Executive Committee Meeting
October 29, 2026

and

Council Meeting
October 30, 2026

Williamsburg

Virginia State Bar

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

AGENDA
EXECUTIVE COMMITTEE MEETING
Kingsmill Resort, Randolph Room, 1010 Williamsburg Road, Williamsburg
1010 Williamsburg Road, Williamsburg
Thursday, October 29, 2026, 11:00 a.m.

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I.	**Reports and Information Items**	
A.	President's Report Susan B. Tarley, President	**1**
B.	Executive Director's Report Janet P. Van Cuyk, Acting Executive Director	**2**
C.	Financial Reports Crystal T. Hendrick, Director of Finance and Procurement	**3**
D.	Office of Bar Counsel Report Renu M. Brennan, Bar Counsel	**4**
II.	**Action Items**	
A.	Approval of the Minutes from the September 10, 2026 Meeting Susan B. Tarley, President	**10**
B.	Approval of Disciplinary District Committee Appointments Janet P. Van Cuyk, Acting Executive Director	**11**
C.	Approval on Proposed Policy Regarding VSB Delegates to the American Bar Association Janet P. Van Cuyk, Acting Executive Director	**12**

D. Approval of Proposed Amendments to Part Six, Section IV, Paragraph 8 of the Rules of the Supreme Court Regarding Elected Officer Term Commencement **13**
DaVida M. Davis, Acting Deputy Executive Director

E1. Approval of Proposed Rule Change to Amend Part Six, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia Regarding the Payment of Dues for Active-Duty Military Deployed in Combat Zones **14**
DaVida M. Davis, Acting Deputy Executive Director

E2. Approval of Proposed Rule Change to Amend Part Six, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia Regarding Dues for Removal of the Reserve Threshold Required Before Requesting an Annual Dues Assessment Increase **15**
Derek A. Davis, Chair, Committee on Budget and Finance

E3. Approval of Proposed Rule Change to Amend Part Six, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia Regarding the Annual Associate and Active Member Dues Assessment **16**
Derek A. Davis, Chair, Committee on Budget and Finance

F. Approval of Proposed Rule Change to Amend Rule of Professional Conduct 1.14 **18**
Patrick R. Hanes, Chair, Committee on Legal Ethics

G. Approval of Proposed Legal Ethics Opinion 1902 **19**
Patrick R. Hanes, Chair, Committee on Legal Ethics

H. Approval of Section Bylaws Amendments **20**
Mallory J. Ralston, Director of Bar Programs & Engagement

I. Approval of Solicitation Request **21**
Mallory J. Ralston, Director of Bar Programs & Engagement

J. Approval of Program Impact Statements **22**
Mallory J. Ralston, Director of Bar Programs & Engagement

K1. Discussion of Initiative to Provide Artificial Intelligence Software to Members **17**
Susan B. Tarley, President

K2. Closed Session to Discuss Vendor Non-Disclosure Agreement
Susan B. Tarley, President

K3. Approval of Initiative to Provide Artificial Intelligence Software to Members **17**
Emily F. Hedrick, Ethics Counsel

III. Notice of Upcoming Meetings, Receptions and Dinners

4:00 p.m., Thursday, October 29, 2026, Leadership Development Program
- Kingsmill Resort, 1010 Kingsmill Road, Williamsburg

6:00 p.m., Thursday. October 29, 2026, Council Reception
- Kingsmill Resort, James River Grand Ballroom and Terrace
  1010 Kingsmill Road, Williamsburg

7:00 p.m., Thursday. October 29, 2026, Council Dinner
- Kingsmill Resort, James River Grand Ballroom and Terrace
  1010 Kingsmill Road, Williamsburg

9:00 a.m., Friday, October 30, 2026, Council Meeting
- Kingsmill Resort, James River Grand Ballroom
  1010 Kingsmill Road, Williamsburg

12 noon, Friday, February 26, 2027, Executive Committee Meeting
- VSB Bank of America Building 3rd fl. Conference Room, Richmond

6:00 p.m., Friday. February 26, 2027, Council Reception
- Omni Richmond Hotel, 100 S. 12th Street, Richmond

7:00 p.m., Friday. February 26, 2027, Council Dinner
- Omni Richmond Hotel, 100 S. 12th Street, Richmond

9:00 a.m., Saturday, February 27, 2027, Council Meeting
- Omni Richmond Hotel, 100 S. 12th Street, Richmond

12 noon, Friday, April 13, 2027, Executive Committee Meeting
- VSB Bank of America Building 3rd fl. Conference Room, Richmond

12 noon, Wednesday, June 2, 2027, Executive Committee Meeting
- Kalahari Resorts & Conventions, 6109 Patriot Highway, Woodford

6:00 p.m., Wednesday, June 2, 2027, Council Reception
- Kalahari Resorts & Conventions, 6109 Patriot Highway, Woodford

7:00 p.m., Wednesday, June 2, 2027, Council Dinner
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COUNCIL MEETING
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1010 Williamsburg Road, Williamsburg
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	D.	Office of Bar Counsel Report Renu M. Brennan, Bar Counsel	**4**
	E.	Local and Specialty Bar Section Report Llezelle A. Dugger, Vice-Chair	**5**
	F.	Diversity Section Report G. L. "Rex" Flynn, Jr., Chair	**6**
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	I.	Virginia Judges and Lawyers Assistance Program Presentation Assistant Director Charlene P. Reilly, Esq. Deputy Clinical Director Dr. Andreas Bienert	**9**

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.

II. Action Items

A. Approval of the Minutes from June 4, 2026 Meeting **10**
Susan B. Tarley, President

B. Approval of Disciplinary District Committees Appointments **11**
Janet P. Van Cuyk, Acting Executive Director

C. Approval of Proposed Policy Regarding VSB Delegates to the American Bar Association **12**
Janet P. Van Cuyk, Acting Executive Director

D. Approval of Proposed Amendments to Part Six, Section IV, Paragraph 8 of the Rules of the Supreme Court of Virginia Regarding Elected Officer Term Commencement **13**
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Regarding the Payment of Dues for Active-Duty Military Deployed in Combat Zones
DaVida M. Davis, Acting Deputy Executive Director

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Regarding Dues for Removal of the Reserve Threshold Required Before Requesting an Annual Dues Assessment Increase
Derek A. Davis, Chair, Committee on Budget and Finance

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I. Request for Approval of Section Bylaws Amendments **20**
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TAB 1

Virginia State Bar

1111 E. Main Street, Suite 700

Richmond, Virginia 24219-0026

Telephone: (804) 775-0500

Dates: October 29-30, 2026

To: Executive Committee
Council

From: Susan Bradford Tarley
President

Re: President's Report for October 2026

We are off to a busy year!

I am very grateful to the VSB staff for all their hard work, guidance and ability to keep everything (including me) on track. Thank you!!

And to our Executive Committee, thank you for your service to the VSB. The experience and VSB service that you all bring to the table is impressive and inspiring.

The VSB staff and our EC and our Council Members are critical to my theme for the 2026-2027 term: *Strengthening our Profession and Securing our Future*.

Below is a report on major activities, initiatives, and developments since the last Council meeting on June 4, 2026 in Virginia Beach, and Executive Committee meeting in Richmond on September 10, 2026.

I. Judicial Candidate Evaluation Committee

The Legislature approved and funded four new positions on the Virginia Court of Appeals. Senator Scott A. Surovell, Chair of the Senate Courts of Justice Committee, and Delegate Patrick A. Hope, Chair of the House Courts of Justice Committee requested vetting of judicial candidates by the Virginia State Bar, the Virginia Bar Association, the Virginia Trial Lawyers Association, the Virginia Association of Criminal Defense Lawyers, Old Dominion Bar Association, the Asian

Pacific American Bar Association of Virginia, the Virginia Women Attorneys Association, and the Hispanic Bar Association of Virginia. To be considered by the legislators for appointment, candidates were required to participate in the vetting process for each of the named bar associations.

45 candidates submitted their materials to the VSB for review by the Judicial Candidate Evaluation Committee (JCEC). To say that all things JCEC took over the VSB schedule for August is an understatement. See Janet's Executive Director report for the details.

The VSB's Judicial Candidate Evaluation Policy includes the process for JCEC evaluations. In general, the JCEC Chair will assign two members of JCEC to investigate each candidate. The assignments are made by matching a JCEC member from the particular VSB disciplinary district with the nominees from that district. The investigation seeks information relating to the candidate's experience, integrity, professional competence, temperament, service to the law, effective administration of justice and communication skills.

After the judicial nominees are investigated by JCEC members, the Committee conducts personal interviews with nominees and engages in any other additional investigation deemed necessary. Following its investigation and personal interviews of the candidates, the Committee votes on the qualifications of each candidate as "Qualified" or "Highly Qualified" or if there a motion is not made or seconded, the candidate is not reported.

As per the JCEC Policy, the Committee's designations and executive summaries were provided to the Executive Committee in September. The Committee's report is deemed approved by the Executive Committee unless the Executive Committee takes action otherwise. The Executive Committee did not take action otherwise and the report was subsequently provided to the General Assembly.

All of the JCEC members, under the leadership of Chair Catherine Lemaster, did an extraordinary amount of work in a very short period of time. They completed their investigations and then conducted three full days of in-person interviews and an additional day of virtual interviews. I sat in on one of their final meetings, and their dedication to the process and their recognition of the importance of their responsibility in evaluating and recommending judicial candidates was evident throughout the discussion.

As per the JCEC Policy: No representative of the VSB is authorized to make any additional statement regarding a candidate's qualifications or suitability for the vacancy unless the appointing authority reopens the process and again requests that the VSB evaluate candidates for the vacancy in accordance with this policy.

II. VSB Leadership Development Program – Pilot Session

Our Pilot Session is scheduled for October 29, 2026 at 4:00 p.m. in conjunction with our Council Meeting the next day. Brett Marston, Immediate Past President, Janet Van Cuyk, Acting Executive Director has developed a VSB Leadership Development Program. As part of that effort, we established a small focus group, which included members of the Executive Committee, to provide input on the topics and information that would be most helpful to include in the Pilot Session.

The Pilot Session is designed to provide a practical overview of the path to becoming VSB President and the responsibilities associated with the role. Topics include the election process; the roles and responsibilities of the President-Elect, President, and Immediate Past President; decorum; travel and speaking commitments; outreach opportunities; VSB meetings and events; and participation in national and regional bar organizations, including the National Conference of Bar Presidents and the Southern Conference of Bar Presidents.

III. ALPS Bar Leadership Retreat, National Conference of Bar Presidents Annual Meeting, and the Southern Conference of Bar Presidents Annual Meeting

I attended the ALPS Bar Leadership Retreat from July 15–19, 2026, in Missoula, Montana, with Bruce H. Russell, President-Elect. ALPS hosts the retreat every other year to bring bar leaders together, provide information about ALPS, and offer programming focused on leadership and Montana.

The conference began with a leadership coach who led a discussion about what is required of bar leaders at this particular moment and the most significant challenges we are facing. Additional programming featured leaders from other industries and professions, individuals making a difference in their communities, and speakers with unique connections to Montana. Among them were four University of Montana students who captured the first photographs of Ted Kaczynski following his arrest, and Professor Mehrdad Kia, who spoke about the U.S.-Iran conflict. Professor Kia's presentation was particularly interesting and moving given Cameron Rountree's current deployment.

Although the speakers and their experiences were quite different, common themes emerged about the qualities that effective leadership requires courage, determination, preparation, honesty, listening, listening, innovation, flexibility, creativity, strategic thinking, and the ability to remain calm, steady, and focused. It was a valuable reminder that leadership can take many forms, but the qualities that make someone an effective leader are remarkably consistent.

I attended the Annual Meetings of the National Conference of Bar Presidents (NCBP) and the Southern Conference of Bar Presidents (SCBP) from July 29–August 2, 2026, in Chicago, Illinois, with Janet Van Cuyk, Acting Executive Director, and Bruce H. Russell, President-Elect. The meetings bring together bar presidents, presidents-elect, executive directors, and other bar leaders from across the country.

Programming included plenary sessions on artificial intelligence, the rule of law, building diverse and inclusive bar organizations, lawyer discipline, crisis leadership, and the reasons we choose to lead. We also participated in an interactive rule-of-law simulation designed specifically for bar leaders.

An especially valuable part of these meetings is the opportunity to participate in smaller breakout sessions with leaders of similarly situated bar organizations. These discussions allow us to compare the issues and challenges facing our respective bars, share experiences, and learn how others are approaching many of the same questions we face at the VSB.

IV. Engagement on Behalf of the VSB Across the Commonwealth and Beyond

I have been traveling in my role as VSB President, representing the Bar at VSB-sponsored events and filling my calendar with opportunities to speak to local and specialty bar associations, law schools, and other groups throughout the Commonwealth.

On June 9, 2026, I attended the VSB Admissions and Orientation Ceremony in Richmond. Because my term as President had not yet begun, I participated as President-Elect and had the privilege of reading the names of the new lawyers who attended law schools outside Virginia. This is always a special event. It is wonderful to watch new lawyers take their oath, see the pride and excitement on their faces, and see how proud their families are of the hard work and accomplishment that brought them to that moment.

On August 6–7, 2026, I attended the 44th Annual VSB Disciplinary Conference in Harrisonburg and had the opportunity to provide remarks. The conference brings together VSB disciplinary staff, the lawyer and lay volunteers who serve in our disciplinary system, and members of the judiciary. The program includes CLE presentations as well as orientation and training for new volunteers. A highlight of this year's conference was the keynote address by the Honorable Wesley G. Russell Jr. of the Supreme Court of Virginia.

On August 13, 2026, I attended and gave remarks at the Harry L. Carrico Professionalism Course at George Mason University in Fairfax. Our new Professionalism Committee Chair, Jennifer Eaton, has made the leadership transition seamless. The course continues to be an impressive program, with an outstanding group of lawyers and judges serving on both the Committee and faculty. Each time I attend, I learn something new or leave with a renewed appreciation for the importance of professionalism and civility in the practice of law. It is a valuable reminder that how we practice law—and how we treat one another—is every bit as important as the work itself.

