exemplified by his unwavering commitment to improving the profession; to protecting and informing the public; to supporting local bar associations by attending and speaking at their events; to recognizing the staff of the Virginia State Bar by attending staff meetings; and to advancing lawyer wellness, diversity in the profession, and lawyer involvement in the community while traversing the Commonwealth; and

NOW, THEREFORE, BE IT RESOLVED, this 30th day of May 2024, the Virginia State Bar Council, on behalf of the over 50,000 members of the Bar, and in recognition of his exemplary service as the 85th president of the Virginia State Bar, offers this expression of gratitude and affection to Chidi I. James.

Michael M. York
President-elect, Virginia State Bar

Cameron M. Rountree
Executive Director/Chief Operating Officer



RESOLUTION

WHEREAS, Chidi I. James, a partner of Blankingship & Keith PC, has diligently served as president of the Virginia State Bar during the 2023–24 Bar year; and

WHEREAS, the lawyers and staff of Blankingship & Keith PC have generously given their time, support, and substantial resources to enable Chidi I. James the opportunity to serve as president of the Virginia State Bar, including former VSB President John A.C. Keith; retired partner and former VSB President A. Hugo Blankingship Jr.; former managing partner Judge William B. Porter; current managing partner Laurie L. Kirkland; lawyers Amy L. Bradley, Peter S. Everett, David J. Gogal, M. Barkley Horn, Juli M. Porto, Aimee N. Solano, Robert J. Stoney, and Matthew P. Tsun; and Chidi's dedicated legal assistant, Brenda Ramirez; and

NOW, THEREFORE, BE IT RESOLVED, this 30th day of May 2024, that the Council of the Virginia State Bar is pleased to recognize the service and contributions made by members of Blankingship & Keith PC to the work of the Bar and to offer its expression of abiding gratitude to the firm and President James.

Michael M. York
President-elect, Virginia State Bar

Cameron M. Rountree
Executive Director/Chief Operating Officer



RESOLUTION

WHEREAS, as an initiative of the Virginia State Bar, what is now known as the Virginia Law Foundation (VLF) was chartered by the State Corporation Commission of Virginia on March 4, 1974 to act as the vehicle for financing the acquisition of land and the construction of a headquarters building to serve law-related organizations; and

WHEREAS, in 1981, the Board voted to change the name of the corporation to Virginia Law Foundation signaling a shift from a focus on building a Bar headquarters building to the broader agenda of supporting access to justice, law-related education and Rule of Law projects; and

WHEREAS, also in 1981, at the behest of the Virginia State Bar and the Virginia Bar Association (VBA), the VLF began supervising the operations of Virginia CLE to ensure the provision of the finest in continuing legal education to Virginia's legal community; and

WHEREAS, from 1983 through 1995, the VLF served as the entity designated by the Supreme Court of Virginia to administer the interest received from the Interest on Lawyers Trust Accounts program and handled this fiduciary responsibility with great care and effect; and

WHEREAS, in 1984, the VLF instituted its Fellows program to recognize the top one percent of Virginia lawyers who have demonstrated excellence in all endeavors associated with the profession and have made outstanding contributions to their communities. To date the VLF has bestowed this honor on approximately 775 lawyers who meet the ideals of citizen lawyers; and

WHEREAS, through its robust grant program initiated in 1984 the VLF has awarded more than \$28 million dollars in grants to a myriad of programs that support the VLF's mission to promote the Rule of Law, access to justice, and law-related education; and

WHEREAS, ongoing programs receiving grant funding include the award of public service summer internship stipends to selected first and second year law students at Virginia law schools to help bring to light the importance of public interest and pro bono legal work; pro bono legal services and legal aid to underserved individuals and groups such as victims of domestic abuse or human trafficking, cancer patients, veterans, immigrants, seniors, and previously incarcerated individuals with collateral legal issues; and

WHEREAS, over the last decade, the VLF has financially supported several notable signature projects to leave a lasting impact on Virginia including the Nuremberg Trials Courtroom exhibit at the Virginia Holocaust Museum, the Supreme Court of Virginia's Judicial Learning Center and the Library of Virginia's program to restore various original governing documents of Virginia such as the Commonwealth's handwritten Constitution of 1776; and