On September 9, 2026, I attended and gave remarks at the Board, Committees and Section Chairs Meeting in Richmond, Virginia. The Meeting was well-attended, and it was a great opportunity to meet many of the lawyers who are leading our Boards, Committees and Sections. I chaired the break-out section with the Committee and Board and Committee Chairs.

On September 14, I met with Catherine Crooks Hill of the Virginia Board of Bar Examiners. It was a great meeting where I was able to learn more about what the VBBE does. As I meet with local and specialty bars, questions on the EGAD report concerning the bar exam come up. Ms. Crooks Hill was very helpful in providing me with information that I am able to share with our lawyers to make sure we're operating from the same set of facts.

On September 15, 2026, I met with the Newport News Bar Association and on September 17, 2026 I met with the Alexandria Bar Association. Both were very well-attended events, and it gave me the opportunity to talk with many of our VSB members. I gave remarks on Strengthening our Profession and Securing our Future, including discussing our foundational principles of integrity, the rule of law and professionalism, talking about our wellness, the EGAD report and pro bono opportunities in Virginia, and our future dues increase.

On September 18, 2026, I attended and gave remarks at the Harry L. Carrico Professionalism Course in Richmond. I continue to be impressed by the work of VSB staff to make these events run so smoothly, and by the work of our new Professionalism Committee Chair, Jennifer Eaton, and the faculty who volunteer.

On October 5-7, 2026, I attended the GDC/JDR Judicial Conference in Virginia Beach as a guest of Chief Justice Powell. It was a great opportunity to meet many of our Virginia judges, reconnect with colleagues, and meet some of our Virginia lawyers who are leading many of our bar associations across the Commonwealth.

On October 15, 2026, I attended the VSB Budget & Finance Committee Meeting. The Committee has worked diligently on the analysis of our impending dues increase. There has been significant discussion on this issue over the past 2 years, and we are moving towards Council's consideration and approval of the increase at our October Council Meeting.

V. Strategic Plan Implementation

We continue to make progress in implementing the VSB Strategic Plan. As part of that work, Immediate Past President Brett Marston, Acting Deputy Executive Director DaVida M. Davis, and I recently presented a 30-minute Lunch and Learn highlighting the progress made to date and the work that remains underway. Some of you may recall that Brett and DaVida also provided an update on the Strategic Plan at our June Council meeting.

Goal 1 Financial Stability & Health **Key Accomplishments**
• Increased the statutory dues cap from $250 to $350, positioning the VSB for a planned dues adjustment in FY 2028. • Increased Mandatory Continuing Legal Education (MCLE) sponsor fees. • Restored delinquency fees to pre-pandemic levels. • Reduced reliance on print publications and continued review of printing and mailing costs with a focus on leveraging technology for greatest accessibility of resources. • Transitioned the four former conferences (Young Lawyers, Senior Lawyers, Diversity, and Local and Specialty Bar Associations) into self-funded sections. • Did not replace the Information and Records Manager. • For certain events, began charging a fee when attendance was confirmed and the participant had not canceled registration and did not attend.

Goal 2
Member Engagement/Cohesion & Pathways
Key Accomplishments

- Hired a Deputy Director of Bar Programs & Engagement to lead engagement strategy.
- Launched a Lunch & Learn webinar series to increase accessible programming.
- Expanded communication through increased bulk emails to voluntary groups and greater use of social media and enhanced promotion of VSB-sponsored events.
- Introduced Sidebar, an online supplement to Virginia Lawyer, creating new publishing opportunities for members.
- Communicated organizational priorities and financial updates in the April 2025 Virginia Lawyer.
- Invited local attorneys to Council dinners.
- Highlighted volunteer achievements in the Virginia Lawyer.
- Increased visibility and promotion of volunteer opportunities.

Goal 3
Member Services/Changing Legal Landscape
Key Accomplishments

- Established the Entry, Growth, and Distribution of Virginia Attorneys (EGAD-VA) Study Committee; the report of its findings and recommendations was published in December 2025.
- Released the "Technology and the Future Practice of Law 2025 Report," addressing technology's impact on legal practice and access to justice.
- Published ongoing AI-focused columns in the Virginia Lawyer.
- Proposed Unauthorized Practice of Law rule amendment to expand assistance for self-represented litigants.
- Legal Ethics Opinion 1901 was approved by the Supreme Court of Virginia and provides guidance on legal fees in a technology-driven environment.
- Revised MCLE rules to allow CLE credit for pro bono service.
- Collaborated with ALPS to modernize the Malpractice Avoidance Hotline.
- Offered Smokeball trust accounting and billing software, free to all VSB members, and educational webinars to support its adoption.
- Provided alerts on email scams and cybersecurity risks.
- Delivered ongoing CLE programming on AI and regulatory developments, including the VSB Techshow which provided members with 7 hours of CLE focused on legal technology.

Goal 4
Access to Legal Services/Advance Access
Key Accomplishments

- Conducted a Virginia Lawyer Referral Service (VLRS) mission analysis with a June 2026 recommendation to Council to change the VLRS Rules to assist with panelist recruitment and retention.
- Transitioned the VLRS software platform to improve control and efficiency.
- Launched Paladin, a Commonwealth-wide pro bono portal that enhances pro bono engagement by facilitating connections between volunteer lawyers and Qualified Legal Service Providers to provide legal assistance.
- Leveraged EGAD-VA research to better understand how technology can expand access to justice. The report of its findings and recommendations was published in December 2025.

VI. Attendance at Events

This VSB year continues to be defined by meaningful progress, strong collaboration, and sustained commitment to our members and the public. Thank you for your leadership and partnership as we work together to strengthen the Bar and uphold the high standards of our profession.

In my remarks at the meetings I have attended for local bar associations, I include information on our dues increase, the importance of the work done by the VSB staff, the privilege and responsibility of being self-regulated, and the dedication of the VSB staff to the legal profession.

June 2, 2026	VSB Officers Dinner	Virginia Beach	Dinner with Acting Executive Director, Deputy Acting Executive Director, Assistant to the Executive Director, President, President-Elect, and President-Elect Designate to plan for upcoming week of meetings at Annual Meeting
June 3, 2026	VSB Executive Committee Meeting	Virginia Beach	
June 3, 2026	VSB Budget & Finance Meeting	Virginia Beach	
June 3, 2026	VSB Council Reception and Dinner	Virginia Beach	
June 4, 2026	VSB Council Meeting	Virginia Beach	
June 3-6, 2026	VSB Annual Meeting	Virginia Beach	Attended and spoke at Access to Legal Services and Pro Bono Luncheon; Attended and spoke at YLS Dinner and Awards; Attended and spoke at LSBS Awards Breakfast; Attended and spoke at Diversity Section Lunch & Award Presentation.
June 5, 2026	General Session	Virginia Beach	Attended, took oath of office, and made remarks
June 5, 2026	President's Reception and Banquet	Virginia Beach	
June 6, 2026	50-Year Awards Brunch	Virginia Beach	Attended and assisted President in handing out certificates
June 6, 2026	Closing Reception & Raffles	Virginia Beach	Attended and emceed event
June 9, 2026	Admissions & Orientation Ceremony	Richmond	Attended event, move out-of-state lawyers for admission.
June 11, 2026	Pro Bono – Chief Justice Powell Live Stream	Virtual	Attend presentations

June 15, 2026	VJLAP	Williamsburg	Meeting with VJLAP representatives to discuss this year's focus on wellness
June 22, 2026	Special VSB Executive Committee Meeting	Virtual	
June 24, 2026	Greater Peninsula Women's Bar Association	Newport News, VA	Attended Annual Meeting and JPE presentation by Justice Fulton, Kristi Wright, Molly Newton and Emily Bittner
July 10, 2026	JCEC Orientation	Virtual	
July 15-18, 2026	ALPS Bar Leadership Retreat	Missoula, MT	Met with bar leaders from across the country for leadership programming.
July 20, 2026	Bench-Bar Relations Committee	Richmond	Attended meeting
July 29-August 2, 2026	National Conference of Bar Presidents and Southern Conference of Bar Presidents Meeting/ABA Annual Meeting	Chicago	Attended conference
August 4, 2026	JCEC Meeting	Virtual	Attended meeting
August 6-7, 2026	VSB Disciplinary Conference	Harrisonburg	Attended and gave remarks at conference
August 11, 2026	Leadership Course Focus Group Meeting	Virtual	Chaired meeting
August 13, 2026	VSB Professionalism Course Faculty Dinner	Fairfax	
August 14, 2026	Harry L Carrico Professionalism Course	Fairfax	Made opening remarks to attendees on integrity and professionalism.
August 14, 2026	Better Annual Meeting Committee	Hybrid/Fairfax	Attended our first meeting to plan for Annual Meeting 2027.
September 1, 2026	JCEC Meeting	Hybrid	Attended virtually
September 9, 2026	Board, Committees and Section Chairs Meeting	Richmond	Attended meeting, gave remarks and met in a break-out session with the Board and Committee Chairs
September 10, 2026	Executive Committee Meeting	Richmond	Attended and chaired meeting
September 10, 2026	Williamsburg Bar Association	Williamsburg	Attended kick-off of Williamsburg Bar Association mentor program for 1Ls at William and Mary Law School

September 14, 2026	VSB Staff Luncheon	Richmond	Attended
September 14, 2026	Meeting with VBBE	Richmond	Met with C. Crooks Hill, Sec./Treasurer of VBBE
September 15, 2026	Newport News Bar Association	Newport News	Attended NNBA meeting and gave remarks
September 17, 2026	Alexandria Bar Association	Alexandria	Attended ABA meeting and gave remarks
September 18, 2026	Harry L. Carrico Professionalism Course	Richmond	Gave opening remarks to new VA lawyers on Strengthening our Profession and Securing our Future.
September 21, 2026	VSB Bench-Bar Relations Committee	Virtual	Attended meeting
September 24-25, 2026	Solo and Small Practitioner Forum	Martinsville	Attended faculty dinner and gave welcome remarks at Forum
October 5-7, 2026	GDC/JDR Judicial Conference	Virginia Beach	Attended conference; networked with attendees including other Bar Presidents
October 8, 2026	Rule of Law Event hosted by Virginia Law Foundation and the Virginia Holocaust Museum	Richmond	Attended event.
October 15, 2026	VSB Budget & Finance Committee Meeting	Virtual	Attended meeting.
October 20, 2026	Young Lawyer Section Bench-Bar Dinner	Charlottesville	Upcoming as of the date of this report.
October 22-25, 2026	Southern Conference of Bar Presidents Annual Meeting	Point Clear, Alabama	Upcoming as of the date of this report.
October 27, 2026	VSB Professionalism Course Faculty Dinner	Fredericksburg	Upcoming as of the date of this report.
October 28, 2026	Harry L Carrico Professionalism Course	Fredericksburg	Upcoming as of the date of this report.
October, 28, 2026	BAM Meeting	Fredericksburg	Upcoming as of the date of this report.

TAB 2

Virginia State Bar

Date: October 29-30, 2026

To: Executive Committee and Council

From: Janet P. Van Cuyk, Acting Executive Director

Re: Executive Director's Report

I. FISCAL YEAR 2027 DUES RENEWAL

The VSB membership renewal period ran from June 18, 2026, when the membership renewal portal opened, until July 31, 2026, the deadline for renewal. Beginning August 1, 2026, members who failed to renew their membership timely were assessed late fees as provided in Part Six, Section IV, Paragraph 19 of the Rules of the Supreme Court of Virginia (Paragraph 19).

- 887 members who did not pay their annual dues and complete their annual regulatory certification requirements by October 15, 2026, were administratively suspended pursuant to Paragraph 19.
- There were 413 newly licensed members as of October 9, 2026.

Below are the statistics from the Fiscal Year (FY) 2027 dues renewal, as of October 19, 2026:

Payments Received	
Membership Dues	$9,823,000
Late Fees	$573,150
LSBS Contributions	$5,668

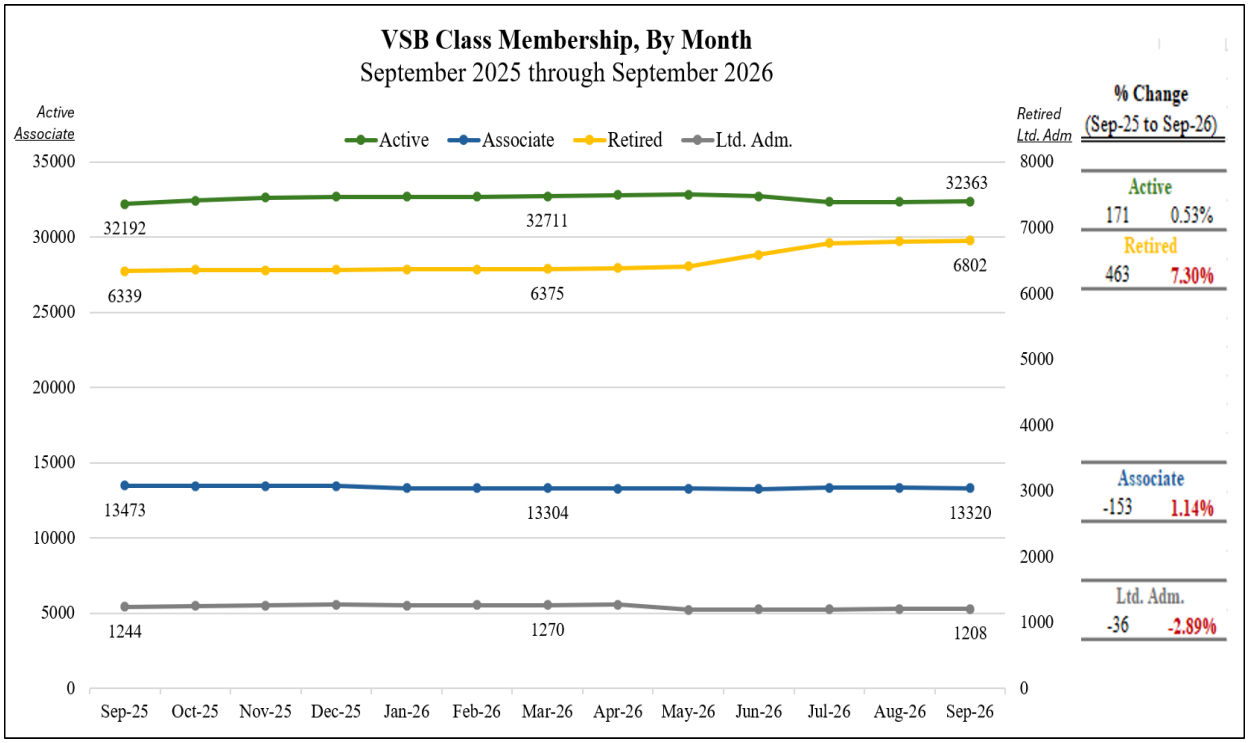
Changes of Status – Active Members	
Active to Retired	-169
Active to Resigned	-142
Active/Associate to Emeritus	11