WHEREAS, in addition to providing outstanding legal education through its educational division Virginia CLE, the VLF supports through its grants other providers of educational programming particularly in the areas of civics education and constitutional history such as the Virginia Museum of History & Culture, the Jamestown Rediscovery Foundation, the John Marshall Center for Constitutional History & Civics, the Montpelier Foundation's Public Constitutional Initiatives & Education, and the Center for Teaching the Rule of Law; and

WHEREAS, in the last five years, the VLF has pioneered its own tremendously successful educational initiatives such as the Constitutional Institute, the Civil Rights Law Institute and most recently the Wellness Institute and has launched a prestigious professional recognition, the Qualified Counselor and Qualified Master Counselor Designation Program to assist the public in securing competent legal representation; and

WHEREAS, over the past fifty years, the Virginia Law Foundation has been a constant clarion for justice and a force for good within this Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, this 30th day of May 2024, that the Virginia State Bar Council, on behalf of the fifty thousand members of the Virginia State Bar, and in recognition of its outstanding service to the bar, offers this expression of gratitude and affection to the Virginia Law Foundation.

Chidi I. James
President, Virginia State Bar

Cameron M. Rountree
Executive Director/Chief Operating Officer



RESOLUTION

WHEREAS, Maureen Dubus Stengel has diligently served the Virginia State Bar, first as the Professionalism Course Coordinator and later as the Administrator, Professionalism and Young Lawyers' Program; the temporary Assistant Director of Member Compliance; and the Director of Bar Services for the Virginia State Bar (VSB) since July 23, 1990, when she joined the VSB after working for a national trade association planning nationwide conventions and events; and

WHEREAS, Maureen Dubus Stengel has generously contributed her time and leadership skills to the VSB and has been a living example of professionalism for VSB employees and in the legal community in Virginia, navigating all VSB programs through rule changes and the coronavirus pandemic while building one of the best bar services staffs in the country; and

WHEREAS, she planned over two hundred VSB Mandatory Professionalism Courses with hundreds of volunteer faculty members, implementing important changes to keep the courses relevant to the evolving nature of the practice of law and setting an example for the entire country; and

WHEREAS, she coordinated thirty-three VSB Annual Meetings, missing only one for parental leave; built the Annual Meeting Expo; and, most recently, successfully navigated competing events and scheduling conflicts to produce an annual meeting and prepare for future meetings that are accessible and relevant to all members; and

WHEREAS, in her over thirty years with the VSB, she worked tirelessly as the liaison for the VSB's Committee on Professionalism and the Better Annual Meeting Committee; the Young Lawyers Conference; the Task Force on Emergency Legal Services; and the Criminal Law, Education of Lawyers, Business Law, Antitrust, Franchise and Trade Sections, assisting the activities of thousands of volunteers in myriad ways to support the more than 50,000 lawyers licensed to practice in the Commonwealth of Virginia; and

WHEREAS, in her position as Director of Bar Services, she provided thoughtful and responsive supervision, direction, and oversight for the department, which produced hundreds of events, activities, and presentations to further the VSB mission and provided intradepartmental support to all VSB staff planning events targeting specific aspects of the VSB mission such as prosecuting lawyer misconduct and working to provide pro bono services and access to justice to the public; and

WHEREAS, she championed the value in the services the VSB and volunteers offer to members and the public; was dedicated to the empowerment of and appreciation for volunteers; and spoke eloquently before the VSB Executive Committee and at educational and professional programs; and

WHEREAS, she frequently served as the first point of contact for new VSB members and has built long-standing professional relationships with many; and

WHEREAS, she was quick to problem solve, streamline solutions, and made productions look effortless even when navigating unexpected circumstances or emergencies (e.g., helping change a volunteer's tire); and

NOW, THEREFORE BE IT RESOLVED, this 30th day of May 2024, that the VSB Council, on behalf of the over 50,000 lawyers of the Commonwealth, offers its profound thanks and gratitude to Maureen Dubus Stengel in recognition of her outstanding service to the legal profession and to the Commonwealth of Virginia.

Chidi I. James
President, Virginia State Bar

Cameron M. Rountree
Executive Director/Chief Operating Officer