Change of Status – Other	
Associate to Resigned/Retired	-448
Limited Admission to Withdrawn	-90
Retired to Active	+17

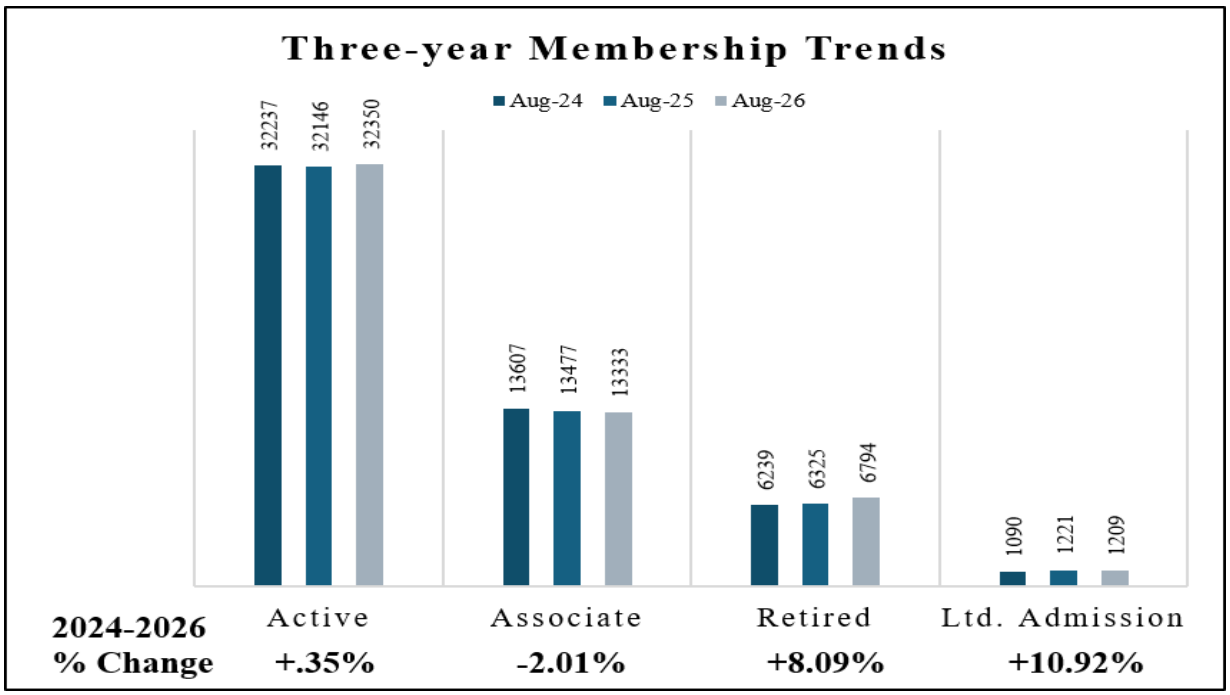
Kudos: None of this would be possible without the untiring dedication of the VSB staff. Specifically, from June 18, through July 31, 2026, the VSB's Membership Department, a four-person department, responded to over 2,500 telephone calls and 4,972 emails.

II. VSB MEMBERSHIP SNAPSHOT

Below, please find the monthly membership trends for the last 13 months, with the percentage change in membership in the listed classes from September 2025 to September 2026.



Below are the Active, Associate, Retired, and Limited Admission Member trends for 2024-2026, with the three-year percent change in each category.



III. STRATEGIC PLAN UPDATE

The VSB's 2025-2028 Strategic Plan, approved by Council on May 29, 2024, seeks to promote creative, accountable, and collaborative governance emphasizing four core goals which are to:

Goal 1: Operate from a position of financial health.

Goal 2: Strengthen cohesion among members and advance pathways for service in the VSB.

Goal 3: Best serve members and advance solutions designed to navigate a changing legal landscape.

Goal 4: Advance access to legal services for all Virginians.

Below are the actions taken to advance these goals since the June 4, 2026, Council meeting.

Financial Stability/Financial Health:

- ***Rule Change***: The VSB posted for public comment the proposed changes to Part Six, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia (Paragraph 11) needed to effectuate a membership dues increase. On October 29-30, Executive Committee and Council will review the following recommendations:
  - Rule Change/Threshold Balance: To amend Paragraph 11 to remove the threshold reserve fund balance requirement for the Court to authorize a dues increase,
  - Rule Change Dues Amount: To amend Paragraph 11 to change the maximum amount to which dues may be assessed to mirror the 2026 change to the statutory fee cap in Va. Code § 54.1-3912, and
  - Dues Increase: To increase the VSB annual dues, beginning in FY 2028, to $310 for Active Members and $155 for Associate Members.
- ***Printing and Mailing Costs***: Members were asked as part of the FY 2027 membership renewal process to answer whether they wanted to receive the *Virginia Lawyer* in hard copy – 11,681 members opted to not receive the magazine by mail. These responses will be used for the FY 2028 printing contract and printing and mailing budget items.

Member Engagement/Cohesion and Pathways:

- ***Leadership Development***: On August 11, 2026, VSB President Susan B. Tarley and Immediate Past President K. Brett Marston hosted a focus group on bar leadership to inform their development of an informational and skill-building program for future bar leaders. The pilot session for this program is on October 29, 2026, after the Executive Committee meeting.
- ***Strategic Plan***: On August 27, 2026, VSB President Susan B. Tarley; Immediate Past President, K. Brett Marson; and Acting Deputy Executive Director, DaVida Davis, held a lunch and learn webinar on the 2025-2028 Strategic Plan and milestones to date.

Member Services/Changing Legal Landscape:

- ***Member Benefits***: The VSB issued a request for public comment regarding contracting with a third-party vendor to provide a free generative artificial intelligence legal software module to members, at no cost to the VSB. On October 29-30, the Executive Committee and Council will review a request to authorize the VSB to contract for this benefit.

- ***Section Communities***: Bar Programs and Engagement is developing online communities as an additional benefit for section members.
- ***Notice of Scams***: On September 23, 2026, notice was posted about scammers using Caller ID spoofing technology to make their calls appear to originate from the actual telephone number of a lawyer or law firm. Callers may falsely claim that an individual owes a debt and demand immediate payment, sometimes threatening arrest or other legal action.

Access to Legal Services/Advance Access:

- ***Pro Bono***:
  - Pro Bono Conference: Approximately 500 members registered for and 399 individuals attended the 2026 Pro Bono Conference held virtually on October 7, 2026. The conference had sessions on distance learning and adult guardianships, incentives that motivate pro bono participation, and building self-help options for Virginians and other access-centered legal technology.
  - Pro Bono Attorney: Lauren Coleman joined the VSB on September 25, 2026 as the grant-funded Pro Bono Attorney.
- ***Records Sealing***: The VSB waived, through June 30, 2027, (i) the Virginia Lawyer Referral Service (VLRS) administrative fee for individuals seeking legal guidance on having their records sealed and (ii) the VLRS 10 percent panelist remittance fee on any record sealing matters referred for record sealing under the statutes that became effective on July 1, 2026.[1]
- ***EGAD Implementation***:
  - CLEAR Survey: The VSB posted a link to the survey from the Committee on Legal Education and Admissions Reform (CLEAR) of the Conference of Chief Justices and Conference of State Court Administrators on law school accreditation, the mandatory minimum standards on schools that focus on institutional governance, operational resources, curricular quality, and graduate outcomes.
  - EGAD Data: The VSB provided data to the Chief Justice's EGAD workgroup and the General Assembly to support the implementation of the EGAD Report's recommendations.

IV. FINANCES AND STATUS OF DUES INCREASE

Below is an update on the VSB's completion of the numerous steps that must be followed and approved before the VSB's annual membership dues may be increased.

Increase Statutory Fee Cap (2026 General Assembly Session) – Status Completed:

HB 276 (Kilgore), effective July 1, 2026, amended § 54.1-3912 of the Code of Virginia to increase the statutory cap for VSB dues from $250 to $350.[2]

[1] *See* SB 1466 and HB 2723, enacted in the 2025 General Assembly Session.

[2] Note: Before requesting the General Assembly increase the statutory dues cap, (i) the VSB posted a request for public comment on whether the VSB should receive authorization for such legislative activity, (ii) the Council review the comments received and recommend to the Court that the VSB receive such authorization, (iii) the VSB petitioned the Court requesting authority to engage in legislative activities, and (iv) the Court approved the VSB's request.

B&F Committee Review (June 2026) – Status Completed:

The B&F Committee reviewed the budget and projections and recommended amendments to Paragraph 11 and the amount for the dues increase. The B&F Committee recommended:

1. ***Rule Change/Dues Cap*:** Amending the maximum Active Member dues amounts in Paragraph 11 to match the statutory dues cap of $350 and to increase the Associate Member dues cap to $175 to maintain its level at 50 percent of the Active Member dues;

2. ***Annual Dues Amount*:** Increasing annual dues by $50 for Active Members, to $300, and by $30 for Associate Members, to $150; and

3. ***Dues Request Reserve Fund Balance Threshold*:** Removing the reserve balance threshold required for the Court to approve a dues increase.

Public Comment (June – August 2026) – Status Completed:

Public comment was solicited for a dues increase and for amending Paragraph 11 relating to annual membership dues as follows:

- ***Paragraph 11, first paragraph***: Increase the annual dues assessments to the amounts recommended by the B&F Committee.
- ***Paragraph 11, second paragraph***: Remove or increase the maximum percentage of reserve fund balances required for requesting a dues increase.

B&F Committee Review (October 2026) – Status Completed:

The B&F Committee reviewed the updated budget and projections and public comments received and recommended amendments to Paragraph 11 and the amount for the dues increase. The B&F Committee recommended:

1. ***Rule Change/Dues Cap*:** Amending the maximum Active Member dues amounts in Paragraph 11 to match the statutory dues cap of $350 and to increase the Associate Member dues cap to $175 to maintain its level at 50 percent of the Active Member dues;

2. ***Annual Dues Amount*:** Increasing annual dues by $60 for Active Members, to $310, and by $30 for Associate Members, to $155; and

3. ***Dues Request Reserve Fund Balance Threshold*:** Removing the reserve balance threshold required for the Court to approve a dues increase.

Council Review (October 2026)

Executive Committee will be requested to recommend to Council and Council will be requested to recommend to the Court approval of all three actions recommended by the B&F Committee.

Supreme Court Review (Post-October 2026)

The VSB will petition the Court to approval all actions recommended by Council.

Should the Supreme Court of Virginia approve the requested Rule changes, immediately thereafter, the VSB will notify members through all available communication methods. The membership dues would increase for annual dues to be paid on or before July 31, 2027, for FY 2028.

V. PRO BONO UPDATE

Pro Bono Reporting:

During the 2025–26 pro bono reporting year, Virginia attorneys reported 293,570 pro bono hours and $1.91 million in financial contributions. Although these contributions came from 7% of eligible members, participating attorneys demonstrated there is a sustained commitment to expanding access to justice. Financial contributions reached their highest level since reporting began, and attorneys providing pro bono services averaged nearly 115 hours each. Based on reported activity, more than 900 attorneys are expected to be recognized by the Virginia Access to Justice Commission in June 2027 as members of the Pro Bono Service and Investment Honor Roll.

Pro Bono Portal:

In 2026, the VSB launched the Statewide Pro Bono Portal (Portal), a centralized platform connecting attorneys with volunteer opportunities offered by legal services providers across Virginia. The Portal streamlines volunteer recruitment and helps direct attorneys' skills and time toward high-impact service opportunities. To date, there have been 155 volunteer sign-ups across 48 opportunities, with many in family law, housing, and guardianship—areas generally with significant unmet legal needs.

Free Legal Answers:

Virginia Free Legal Answers (VFLA) marked its 10th anniversary in 2026. In its 10 years of operation, Virginia attorneys have provided online legal guidance to more than 10,000 low-income Virginians, and VFLA has expanded its reach to residents in every Virginia locality. The program continues to achieve strong outcomes, including a 95% resolution rate among users in rural, underserved communities.

Pro Bono MCLE Hours:

Further supporting pro bono engagement, a new MCLE rule permitting attorneys to earn CLE credit for qualifying pro bono service generated nearly 400 reported service hours during its first months of implementation, providing an additional incentive for attorneys to contribute to meeting Virginia's unmet legal needs.

VI. OVERSIGHT ACTIVITIES

The VSB is engaged in the following oversight activities:

Lawyer Insurance:

The VSB engaged INTECH Risk Management Inc. to conduct an independent review of ALPS as part of its ongoing due diligence responsibilities related to the endorsement of legal malpractice insurance products for Virginia lawyers. The review assessed ALPS' governance practices, financial strength, underwriting discipline, claims management capabilities, risk management services, policy structure, and long-term viability as a specialty provider of lawyers' professional

liability insurance.

Clients Protection Fund:

WTW was retained to perform an actuarial analysis of the Clients' Protection Fund (CPF) (i) to review and evaluate the current CPF balance, (ii) to model different CPF variables and asset allocations to maximize CPF returns while assessing risks, and (iii) to review and evaluate the CPF investments and investment performance to maximize growth and stability of the CPF.

Auditors of Public Accounts:

The VSB is undergoing its three-year information technology and financial-related risk assessment by the Virginia Auditor of Public Accounts who independently monitors compliance, evaluates internal controls, and ensures the VSB is properly safeguarding revenues and sensitive systems.

Information Security Officer:

The VSB has contracted with Networking Technologies + Support (NTS) to assess the current state of its information security program and to provide fractional information security officer support.

VII. JUDICIAL CANDIDATE EVALUATIONS

On June 30, 2026, Senator Scott A. Surovell and Delegate Patrick A. Hope, Chairs of the Senate and House Courts of Justice Committees, respectively, requested that the Virginia State Bar (VSB) and eight statewide voluntary bar associations vet candidates for the four newly created judgeships on the Court of Appeals (CAV). The Committee received 45 applications between July 4 and August 11, 2026.

The VSB Judicial Candidate Evaluation Committee (JCEC), established by the VSB Council to evaluate judicial candidates when requested by the appointing authority, reviewed each candidate's application materials, investigation findings, and the interview responses. The Committee evaluated candidates based on integrity, professional competence, experience, temperament, service to the law, and communication skills. As the Council policy allows, due to the volume of applications, the Chair called upon former Committee members to serve as *pro tempore* members, supplemented by VSB Past Presidents, to assist with the Committee's investigations of the candidates.

Committee members were assigned investigations beginning July 13, 2026, and prior Committee members and VSB Past Presidents assisted with the investigations. During the investigation, the Committee members reviewed all application materials, contacted relevant stakeholders, conducted online case law research, and completed a social media and publications review.

The Committee scheduled three days for in-person interviews, August 12, 13, and 14, 2026, and one day for virtual interviews, August 17, 2026.[3] All candidates were given the opportunity to interview with the Committee. Candidates who had not been previously evaluated or their evaluation was completed more than three years ago were given first preference for in-person interviews. Candidates from jurisdictions furthest from the VSB office in Richmond were given first preference for virtual interviews. During the interview, each Committee member was given the opportunity to ask each candidate a question. If time permitted, the candidate

[3] At the request of the candidate, one virtual interview was held on August 13, 2026.

was given the opportunity to provide closing remarks.

Following the discussion of the investigation and candidate interview, the Committee discussed the candidate's qualifications for whether he/she possessed the requisite integrity, professional competence, experience, temperament, service to the law, and communication skills to serve on the CAV. Once deliberations were complete, the Chair called for a motion on the candidate's qualifications.

The Committee reported to the General Assembly applicants who received a "Qualified" or "Highly Qualified" rating. Below are the judicial candidates in each category:

Candidates Assessed as "Highly Qualified"			
Candidate	Circuit	Candidate	Circuit
The Hon. Patrick M. Blanch	19	The Hon. Bryan K. Meals	3
The Hon. Claire G. Cardwell	13	Harold E. Oliver, III	26
The Hon. Michael F. Devine	19	Brendan D. O'Toole	13
Michael J. Finney	23	The Hon. Douglas B. Ottinger	3
The Hon. Matthew W. Hoffman	7	The Hon. Jayne A. Pemberton	12
Carlos L. Hopkins	13	Charles A. Quagliato	13
The Hon. Angela L. Horan	31	The Hon. Christopher B. Russell	25
The Hon. Sage B. Johnson	28	The Hon. James B. Strickland	15
Benjamin H. Katz	13	The Hon. Patricia L. West	2
The Hon. David W. Lannetti	4	The Hon. Victoria A.B. Willis	15
Katherine L. ("Lori") Lord	13	Catherine F. Zagurskie	14
Edward K. ("Kyle") McNew	16		

Candidates Assessed as "Qualified"			
Candidate	Circuit	Candidate	Circuit
Harrison F. Cridlin	30	Meghan Shapiro	18
The Hon. Lavonda N. Graham-Williams	3	Holly R. Vradenburgh	16
The Hon. Victoria N. Pearson	13	The Hon. Steven C. Mannion	13
Eric J. Pohlner	20	The Hon. Jacqueline S. McClenney	13

VIII. Actions Taken By The Executive Committee

Part Six, Section IV, Paragraph 7 of the Rules authorizes the Executive Committee, between meetings of Council, to perform the duties and functions of Council. The Executive Committee met two times since the June 3, 2026, Council meeting (1) a special meeting was held virtually on June 22, 2026 and (ii) its regularly scheduled meeting was held in Richmond on September 10, 2026. The following actions were taken at these meetings.

Board Appointments for the Legal Services Corporation of Virginia

The Legal Services Corporation of Virginia's (LSCV's) Articles of Incorporation and Bylaws vest in Council the appointment authority for eight Class A Directors and two Class B Directors. LSCV's Board of Directors had two Class A Director vacancies on July 1, 2026 and two Class B Directors who had not previously been appointed by Council.

On June 22, 2026, the Executive Committee reappointed Cameron Rountree, Jack Harris, Joseph E. Spruill, III, Dale Pittman, and Steve Rosenthal as LSCV Class A Directors to three-year terms beginning on July 1, 2026.

On June 22, 2026, the Executive Committee reappointed Edgar Aranda-Yanoc and Amy Strite to complete the remainder of their terms, as LSCV Class B Directors, ending on June 30, 2028.

Appointments to the Virginia Indigent Defense Commission

The Virginia Indigent Defense Commission's governing body, the Commission, consists of 14 members designated by Va. Code § 19.2-163.02 of whom the VSB is required to designate 2 members.

On September 10, 2026, the Executive Committee reappointed Carolyn V. Grady and Aaron L. Cook to three-year terms, effective immediately and ending on June 30, 2029, to the Commission.

JCEC Report

On September 10, 2026, the Executive Committee reviewed the JCEC report prior to its submission to the Chairs of the Senate and House Courts of Justice Committees.

IX. Status of Actions Recommended to the Supreme Court of Virginia

The following is an update on Council action items previously submitted to the Court:

Disciplinary Board Vacancy: The Court appointed William H. ("Bill") Atwill Jr. to fill the vacancy on the Disciplinary Board due to Robin Kegley's resignation after her election by 2026 General Assembly to be a general district court judge in the 27th Judicial District effective July 1, 2026.

X. Council Member Updates

Three special elections for four Council seats were held, from August 3, 2026, through August 18, 2026. The following individuals have been newly elected to Council:

Circuit	Members	Succeeding
13 (Richmond)	Miller, Jeffrey P.	Mark Dix
17 (Alexandria)	Collins, Rachel C.	Carole Capsalis
19 (Fairfax)	Clarke, David R.	Luis Perez
	Yoon, Joseph J.	Gena Schaecher

XI. PERSONNEL CHANGES

The VSB has had the following personnel changes since the June 4, 2026, Council Meeting:

Current Recruitment:

The VSB is currently recruiting for the following positions-

- ***Assistant Bar Counsel*** (LINK)
- ***Regulatory Compliance Analyst*** (LINK)
- ***Assistant Clerk to the Disciplinary System*** (LINK)
- ***Investigator – Greater Richmond Region*** (LINK)

New Hires:

- ***Information Technology Technician***: Benjamin (Ren) Moody began July 1, 2026.
- ***Meetings Coordinator***: Emily Stephens began on September 10, 2026.
- ***Pro Bono Attorney***: Lauren Coleman began on September 25, 2026.

Transfers/Promotions:

- ***Assistant Clerk***: Monami Ghosh was promoted from part-time Pro bono Assistant to Assistant Clerk on July 6, 2026.
- ***Program Administrator***:
  - Kamaria Taylor was promoted from Regulatory Compliance Analyst to Program Administrator on July 10, 2026. This position will manage the CPF and the Fee Dispute Resolution Programs.
  - Vivian Byrd, who has been serving dual roles with CPF and in the Clerk's Office, will now be able to serve full-time in her role as Deputy Clerk of the Disciplinary System.
- ***Chief Investigator***: Matt Foley was promoted from Investigator – Northern Virginia to Chief Investigator on October 23, 2026.

Resignations:

- ***Assistant Bar Counsel***: Joseph Caturano resigned from the position of Assistant Bar Counsel on July 24, 2026.
- ***Meetings Coordinator***: Katina Lancaster resigned from the position of Meetings Coordinator on July 24, 2026.
- ***Assistant Clerk***: Dianne Roland resigned the position of Assistant Clerk, effective September 29, 2026.
- ***Investigator – Tidewater***: Jennifer Collins resigned from the position of Investigator in the Tidewater area, effective October 9, 2026.
- ***Regulatory Analyst***: Mikaela Smith resigned the position of Regulatory Analyst, effective October 9, 2026.
- ***Chief Investigator***: Michael Shuler resigned from the position of Chief Investigator, effective October 23, 2026.

XII. UPCOMING EVENTS

Date	Event	Location
November 17, 2026	Lunch and Learn: Lessons from the VSB's Ethics Hotline	Virtual (More Information)
February 5, 2027	Solo- and Small-Firm Practitioner Forum	Front Royal, VA (More Information)
February 26-27, 2027	**Executive Committee Meeting** **Council Meeting**	Richmond, VA
March 19, 2029	Solo- and Small-Firm Practitioner Forum	Abingdon, VA (More Information)
April 13, 2027	**Executive Committee Meeting**	Richmond, VA
June 2-5, 2027	**Executive Committee** **Council** **VSB Annual Meeting**	Kalahari Resort Woodford, VA (South of Fredericksburg)

FY 2026 VSB Staff Kudos Report

FY 2026 VSB Staff Accomplishments

I. Introduction

Much of the work of the Virginia State Bar (VSB) is visible in the initiatives and progress reported to Council throughout the year in furtherance of the VSB's 2025–2028 Strategic Plan. Equally important, however, is the substantial work that happens every day to keep the Bar operating, fulfill its regulatory responsibilities, serve its members and the public, and support the work of its governing bodies and volunteers. FY 2026 was a year of significant accomplishment in both areas.

In carrying out their day-to-day responsibilities, VSB staff managed substantial workloads across the VSB's regulatory, disciplinary, access to justice, member service, governance, and administrative functions. At the same time, staff implemented new systems and processes, modernized operations, expanded access-to-justice initiatives, increased the use of technology and artificial intelligence (AI), and continued efforts to provide efficient and responsive service.

The accomplishments highlighted in this report demonstrate only parts of the breadth and complexity of the VSB's work and the volume of activity required to carry out our mission. The continued decline in employee turnover also reflects the growing strength and stability of the organization.

The following highlights, broken down by administrative units, demonstrate the breadth of work performed by VSB staff throughout the year and are a testament to their professionalism, expertise, adaptability, and commitment.

II. Administration and Governance

Staff provided extensive support for the VSB's governance and leadership functions, including conducting Council elections in March and August and supporting three Council meetings and seven Executive Committee meetings.

A significant undertaking was the Judicial Candidate Evaluation Committee process. Staff supported a 15-member committee in evaluating 45 applicants for four newly created Court of Appeals judgeships. The process included 41 candidate interviews—30 conducted in person and 11 virtually—as well as a special committee meeting, Executive Committee review, and communications with candidates. The process was completed in approximately 60 days and

required substantial coordination among staff, committee members, candidates, and VSB leadership.

III. Access to Legal Services

The Access to Legal Services team advanced several significant statewide initiatives. Staff published the Report on the Entry, Growth, and Distribution of Virginia Lawyers and related work product and launched the Pro Bono Virginia Partnership with the Access to Justice Commission, Justice Allies, and the Virginia Law Foundation. The team also hosted two statewide annual training events—the Indigent Defense Training and Pro Bono Conference.

The Virginia Lawyer Referral Service continued to provide an important connection between the public and Virginia lawyers. During the year, VLRS received 68,689 requests for referrals, answered 19,620, and generated 4,574 paid referrals. Staff also completed the migration from the Community Lawyer platform to a new referral system in the VSB's membership database and created a process allowing VLRS panel attorneys to receive pro bono credit for eligible consultations.

IV. Bar Programs & Engagement

Bar Programs and Engagement supported continuing legal education, section governance, member engagement, and a wide range of VSB programs. Staff facilitated 21 live and 18 on-demand webinars. The team also supported approximately 104 board meetings and oversaw bylaw amendments for 14 sections.

Throughout the year, staff coordinated numerous major programs and events, including the VSB Techshow, the Indigent Criminal Defense Seminar, six Professionalism Courses, the Attorney General Debate, the Diversity Section Annual Forum, the Bar Leaders Institute, the YLS Bench-Bar Dinner, three Wills for Heroes events, the Disciplinary Conference, three Solo & Small Firm Practitioner Forums, the Advanced Business Law Conference, the Criminal Law Seminar, three Council meetings, and the VSB Annual Meeting—with all its interconnected programs and events.

V. The Clerk of the Disciplinary System

The Clerk's Office continued to provide critical support for VSB's disciplinary and regulatory functions. During FY 2026, the office processed 147 resignations, 1,548 record checks, and 544 disciplinary letters and certificates. It processed $170,780 in assessments and collected $95,354 in fees.

The office also supported a substantial volume of hearings and proceedings, including four District Committee trials, 52 post-committee trials, 21 Disciplinary Board hearings, 17 Circuit Court hearings, and four District Committee hearings. Staff coordinated 54 agreed-disposition

hearings, opened 11 impairment cases and closed nine, and processed 184 sanction cases involving 137 attorneys.

An additional point of distinction is that all Clerk's Office staff are certified notaries, allowing the office to provide an additional service to the Bar and its members.

VI. Communications

The Communications team managed a high volume of member, public, and organizational communications throughout the year. Staff prepared and published 123 disciplinary summaries and 60 news items, including 29 concerning rule changes or public comment. They edited and distributed 193 VSB-direct emails to members and maintained event information across both the Commonwealth of Virginia and VSB calendars, posting 146 public meetings and 241 VSB events.

The team also maintained an active social media presence, publishing approximately 100 posts that generated more than 130,000 impressions or views and more than 2,500 interactions. Staff fulfilled 379 print publication orders and monitored website accessibility and search-engine analytics to identify opportunities for improvement.

The Communications team published six issues of *Virginia Lawyer*, nine YouTube videos, and numerous event programs, resolutions, annual reports, and handbooks. Staff also provided communications and photography support at major VSB events, including Council and Executive Committee meetings, the Bench-Bar Dinner, the Past Presidents Dinner, two Admission and Oath Ceremonies, the Pro Bono Conference, the Annual Meeting, and the Disciplinary Conference.

VII. Discipline

The disciplinary system managed significant workloads across intake, investigation, and proceedings while maintaining multiple layers of review and quality control.

At intake, staff screened 3,441 misconduct complaints involving approximately 32,711 active members and resolved 2,789 complaints. Eighty-one percent of the complaints resolved at intake did not implicate the Rules of Professional Conduct. Intake attorneys reviewed dismissed complaints, and staff conducted additional reviews of 1,106 closed complaints.

The investigative process resulted in 276 Reports of Investigation. Investigations required review of bank records, files, court records, and interviews with lawyers, witnesses, and clients.

At the Bar Counsel stage, 652 new complaints were assigned to Bar Counsel, in addition to 310 matters carried over from FY 2025. Staff dismissed 378 cases, while discipline was imposed in 121 cases by a three-judge panel, the Disciplinary Board, or a disciplinary district committee. Eight cases resulted in revocation of the respondent’s license to practice law. Disciplinary district

subcommittees dismissed 106 cases, and 37 cases were tried. The Supreme Court of Virginia affirmed the disposition in all four cases appealed by respondents.

In addition to its casework, the disciplinary staff presented numerous CLE programs and hosted the annual Disciplinary Conference, which attracted approximately 150 attendees.

VIII. Ethics

The Ethics team continued to provide direct guidance and education to Virginia lawyers. The Ethics Hotline answered 5,631 attorney inquiries, and the team received and evaluated 61 unauthorized-practice-of-law complaints. Staff served as liaisons to the Ethics Committee and the Committee on Technology and the Future Practice of Law and presented approximately 67 hours of CLE during the year

IX. Finance

The Finance team completed the annual budget approval process and continued to manage a substantial volume of financial activity. During the year, the VSB processed 1,110 transactions totaling $643,174 through the Bank of America credit card reconciliation processes The team also completed its first full year of electronic reimbursement submissions, processing approximately 388 reimbursement vouchers submitted by VSB volunteers.

The team managed significant daily collection activity as well. On the largest collection days, credit card receipts totaled over $1 million, ACH collections totaled over $146,000, and checks processed totaled approximately $51,000.

X. Human Resources and Facilities

Human Resources supported recruitment, employee development, engagement, compensation, and organizational initiatives throughout the year. The team filled 10 salaried and three hourly positions, organized Public Service Week, three full-staff meetings, and monthly employee engagement activities. It also coordinated leadership training for the Senior Management Team and emotional intelligence training for all staff and processed the June 16 bonuses and July 25 salary increases.

Facilities staff provided receptionist coverage as needed during and after regular office hours, expanded use of the Gould Hearing Room for moot court and appellate hearing preparation, addressed facility issues and repairs, and advanced the administrative scanning project.

Employee turnover continued its downward trend, declining from 23.7% in FY 2023 to 16.7% in FY 2024, 13.0% in FY 2025, and 10.0% in FY 2026.

XI. Information Technology

The Information Technology (IT) team continued the modernization of VSB technology infrastructure and systems. Staff moved employee account management completely into the cloud, conducted improvement sessions and implemented resulting enhancements in the VSB's case management database, and transitioned the Virginia Lawyer Referral Service away from the legacy Community Lawyer system.

The team also successfully completed the IT audit, introduced additional AI capabilities and expanded staff access to AI tools, and implemented improvements to the annual dues renewal processes.

XII. Operations

VSB operations staff continued to provide responsive service in several important areas. Staff responded within five days to 171 Virginia Freedom of Information Act requests for VSB documents and records. The Fee Dispute Resolution program updated its manual and responded to 146 requests.

The Clients' Protection Fund (CPF) paid $362,363 on 51 claims during the year. Seven petitions were denied, and 18 were dismissed because they did not meet CPF's jurisdictional requirements.

XIII. Regulatory Compliance and Membership

Membership and regulatory compliance staff handled substantial volumes of member requests and transactions. During the year, staff issued 2,200 Certificates of Standing and 7,925 bar cards. The period between June 18 and July 31 was particularly demanding, with staff handling approximately 2,500 telephone calls and 5,000 emails.

The MCLE program likewise managed a significant workload, completing more than 21,338 applications and responding to 1,276 calls in October alone. Approximately 7,000 emails were sent through the MCLE mailboxes during the year.

Note*: All the accomplishments described above were achieved with one fewer employee than the VSB had in 2006.*

Virginia State Bar Voluntary Pro Bono Reporting Summary

YEAR 8 (2025 – 2026 Bar Year Contributions)

2026 PRO BONO UPDATE

VOLUNTARY PRO BONO REPORTING

Virginia attorneys reported substantial pro bono contributions made from July 1, 2025, to June 30, 2026, with 293,570 pro bono hours and $1.91 million in financial contributions reported statewide. Among reporting attorneys, 21,042 provided a numeric response regarding pro bono hours and/or financial contributions, while 22,101 elected to decline reporting.

Notable Trends

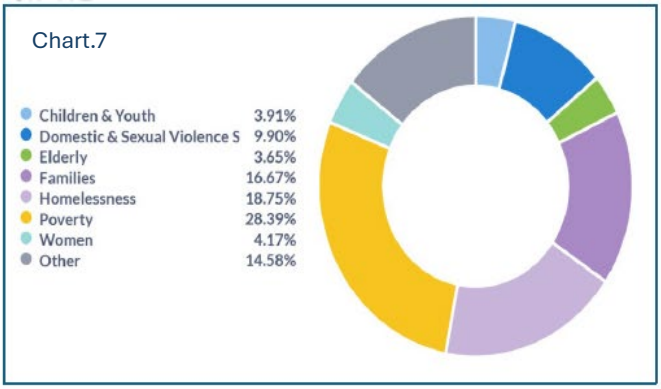
- Total financial contributions increased from $1.36 million in Year 7 to $1.91 million in Year 8.
- The average financial contribution per eligible attorney reached $44.21, the highest level reported in the eight-year data set.
- While total reported hours declined slightly from Year 7 (310,426) to Year 8 (293,570), attorneys reporting positive pro bono service continued to contribute significant time, averaging 114.68 hours per reporting attorney.
- Projected recognition totals include 849 Pro Bono Service Honor Roll members, 72 Pro Bono Investment Honor Roll members, and 81 attorneys qualifying for both honors.

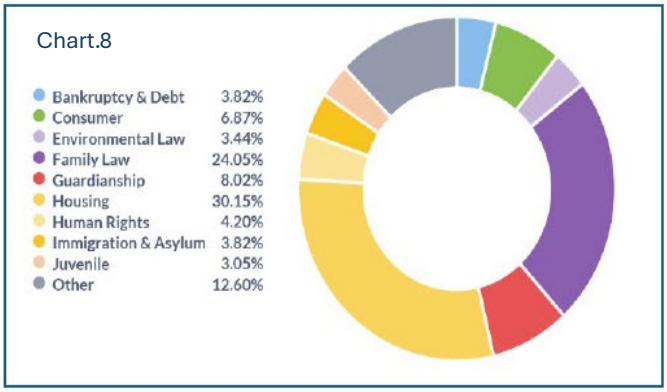
For more details on the results of the eighth year of the Court's voluntary pro bono reporting initiative, see the Appendix which contains the reporting summary.

Statewide Pro Bono Portal (Paladin)

In January of this year the VSB released the Statewide Pro Bono Portal, a tool licensed by Paladin to centralize pro bono on a user-friendly web-based platform that legal professionals can access to identify pro bono opportunities available across the Commonwealth. The portal empowers legal services programs to publicize the pro bono opportunities they offer and seamlessly connect with potential volunteers. Lawyers can apply filters to identify opportunities that best match their interests and capacity, reducing front-end friction for volunteers and volunteer programs.

Since its launch, the statewide portal has generated 155 volunteer sign-ups by 117 members across 48 opportunities offered by 18 different QLSPs. The most popular causes and communities served include poverty, homelessness, and families (Chart 1). Prospective volunteers demonstrate the highest level of interest in family law, housing, and guardianship practice areas (Chart 2), three of the four highest legal needs based on feedback from legal services providers.





These results demonstrate the value of creating a single destination where attorneys can explore opportunities from organizations across Virginia and identify meaningful ways to contribute their time and expertise to serve the most in demand legal needs of vulnerable Virginians. To learn more about the statewide platform and related benefits, read the article by Danielle Gobbo, senior manager of customer success at Paladin, published in the October issue of Virginia Lawyer.[i]

Virginia Free Legal Answers

This year, Virginia Free Legal Answers (VA FLA) celebrates its 10th anniversary milestone marking a decade of innovative, remote pro bono legal advice that reaches every corner of Virginia. Licensed to the Virginia State Bar by the American Bar Association (ABA) as part of a nationwide initiative to address unmet civil legal needs, the Virginia website has expanded access to free online legal guidance for thousands of low-income Virginians. Serving residents in all 133 Virginia cities and counties, the platform helps bridge geographic gaps in legal services, particularly in rural legal deserts where attorney availability is lower and poverty rates exceed the state average. During the reporting period, the program achieved a 79% statewide question□answer rate, an 80% out-of-region resolution rate, and a 95% resolution rate for residents in rural underserved communities.

To date client users have posted over 11,000 legal questions, and VA FLA volunteer lawyers have assisted more than 10,000 individual clients across various civil law areas. Attorney response rates have been consistent across geographic regions, demonstrating how technology bridges gaps in justice across urban and rural communities alike. You can read more about VA FLA and how it provides online access to legal services across Virginia in the October issue of Virginia Lawyer.[ii]

MCLE Credit for Pro Bono Service

The Virginia State Bar (VSB) Mandatory Continuing Legal Education (MCLE) Board has adopted a new regulation, effective May 1, 2026, allowing attorneys to earn CLE credit for pro bono legal service. Under Regulation 102(h), lawyers can receive one hour of CLE credit for every four hours of pro bono service referred by a qualified legal services provider (QLSP), up to a maximum of five credits out of the 12 required each year.

From May 1 to October 13, VSB members reported nearly 400 hours of pro bono service, resulting in close to 100 hours of CLE credit earned. These hours were provided across at least five QLSP programs spanning from eastern Virginia to the Shenandoah Valley. To learn more about the new regulation and its impact, read the article by Ami Kim and Cris Gantz in this month's issue of Virginia Lawyer.[iii]

PRO BONO REPORTING STATUS

MEMBERSHIP AND PARTICIPATION

- Total Active and Associate Members Eligible for Reporting 47, 201
- Total Pro Bono Reports Received to Date:[iv] **43,194**
-

CONTRIBUTION TOTALS

- Total Number of Pro Bono Hours Reported **293,570**
- Total Number of Financial Contributions Reported **$1,909,774**

MEMBER RESPONSES

Hours and Financial Contributions

Any numeric value reported in the hours or financial contribution fields **20,042**

- Members reporting any numeric value in the hours field only 2,636
  - *Reported greater than zero in the hours field only* 1,803
  - *Reported a value ≥ 40 (donations less than $1,000)* 1,974
- Members reporting any numeric value in financial contributions field only 1,072
  - *Reported greater than zero in the financial contributions field only* 321
  - *Reported a value ≥ $1,000 only (hours less than 40)* 251
- Members reporting any numeric value in the hours and financial contributions field *17,334*
  - *Reported greater than zero in the hours and financial contributions field* *757*
  - *Reported hours ≥ 40 and donations ≥ $1000* *135*

Decline to Report

- Declined to report hours and financial contributions *22,101*
- Declined to report pro bono hours only *1,098*
- Declined to report financial contributions only *2,661*

RESPONSE RATES

- **Members affirmatively identified themselves on the form (Opt-in)[v]** **2,881**
- Reporting Response Rate[vi] 49%
- Contribution Response Rate[vii] 7%
- Decline to Report Rate 51%
- Opt-in Response Rate 6%

Commission Recognition Projections

- Pro Bono Service Honor Roll only 849
- Pro Bono Investment Honor Roll only 72
- Pro Bono Service and Investment Honor Roll 81

8-YEAR PRO BONO REPORTING TREND

	Year 1*	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Total Members Eligible to Report	**32,199**	**45,477**	**45,545**	**46,166**	**46,491**	**~ 46,500**	**~ 47,000**	**~ 47,000**
Reporting Response Rate	*16%*	*17%*	*16%*	*15%*	*39%*	*41%*	*32%*	*49%*
Contribution Response Rate (+ value reported)		*15%*	*13%*	*12%*	*14%*	*8%*	*6%*	*7%*
Decline to Report Hours/Donations Response Rate	*50%*	*44%*	*45%*	*43%*	*46%*	*54%*	*41%*	*51%*
TOTAL Financial Contributions	**$974,130**	**$1,585,492**	**$1,558,337**	**$1,596,325.**	**$1,762,990**	**$2,042,573**	**$1,358,774**	**$1,909,774**
TOTAL HOURS	**368,845**	**403,969**	**372,104**	**324,167**	**355,199**	**348,902**	**310,426.2**	**293,570**

Average Contributions	Year 1*	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Avg. Financial Contribution/ Eligible Attorneys	**$30**	**$35**	**$34**	**$35**	**$38**	**$44**	**$30**	**$44**
Average Hours/ Eligible Attorneys	**11.46**	**8.88**	**8.17**	**7.02**	**7.66**	**7.41**	**6.91**	**6.80**
Average Financial Contributions/ Attorney Donation		$901	$1,017	$1,139	$971	$1603	$1,315	$1,771
Average Hours/ Attorneys Reported		68	73	68	64	105	117.	115

** Associate members were not eligible to report pro bono contributions in the first year of reporting.*

[i] https://virginialawyer.vsb.org/october-2026/page-22

[ii] https://virginialawyer.vsb.org/october-2026/page-25

[iii] https://virginialawyer.vsb.org/october-2026/page-28

[iv] Renewals processed as of October 5, 2026. This was the third year of mandatory online dues renewal. Every active/associate member who completed renewal will have a line item for reporting.

[v] Members opting in may fall into any of the reporting categories outlined above including "Decline to Report."

[vi] All reports with value affirmatively reported in Hours and/or Financial Contributions, including 0.00 hours and/or $0.00 donations (excludes "Decline to Report" responses)

[vii] Percentage of forms with contributions greater than zero reported in the hours and/or financial contributions fields

TAB 3

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: October 9, 2026

Re: Financial Report as of August 31, 2026

The August 2026 financial report is attached for your review. The revenue detail is on page 3. As of August 31, 2026, we collected approximately $11.7 million. The total collected for bar dues, the largest source of revenue, was approximately $9.5 million.

The expenditure data is summarized in pages 5 and 6. As of August 31, 2026, total expenditures were approximately $2.7 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 August 31, 2026, was approximately $220,000.

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 August 31, 2026, the fund balance was approximately $9.9 million.

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

Attached: August 2026 Financial Report



Report ID: VGLR001

Commonwealth of Virginia
CARDINAL TRIAL BALANCE REPORT

Run Date: 09/29/2026
Run Time: 11:48 00

Business Unit : Statewide
Fiscal Year : 2027 Accounting Period : 2
Account Details : Summary Ledger Selection : ACTUALS
ChartField Selection : By BU,Fund Adj. Period :

Business Unit	Fund Code	Account	Description	Beginning Balance	Net Activity	Ending Balance
11700	09117					
		101010	Cash With The Treasurer Of VA	13,531,280.05	219,241.92	13,750,521.97
		131030	Petty Cash Advances	0.00	0.00	0.00
Asset Total :				**13,531,280.05**	**219,241.92**	**13,750,521.97**
		205025	Accts Payable-AP/EX Accruals	(67,428.44)	(32,989.22)	(100,417.66)
		22051401	Pay Susp-Garnishment	0.00	651.48	651.48
		22051402	Pay Susp-Garnishment Fee	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	0.00	4.33	4.33
		22051443	Pay Susp-Optional Group Life	0.00	856.67	856.67
		22051444	Pay Susp-3rd Party Admin	0.00	65.18	65.18
		22051446	Pay Susp-Deferred Comp	0.00	0.00	0.00
		22051447	Pay Susp-Hybrid Retirement	(100.04)	0.00	(100.04)
		22051448	Pay Susp-VRS Hybrid MDB Retire	0.00	0.00	0.00
		22051450	Pay Susp-Agy Parking	0.00	0.00	0.00
		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
		2409060	Def Rev-Miscellaneous Revenues	0.00	0.00	0.00

Business Unit	Fund Code		Account	Description	Beginning Balance	Net Activity	Ending Balance
			255470	Susp Acct-Deposit Pend Distrib	(10,000.00)	5,000.00	(5,000.00)
Liability Total :					**(77,528.48)**	**(26,411.56)**	**(103,940.04)**
			308000	Fund Balance	(4,617,298.73)	0.00	(4,617,298.73)
Equity Total :					**(4,617,298.73)**	**0.00**	**(4,617,298.73)**
Revenue Total :			Revenue Accounts		**(10,551,165.81)**	**(1,182,038.76)**	**(11,733,204.57)**
Expense Total :			Expense Accounts		**1,714,712.97**	**989,208.40**	**2,703,921.37**
Total for Fund :	09117	**Dedicated Special Revenue-VSB**			**0.00**	**0.00**	**0.00**
Total for BU :	11700	**Virginia State Bar**			**0.00**	**0.00**	**0.00**

Business Unit: 11700 : Virginia State Bar
Revenue Budget Ledger: CC_REVEST
Fiscal Year: 2027
Accounting Period To: 2

Bus Unit	Fund	Account	Description	Estimated Revenue	Year to Date Current Year	Year to Date Last Year	Month - 02 Current Year	Month - 02 Last Year
11700	02354	4008123	Legal Aid Filing Fees	0.00	1,203,815.30	1,272,999.00	561,986.30	609,268.00
		Total for Fund 02354		$ 0.00	$ 1,203,815.30	$ 1,272,999.00	$ 561,986.30	$ 609,268.00
	09117	4002100	Licenses & Permits	0.00	5,700.00	8,965.00	2,550.00	4,950.00
		4002101	Business & Professnal Licenses	377,010.00	395,735.00	370,180.00	25,060.00	20,760.00
		4002199	Misc Licenses, Permits & Fees	45,000.00	7,036.00	10,604.00	5,895.00	4,525.00
		4002306	Corp Registered Name Fees	110,000.00	26,300.00	24,100.00	14,900.00	11,850.00
		4002404	Real Estate Sttlmt Agt Reg Fee	17,000.00	2,720.00	2,200.00	840.00	360.00
		4002433	Clients Protection Fund Fee	175,275.00	167,639.97	155,070.05	20,504.14	9,020.05
		4002440	Attorney Wellness Fund Fee	0.00	928,575.00	925,060.00	51,485.00	48,820.00
		4002452	Miscellaneous Regulatory Fees	0.00	680.00	2,155.00	(870.00)	790.00
		4002501	Admission Receipts	167,675.00	22,375.00	34,425.00	10,875.00	19,200.00
		4002618	Attorneys Registration Fees	9,987,600.00	9,486,905.00	9,454,125.00	567,740.00	547,835.00
		4005046	Other Business Fees	645,000.00	32,630.40	106,202.29	17,056.15	51,255.94
		4006103	Other Edu Gifts/Grants-Private	0.00	15,000.00	15,000.00	15,000.00	15,000.00
		4008000	Fine/Fort/Court Fee/Cst/Penlty	100,000.00	11,921.86	6,926.25	7,656.97	2,480.26
		4008316	Pnlty/Past Dues-Attorneys Reg	550,000.00	398,040.00	346,487.50	365,790.00	321,470.00
		4009000	Other Revenue	1,750,000.00	151,900.00	156,288.00	63,925.00	68,700.00
		4009004	Reg Fees For Workshops/Classes	90,000.00	3,870.00	11,015.00	1,740.00	5,600.00
		4009060	Miscellaneous Revenues	117,595.00	76,176.34	18,059.70	11,891.50	10,418.50
		Total for Fund 09117		$ 14,132,155.00	$ 11,733,204.57	$ 11,646,862.79	$ 1,182,038.76	$ 1,143,034.75
	09880	4009999	Proceeds From Sale Of Surplus	0.00	64.48	0.00	64.48	0.00
		Total for Fund 09880		$ 0.00	$ 64.48	$ 0.00	$ 64.48	$ 0.00
	Total for Business Unit 11700			$ 14,132,155.00	$ 12,937,084.35	$ 12,919,861.79	$ 1,744,089.54	$ 1,752,302.75

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

August 2026 Expenditure Summary

Report ID:	RGL035	**Run Date:**	September 28, 2026
Layout ID:	VGLR0035	**Run Time:**	4:09:55 PM
Period Ending:	2027-06-30		
Business Unit:	11700 Virginia State Bar		

Cost Center	Description	Budget	2027-2	Current Year Expenditures	(Over) Under Budget	% of Budget Remaining
6000	Salaries	11,368,345.00	462,016.87	1,810,210.05	9,558,134.95	84%
6020	Benefits	0.00	15,713.00	21,469.01	(21,469.01)	0%
6040	Wages & Professional Services	0.00	498.26	1,950.01	(1,950.01)	0%
6060	Receiverships	300,000.00	0.00	(2,564.46)	302,564.46	101%
6080	Dues, Subscriptions & Training	83,300.00	2,395.50	16,728.19	66,571.81	80%
6100	Rent: Office Space	775,455.00	63,424.61	126,849.22	648,605.78	84%
6103	Grants	0.00	(930.82)	1,225.00	(1,225.00)	0%
6120	Rent: Office Equpment	12,580.00	1,023.24	2,068.05	10,511.95	84%
6140	Office Supplies	26,875.00	6,195.87	4,638.34	22,236.66	83%
6160	Stationery & Forms	7,900.00	0.00	0.00	7,900.00	100%
6180	Office Furniture & Equipment	7,000.00	0.00	946.99	6,053.01	86%
6200	Staff Travel	118,000.00	17,508.04	19,433.11	98,566.89	84%
6220	Office Insurance	18,600.00	0.00	0.00	18,600.00	100%
6240	Repairs and Maintenance	64,800.00	4,124.34	7,983.68	56,816.32	88%
6260	Printing & Copying	258,900.00	22,504.73	24,197.69	234,702.31	91%
6280	Postage	229,975.00	24,407.08	29,436.81	200,538.19	87%
6300	Communication Technology	54,190.00	3,466.00	5,588.74	48,601.26	90%
6320	Advertising	18,000.00	1,712.99	2,235.41	15,764.59	88%
6340	Other Contractual Services	437,150.00	106,720.49	190,442.23	246,707.77	56%
6345	Special Projects	10,000.00	0.00	0.00	10,000.00	100%
6355	Software Licenses	529,575.00	235,716.26	235,716.26	293,858.74	55%
6360	Computer Operating	130,400.00	5,901.61	41,648.43	88,751.57	68%
6380	Other Technology Projects	250,000.00	514.50	4,821.59	245,178.41	98%
6400	Professionalism Course-Trav	98,000.00	322.85	960.39	97,039.61	99%
6420	Professionalism Course-Misc	33,000.00	0.00	0.00	33,000.00	100%
6440	Council, Comm, Boards-Trav	492,870.00	5,556.65	25,841.43	467,028.57	95%
6460	Council, Comm, Boards-Misc	320,695.00	13,493.45	16,764.65	303,930.35	95%
6480	Sections-Trav	165,958.00	5,208.79	14,150.88	151,807.12	91%
6500	Sections-Print	12,025.00	0.00	2,891.67	9,133.33	76%
6520	Sections-Comm	12,209.00	1,434.34	4,130.79	8,078.21	66%
6540	Sections-Other	148,429.00	(1,904.62)	2,371.38	146,057.62	98%

6560	Senior Lawyers Conf-Trav[1]	0.00	(711.95)	0.00	0.00	0%
6600	Senior Lawyers Conf-Comm[1]	0.00	(1,035.48)	0.00	0.00	0%
6640	Young Lawyers Conf-Program[1]	0.00	(1,168.08)	0.00	0.00	0%
6660	Young Lawyers Conf-Print[1]	0.00	(8.40)	0.00	0.00	0%
6680	Young Lawyers Conf-Travel[1]	0.00	(2,111.94)	0.00	0.00	0%
6706	Diversity Conference - Travel[1]	0.00	(2,384.90)	0.00	0.00	0%
6710	CLSBA-Travel[1]	0.00	(372.35)	0.00	0.00	0%
6730	CLSBA-Other[1]	0.00	(22.53)	0.00	0.00	0%
6760	Attorney General Costs	25,000.00	0.00	0.00	25,000.00	100%
6780	A&F Trans	90,000.00	0.00	1,680.00	88,320.00	98%
6800	Clients' Protection Fund Trans	175,275.00	0.00	90,105.83	85,169.17	49%
6820	Online Legal Research	100,000.00	0.00	0.00	100,000.00	100%
	All Cost Centers	$16,374,506.00	$989,208.40	$2,703,921.37	$13,670,584.63	83%

Notes:

1. July expenditures for the Senior Lawyers, Young Lawyers, Diversity, and Local & Specialty Bar Sections were initially charged to the cost centers used for these conferences prior to their transition to sections. The credits reflect the corrections completed in August.

VIRGINIA STATE BAR
ADMINISTRATION & FINANCE ACCOUNT
AS OF AUGUST 31, 2026

Cash Balance as of July 1, 2026	**$**	**292,880.81**
Year-to-Date Revenue through August 31, 2026		1,682.56
Year-to-Date Expenses through August 31, 2026		(74,475.54)
Cash Balance as of August 31, 2026	**$**	**220,087.83**

LEDGER		**BALANCE 8/31/2026**
Annual Meeting	$	182,465.63
Midyear Seminar		43,193.64
Council, Committees, etc.		-
Other		(5,571.44)
Total Ledger Balance	**$**	**220,087.83**

VIRGINIA STATE BAR
ADMINISTRATION & FINANCE ACCOUNT
MONTHLY STATEMENT OF REVENUE & EXPENSES
FOR AUGUST 2026

	BALANCE 8/1/2026	AUG 2026 ACTIVITY	BALANCE 8/31/2026
Revenue:			
Annual Meeting	$ 1,680.00	$ 0.00	$ 1,680.00
Money Market Account Interest	1.28	1.28	2.56
Total Revenue	**1,681.28**	**1.28**	**1,682.56**
Expenses:			
Annual Meeting	16,605.80	52,295.74	68,901.54
National Meetings and Miscellaneous	0.00	0.00	0.00
Employee Recognition	1,517.37	0.00	1,517.37
Bank Service Charges	50.35	50.35	100.70
Expenses to be Reimbursed	3,955.93	0.00	3,955.93
Total Expenses	**22,129.45**	**52,346.09**	**74,475.54**
Total Revenue Over/(Under) Expenses	**$ 25,198.64**	**$ (52,344.81)**	**$ (72,792.98)**

VIRGINIA STATE BAR
CLIENTS' PROTECTION FUND
CASH BALANCE
AS OF AUGUST 31, 2026

Cash Balance as of July 1, 2026	**$**	**9,903,475.76**
Year-to-Date Revenue through August 31, 2026		110,509.16
Year-to-Date Expenses through August 31, 2026		(100,000.00)
Cash Balance as of August 31, 2026	**$**	**9,913,984.92**
Liability for claims approved but not paid:		**2,000.00**
Available Cash Balance as of August 31, 2026	**$**	**9,911,984.92**

Funds Invested/Maintained as Follows:

Truist Business Checking Account	687,308.12
United States Treasury Bill	0.00
United States Treasury Notes	610,010.14
Federal Home Loan Bank	4,816,666.66
Federal Home Loan Mortgage Corp.	1,000,000.00
Federal Farm Credit Bank	2,800,000.00
Total Cash and Investments	**$ 9,913,984.92**

VIRGINIA STATE BAR
CLIENTS' PROTECTION FUND
MONTHLY STATEMENT OF REVENUE & EXPENSES
FOR AUGUST 2026

	BALANCE 8/1/2026	AUG 2026 ACTIVITY	BALANCE 8/31/2026
REVENUE			
INTEREST:			
Investment Interest	$ 11,937.14	$ 8,466.19	$ 20,403.33
REIMBURSEMENT FROM ATTORNEYS:			
AG's Collections	-	0.00	0.00
Debt Set-Off Receipts	-	0.00	0.00
Individual Restitution	795.83	0.00	795.83
TRANSFERS:			
CPF Assessment	89,310.00	0.00	89,310.00
Total Revenue:	**$ 102,042.97**	**$ 8,466.19**	**$ 110,509.16**
EXPENSES			
Bank Service Charges	-	0.00	0.00
Attorney General's Fees	-	0.00	0.00
CPF Board Expenses - Oper. Acct. Reim.	-	0.00	0.00
Receivership Reimbursement	-	0.00	0.00
Payments to Clients	100,000.00	0.00	100,000.00
Total Expenses:	**$ 100,000.00**	**$ -**	**$ 100,000.00**
Total Revenue Over/(Under) Expenses	**$ 2,042.97**	**$ 8,466.19**	**$ 10,509.16**

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: October 9, 2026

Re: Financial Report as of June 30, 2026

For the year ended June 30, 2026, approximately $14.2 million was collected in revenue, which exceeded projected revenue by approximately $136,000. Expenditures and cash transfers for the year totaled approximately $15.2 million, which was approximately $684,000 under budget.

FY 2026 expenditures and transfers exceeded revenue which reduced the operating reserve balance by approximately $1.0 million. Operating cash reserve with the Treasurer of Virginia on June 30, 2026 was approximately $4.6 million.

The Administration and Finance Account ended the fiscal year with a cash balance of approximately $293,000. The balance in the Clients' Protection Fund (CPF) on June 30, 2026, was approximately $9.9 million. The CPF received $163,855 from the annual $5 assessment of each active attorney. The fund earned approximately $110,000 in interest during the fiscal year, received approximately $6,000 in reimbursements, and paid claims totaling approximately $362,000.

The long-range projections as of June 30, 2026, follow this memo. The report is used as a planning tool to project future revenue, expenditures, and cash balances.

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

Attached: June 2026 Long-Range Projection
June 2026 Financial Report

VIRGINIA STATE BAR
LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
6/30/2026

Variables	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Active Member Dues [Cap $350]	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00
Associate Member Dues ($)	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00
Corporate Counsel Member Dues ($)	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00
New Active Member Dues ($)	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00
New Associate Member Dues ($)	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 75.00	$ 75.00	$ 75.00	$ 75.00	$ 75.00	$ 75.00	$ 75.00
Staff Salary Increase (%)	7.0%	3.0%	3.0%	3.5%	3.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Staff One-Time Bonus		1.5%	$ 1,500.00								
CPI (%)					2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%

Fiscal Year	Actual 2024	Actual 2025	Actual 2026	Projected 2027	Projected 2028	Projected 2029	Projected 2030	Projected 2031	Projected 2032	Projected 2033	Projected 2034
Operating Revenue	13,608,130	13,895,178	14,076,959	14,027,850	16,018,650	16,018,650	16,018,650	16,018,650	16,018,650	16,018,650	16,018,650
Operating Expenditures	14,456,486	14,558,258	15,083,808	15,365,777	15,847,788	16,164,262	16,488,558	16,821,026	17,161,720	17,510,926	17,868,855
Contributions To/(From) Operating Reserve	(848,356)	(663,080)	(1,006,849)	(1,337,927)	170,862	(145,612)	(469,908)	(802,376)	(1,143,070)	(1,492,276)	(1,850,205)
Add: Beginning Operating Reserve Balance	7,135,584	6,287,228	5,624,148	4,617,299	3,279,372	3,450,234	3,304,622	2,834,714	2,032,338	889,268	(603,008)
Ending Operating Reserve Balance (2)	6,287,228	5,624,148	4,617,299	3,279,372	3,450,234	3,304,622	2,834,714	2,032,338	889,268	(603,008)	(2,453,213)
Ending A&F Reserve Balance	252,563	250,139	292,881	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Reserve Balance	6,539,791	5,874,287	4,910,180	3,529,372	3,700,234	3,554,622	3,084,714	2,282,338	1,139,268	(353,008)	(2,203,213)
Reserve as a % of the preceding year's Operating Expenditures (3)	45.24%	40.35%	32.55%	22.97%	23.35%	21.99%	18.71%	13.57%	6.64%	-2.02%	-12.33%

NOTES/ASSUMPTIONS:

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 6/30/2026 includes the Professionalism Course Reserve of $285,852.

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."



Report ID: VGLR001

Commonwealth of Virginia
CARDINAL TRIAL BALANCE REPORT

Run Date: 08/13/2026
Run Time: 10:35 00

Business Unit : 11700 Virginia State Bar
Fiscal Year : 2026 Accounting Period : 12
Account Details : Summary Ledger Selection : ACTUALS
ChartField Selection : By BU,Fund Adj. Period :

Business Unit	Fund Code	Account	Description	Beginning Balance	Net Activity	Ending Balance
11700	09117					
		101010	Cash With The Treasurer Of VA	5,909,577.70	2,820,063.07	8,729,640.77
		131030	Petty Cash Advances	0.00	0.00	0.00
Asset Total :				5,909,577.70	2,820,063.07	8,729,640.77
		205025	Accts Payable-AP/EX Accruals	(73,353.80)	(30,403.20)	(103,757.00)
		22051401	Pay Susp-Garnishment	0.00	0.00	0.00
		22051402	Pay Susp-Garnishment Fee	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	118.91	(118.91)	0.00
		22051443	Pay Susp-Optional Group Life	916.55	(916.55)	0.00
		22051444	Pay Susp-3rd Party Admin	65.18	(65.18)	0.00
		22051446	Pay Susp-Deferred Comp	0.00	0.00	0.00
		22051447	Pay Susp-Hybrid Retirement	(100.04)	0.00	(100.04)
		22051448	Pay Susp-VRS Hybrid MDB Retire	0.00	0.00	0.00
		22051450	Pay Susp-Agy Parking	0.00	0.00	0.00
		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	(133,775.00)	(133,775.00)
		2402433	Def Rev-Client Protectn Fd Fee	0.00	(54,690.00)	(54,690.00)
		2402440	Def Rev-Attorney Wellness Fund	0.00	(328,140.00)	(328,140.00)
		2402618	Def Rev-Atty Registration Fee	0.00	(3,479,840.00)	(3,479,840.00)
		2409060	Def Rev-Miscellaneous Revenues	0.00	(2,040.00)	(2,040.00)

Business Unit	Fund Code		Account	Description	Beginning Balance	Net Activity	Ending Balance
			255470	Susp Acct-Deposit Pend Distrib	(10,000.00)	0.00	(10,000.00)
Liability Total :					**(82,353.20)**	**(4,029,988.84)**	**(4,112,342.04)**
			308000	Fund Balance	(5,624,147.57)	0.00	(5,624,147.57)
Equity Total :					**(5,624,147.57)**	**0.00**	**(5,624,147.57)**
Revenue Total :			Revenue Accounts		**(14,082,934.89)**	**(164,742.15)**	**(14,247,677.04)**
Expense Total :			Expense Accounts		**13,879,827.96**	**1,374,667.92**	**15,254,495.88**
			609830	Cash Transfer Out - Non-GF	30.00	0.00	30.00
Transfers Total :					**30.00**	**0.00**	**30.00**
Total for Fund :	**09117**	**Dedicated Special Revenue-VSB**			**0.00**	**0.00**	**0.00**
Total for BU :	**11700**	**Virginia State Bar**			**0.00**	**0.00**	**0.00**

CARDINAL

Report ID: RGL008

Commonwealth of Virginia
REVENUE STATUS REPORT

Run Date: 08/13/2026
Run Time: 10:13 00

Business Unit: 11700 : Virginia State Bar
Revenue Budget Ledger: CC_REVEST
Fiscal Year: 2026
Accounting Period To: 12

Bus Unit	Fund	Account	Description	Estimated Revenue	Year to Date Current Year	Year to Date Last Year	Month - 12 Current Year	Month - 12 Last Year
11700	02354	4008123	Legal Aid Filing Fees	0.00	7,415,543.07	6,690,840.61	618,227.00	598,660.00
			Total for Fund 02354	$ 0.00	$ 7,415,543.07	$ 6,690,840.61	$ 618,227.00	$ 598,660.00
	09117	4002100	Licenses & Permits	0.00	37,880.00	33,600.00	2,515.00	4,800.00
		4002101	Business & Professnal Licenses	335,875.00	391,160.00	344,015.00	50.00	10.00
		4002199	Misc Licenses, Permits & Fees	43,000.00	67,577.25	54,493.61	9,010.75	2,697.00
		4002306	Corp Registered Name Fees	100,000.00	149,335.00	140,250.00	9,450.00	6,900.00
		4002404	Real Estate Sttlmt Agt Reg Fee	18,000.00	13,680.00	17,460.00	2,480.00	1,200.00
		4002433	Clients Protection Fund Fee [1]	176,050.00	173,567.86	173,931.37	72.05	570.00
		4002440	Attorney Wellness Fund Fee	0.00	150.00	30.00	(19,020.00)	(1,710.00)
		4002452	Miscellaneous Regulatory Fees	0.00	2,070.00	1,460.00	(255.00)	(60.00)
		4002501	Admission Receipts	163,075.00	227,890.00	246,995.00	13,125.00	14,250.00
		4002618	Attorneys Registration Fees	10,001,800.00	10,010,467.50	9,951,410.00	4,250.00	3,750.00
		4005046	Other Business Fees	585,000.00	393,131.84	623,782.53	18,700.85	46,797.51
		4006103	Other Edu Gifts/Grants-Private	0.00	25,000.00	15,000.00	0.00	0.00
		4008000	Fine/Fort/Court Fee/Cst/Penlty [1]	100,000.00	128,752.19	72,999.49	9,382.00	5,284.41
		4008316	Pnlty/Past Dues-Attorneys Reg	550,000.00	675,810.00	393,724.50	(2,460.00)	13,563.00
		4009000	Other Revenue	1,825,000.00	1,727,045.00	1,755,400.00	101,638.00	86,361.00
		4009004	Reg Fees For Workshops/Classes	80,000.00	112,990.00	90,470.00	10,750.00	23,067.50
		4009060	Miscellaneous Revenues	133,550.00	111,320.40	107,307.97	5,053.50	4,942.00
		4009084	Refund-Exp/Misc Disburse Pr Yr	0.00	(150.00)	46,779.12	0.00	0.00
			Total for Fund 09117	$ 14,111,350.00	$ 14,247,677.04	$ 14,069,108.59	$ 164,742.15	$ 212,422.42
			Total for Business Unit 11700	$ 14,111,350.00	$ 21,663,220.11	$ 20,759,949.20	$ 782,969.15	$ 811,082.42

Notes:

1. Clients' Protection Fund Fee revenue is overstated by $2,850, while Fine/Fort/Court Fee/Cost/Penalty revenue is understated by the same amount. The transfer to reclassify the revenue did not process prior to year-end.

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

June 2026 Expenditure Summary

Report ID:	RGL035	**Run Date:**	August 13, 2026
Layout ID:	VGLR0035	**Run Time:**	10:34:50 AM
Period Ending:	2026-06-30		
Business Unit:	11700 Virginia State Bar		

Cost Center	Description	Budget	2026-12	Current Year Expenditures	(Over) Under Budget	% of Budget Remaining
6000	Salaries	11,238,115.00	1,041,021.52	11,014,397.17	223,717.83	2%
6020	Benefits	0.00	8,537.58	104,385.77	(104,385.77)	0%
6040	Wages & Professional Services	0.00	0.00	6,955.60	(6,955.60)	0%
6060	Receiverships	100,000.00	(21,838.65)	38,017.90	61,982.10	62%
6080	Dues, Subscriptions & Training	77,500.00	8,486.06	58,603.13	18,896.87	24%
6100	Rent: Office Space	756,475.00	63,424.61	756,474.63	0.37	0%
6103	Grants	0.00	0.00	15,000.00	(15,000.00)	0%
6120	Rent: Office Equpment	12,580.00	1,045.61	12,523.54	56.46	0%
6140	Office Supplies	31,875.00	(4,421.82)	17,200.68	14,674.32	46%
6160	Stationery & Forms	6,500.00	0.00	3,400.00	3,100.00	48%
6180	Office Furniture & Equipment	7,000.00	0.00	0.00	7,000.00	100%
6200	Staff Travel	119,800.00	15,542.09	64,250.18	55,549.82	46%
6220	Office Insurance	18,650.00	0.00	18,070.30	579.70	3%
6240	Repairs and Maintenance	68,600.00	(3,045.24)	49,017.50	19,582.50	29%
6260	Printing & Copying	242,650.00	24,695.09	164,656.11	77,993.89	32%
6280	Postage	209,400.00	24,442.84	199,558.60	9,841.40	5%
6300	Communication Technology	52,100.00	3,057.49	40,762.74	11,337.26	22%
6320	Advertising	18,000.00	511.91	8,202.59	9,797.41	54%
6340	Other Contractual Services	419,400.00	18,792.61	436,395.84	(16,995.84)	(4%)
6345	Special Projects	10,000.00	0.00	7,855.00	2,145.00	21%
6360	Computer Operating	642,025.00	25,820.10	587,492.29	54,532.71	8%
6380	Other Technology Projects	200,000.00	1,587.69	259,023.53	(59,023.53)	(30%)
6400	Professionalism Course-Trav	100,000.00	8,182.60	102,755.45	(2,755.45)	(3%)
6420	Professionalism Course-Misc	22,000.00	900.00	8,344.81	13,655.19	62%
6440	Council, Comm, Boards-Trav	453,970.00	38,888.83	348,188.98	105,781.02	23%
6460	Council, Comm, Boards-Misc	231,945.00	11,398.52	129,926.32	102,018.68	44%
6480	Sections-Trav	141,458.00	19,203.06	123,967.34	17,490.66	12%
6500	Sections-Print	16,143.00	0.00	10,298.32	5,844.68	36%
6520	Sections-Comm	11,975.00	0.00	7,853.09	4,121.91	34%
6540	Sections-Other	121,330.00	26,587.16	79,627.38	41,702.62	34%
6560	Senior Lawyers Conf-Trav	11,200.00	7,514.48	17,218.83	(6,018.83)	(54%)
6580	Senior Lawyers Conf-Print	15,100.00	0.00	15,905.00	(805.00)	(5%)

6600	Senior Lawyers Conf-Comm	8,900.00	197.26	3,933.28	4,966.72	56%
6620	Senior Lawyers Conf-Misc	12,500.00	354.50	3,260.00	9,240.00	74%
6640	Young Lawyers Conf-Program	64,000.00	13,885.36	53,447.84	10,552.16	16%
6660	Young Lawyers Conf-Print	3,500.00	1,545.30	2,246.48	1,253.52	36%
6680	Young Lawyers Conf-Travel	31,700.00	4,380.15	37,088.67	(5,388.67)	(17%)
6700	Young Lawyers Conf-Misc	300.00	0.00	0.00	300.00	100%
6702	Diversity Conference - Program	46,750.00	7,382.48	40,227.52	6,522.48	14%
6704	Diversity Conference - Print	1,500.00	0.00	186.52	1,313.48	88%
6706	Diversity Conference - Travel	9,400.00	5,866.29	10,022.44	(622.44)	(7%)
6708	Diversity Conference - Misc	2,400.00	0.00	375.00	2,025.00	84%
6710	CLSBA-Travel	15,760.00	5,463.08	13,938.21	1,821.79	12%
6715	CLSBA-Print	15,000.00	0.00	152.03	14,847.97	99%
6725	CLSBA-Communications	100.00	0.00	0.00	100.00	100%
6730	CLSBA-Other	4,675.00	661.00	1,532.70	3,142.30	67%
6760	Attorney General Costs	25,000.00	(7,301.64)	14,939.05	10,060.95	40%
6780	A&F Trans	80,000.00	21,675.00	111,540.00	(31,540.00)	(39%)
6800	Clients' Protection Fund Trans	176,050.00	225.00	170,677.52	5,372.48	3%
6820	Online Legal Research	85,000.00	0.00	84,600.00	400.00	0%
	All Cost Centers	$15,938,326.00	$1,374,667.92	$15,254,495.88	$683,830.12	4%

VIRGINIA STATE BAR
ADMINISTRATION & FINANCE ACCOUNT
AS OF JUNE 30, 2026

Cash Balance as of July 1, 2025	**$**	**250,139.12**
Year-to-Date Revenue through June 30, 2026		114,830.08
Year-to-Date Expenses through June 30, 2026		(72,088.30)
Cash Balance as of June 30, 2026	**$**	**292,880.90**

LEDGER		**BALANCE 6/30/2026**
Annual Meeting	$	247,833.49
Midyear Seminar		43,193.64
Council, Committees, etc.		(1,123.31)
Other		2,977.08
Total Ledger Balance	**$**	**292,880.90**

VIRGINIA STATE BAR
ADMINISTRATION & FINANCE ACCOUNT
MONTHLY STATEMENT OF REVENUE & EXPENSES
FOR JUNE 2026

	BALANCE 6/1/2026	JUNE 2026 ACTIVITY	BALANCE 6/30/2026
Revenue:			
Annual Meeting	$ 90,410.00	$ 24,405.00	$ 114,815.00
Money Market Account Interest	13.84	1.24	15.08
Total Revenue	**90,423.84**	**24,406.24**	**114,830.08**
Expenses:			
Annual Meeting	63,159.89	10,767.10	73,926.99
National Meetings and Miscellaneous	1,123.31	0.00	1,123.31
Employee Recognition	474.60	0.00	474.60
Bank Service Charges	467.40	50.35	517.75
Expenses to be Reimbursed	0.00	(3,954.35)	(3,954.35)
Total Expenses	**65,225.20**	**6,863.10**	**72,088.30**
Total Revenue Over/(Under) Expenses	**$ 25,198.64**	**$ 17,543.14**	**$ 42,741.78**

VIRGINIA STATE BAR
CLIENTS' PROTECTION FUND
CASH BALANCE
AS OF JUNE 30, 2026

Cash Balance as of July 1, 2025	**$**	**10,105,267.27**
Year-to-Date Revenue through June 30, 2026		280,765.19
Year-to-Date Expenses through June 30, 2026		(482,556.70)
Cash Balance as of June 30, 2026	**$**	**9,903,475.76**
Liability for claims approved but not paid:		**2,000.00**
Available Cash Balance as of June 30, 2026:	**$**	**9,901,475.76**

Funds Invested/Maintained as Follows:

Truist Business Checking Account	476,593.74
United States Treasury Bill	0.00
United States Treasury Notes	610,215.36
Federal Home Loan Bank	5,016,666.66
Federal Home Loan Mortgage Corp.	1,000,000.00
Federal Farm Credit Bank	2,800,000.00
Total Cash and Investments	**$ 9,903,475.76**

VIRGINIA STATE BAR
CLIENTS' PROTECTION FUND
MONTHLY STATEMENT OF REVENUE & EXPENSES
FOR JUNE 2026

	BALANCE 6/1/2026	JUNE 2026 ACTIVITY	BALANCE 6/30/2026
REVENUE			
INTEREST:			
Investment Interest	$ 95,245.34	$ 15,280.33	$ 110,525.67
REIMBURSEMENT FROM ATTORNEYS:			
AG's Collections	-	0.00	0.00
Debt Set-Off Receipts	-	0.00	0.00
Individual Restitution (a)	6,234.52	150.00	6,384.52
TRANSFERS:			
CPF Assessment	163,780.00	75.00	163,855.00
Total Revenue:	**$ 265,259.86**	**$ 15,505.33**	**$ 280,765.19**
EXPENSES			
Bank Service Charges	70.00	0.00	70.00
Attorney General's Fees	-	0.00	0.00
CPF Board Expenses - Oper. Acct. Reim.	-	10,339.14	10,339.14
Receivership Reimbursement	63,303.41	28,980.33	92,283.74
Payments to Clients	197,720.82	164,643.00	362,363.82
WTW Actuarial Study Payment 1 of 2	17,500.00	0.00	17,500.00
Total Expenses:	**$ 278,594.23**	**$ 203,962.47**	**$ 482,556.70**
Total Revenue Over/(Under) Expenses	**$ (13,334.37)**	**$ (188,457.14)**	**$ (201,791.51)**

(a) Erroneous restitution of $438 recorded in FY 2025 was transferred to operating in July 2025. $438 should have been recorded in report as a decrease in revenue in July 2025.

TAB 4

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: Executive Committee and Council

From: Renu M. Brennan, Bar Counsel

Date: October 9, 2026

DISCIPLINARY SYSTEM REPORT

I. Public/Private Discipline (July 1, 2026, to October 2, 2026)[1]

Public Discipline – 21, one case on appeal	Private Discipline – 10
Competence/Diligence/Communication – 9	Competence/Diligence/Communication – 5
Safekeeping Property – 5	Fees – 4
Conflict of Interest: General Rule – 2	UPL; Multijurisdictional Practice of Law – 1
Criminal or Deliberately Wrongful Conduct – 1	
Fairness to Opposing Party and Counsel – 1	
Additional Responsibilities of a Prosecutor – 1	
13-29 Show Cause – 1	
13-22 Criminal Show Cause – 1	

II. Docket Statistics (September 30, 2026)

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

- **Total open cases are at 334.** The range for the prior 5 years was between 239 (2024) and 308 (2021 and 2025).

[1] This chart represents each private or public sanction issued from July 1, 2026, to October 2, 2026, and each appeal of a public sanction issued after July 1, 2026.

- **There are 7 prior fiscal year cases**. The range for the prior 5 years was between 5 (2024) and 13 (2025).

- **Cases over 365 days are at 3.** The range for the prior 5 years was between 6 (2024) and 26 (2021).

- **Preliminary Investigation and District Committee cases are at 194.** The range for the prior 5 years was between 126 (2024) and 254 (2021).

- **District Committee cases over 180 days are at 62**. The range for the prior 5 years was between 44 (2024) and 72 (2021).

- **Cases awaiting report by bar counsel are at 28.** The range for the prior 5 years was between 7 (2024) and 22 (2021 and 2023).

- **Cases awaiting report by investigator are at 32.** The range for the prior 5 years was between 22 (2023) and 45 (2021).

- **There are 2 cases awaiting meeting by subcommittee.** The range for the previous 5 years was between 5 (2021) and 21 (2023).

- **Cases awaiting Certification and Charges of Misconduct are at 1 and 0 respectively**. The range for cases awaiting Certification for the past 5 years was between 2 (2022, 2023 and 2024) and 7 (2021), and the range for Charges of Misconduct was between 0 (2022, 2023, 2024 and 2025) and 1 (2021).

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

- **We have 50 cases to be tried.** (48 Disciplinary Board/Circuit Court and 2 District Committee). The range for the prior 5 years was between 30 (2022) and 50 (2021 and 2025).

- **We have held 5 trials this year to date.** The range for the prior 5 years was between 5 (2022 and 2025) and 8 (2023 and 2024).

- **Subcommittees have issued 19 sanctions year to date**. The range for the prior 5 years was between 16 (2021 and 2025) and 23 (2022).

- **We have reached 23 agreed dispositions year to date.** The range for the prior 5 years was between 14 (2021) and 22 (2024).

- **We have entered into 4 consents to revocation year to date**. The range for the prior 5 years was between 0 (2024) and 7 (2023).

- **We have closed 4 impairments year to date**. The range for the prior 5 years was between 0 (2023) and 8 (2022).

IV. Intake Report as of September 30, 2026 – James C. Bodie, Intake Counsel

The VSB received 994 bar complaints between July 1, 2026, and September 30, 2026. During the same period in FY 2026, the VSB received 882 complaints. FY 2027 has an 11.27% increase in complaints over FY 2026.

V. Overview of Cases Under Investigation as of September 30, 2026 – Michael Schuler, Chief Investigator

87 Reports of Investigation (ROIs) FY 27 (7/1/2026-10/5/2026)
60 ROIs FY 26 (7/1/2025-10/5/2025)
62 ROIs FY 25 (7/1/2024-10/5/2024)

109 Active Investigations, including 28 Family Law Matters, 23 Criminal Defense Matters, 11 Immigration Matters, 3 Estate Planning Matters, 5 Trust Account Overdrafts, 3 Personal Injury Matters, and 5 Bankruptcy matters

VI. Appeals before the Supreme Court of Virginia

Joshua Reid Grossman v. Virginia State Bar Ex Rel., Fifth District, Section I Committee

On September 8, 2026, Joshua Reid Grossman noted an appeal of a three-judge circuit court's order suspending his license to practice law in the Commonwealth of Virginia for six months, effective September 8, 2026. The three-judge circuit court found that Grossman violated Rules 3.3(a)(4) Candor Toward the Tribunal and 3.8(d) Additional Responsibilities of a Prosecutor. On September 9, 2026, Grossman moved to stay the six-month suspension. By order entered September 18, 2026, the Court stayed Grossman's suspension until further order. Assistant Attorney General Stanley Hammer represents the bar.

Aaron Marcus Pomeranz v. Virginia State Bar

On May 6, 2026, the Second District, Section I Committee of the Virginia State Bar found that Aaron Marcus Pomeranz violated Rules 1.2(a) Scope of Representation and 1.3(a) and (b) Diligence and imposed a Public Admonition. On May 28, 2026, Pomeranz noted his appeal of the Public Admonition to the Virginia State Bar Disciplinary Board ("Board"). On July 15, 2026, the bar moved to dismiss the appeal because Pomeranz did not timely file the transcript with the Clerk of the Disciplinary System. By order entered August 3, 2026, the Board granted the bar's motion to dismiss the appeal. On September 2, 2026, Pomeranz noted his appeal to the Court of the Board's Order dismissing his appeal. Assistant Attorney General Stanley Hammer represents the bar.

Philip Loyd Bradfield v. Virginia State Bar Ex Rel., First District Committee

On May 19, 2026, Philip Loyd Bradfield noted an appeal of a three-judge circuit court's order suspending his license to practice law in the Commonwealth of Virginia for two years, effective May 16, 2026. The three-judge circuit court found that Bradfield violated Rules 1.1 Competence; 1.3(a) Diligence; 1.4(a) and 1.4(b) Communication; 1.15(a)(1), 1.15(c)(1), 1.15(c)(2), and 1.15(c)(4) Safekeeping Property; 8.1(a) Bar Admission and Disciplinary Matters; and 8.4(c) and 8.4(f) Misconduct. Senior Assistant Attorney General Todd M. Shockley and Assistant Attorney General Erin McNeill represent the bar.

VII. Appeals decided or dismissed by the Supreme Court of Virginia

Douglas Bell Wessel v. Virginia State Bar Ex Rel., Fifth District, Section II Committee

By Opinion dated June 4, 2026, the Court affirmed a three-judge circuit court's order suspending Wessel's license to practice law in the Commonwealth of Virginia for thirteen months. The three-judge circuit court found that Wessel violated Rules 1.3(b) Diligence, 1.16(a)(1) and (3) Declining or Terminating Representation, 8.4(a) Misconduct, and 1.15(b)(4) Safekeeping Property. On August 5, 2026, Wessel filed a Petition for Rehearing. By order entered August 28, 2026, the Court denied Wessel's Petition for Rehearing. By order entered September 16, 2026, the Court affirmed the judgment of the three-judge circuit court. Senior Attorney General Pebbles Burgess and Assistant Attorney General Erin McNeill represented the bar.

Phillip Ben-Zion Leiser v. Virginia State Bar Ex Rel., Fifth District, Section I Committee

By Opinion dated July 23, 2026, the Court affirmed a three-judge circuit court's order suspending Leiser's license to practice law in the Commonwealth of Virginia for three years. The three-judge circuit court found that Leiser violated Rules 8.2 Judicial Officials and 8.4(b) Misconduct. On August 3, 2026, Leiser filed a Notice of Intent to File Petition for Rehearing. By order entered September 16, 2026, the Court denied Leiser's Petition for Rehearing. By ordered October 7, 2026, the Court affirmed the judgment of the three-judge circuit court. Senior Attorney General Pebbles Burgess and Assistant Attorney General Robert Claiborne represented the bar.

James McMurray Johnson v. Virginia State Bar Ex Rel., Fifth District, Section II Committee

On May 7, 2026, James McMurray Johnson noted an appeal of a Memorandum Order of the Disciplinary Board suspending Johnson's license to practice law in the Commonwealth of Virginia

for six months, effective April 24, 2026. The Board found that Johnson violated Rule 1.3(a) Diligence. By Order entered September 22, 2026, the Court dismissed Johnson's appeal for failure to file transcripts or written statement of facts. Assistants Attorney General Stanley Hammer and Robert Claiborne represented the bar.

Taso Rashid Noel Saunders v. Virginia State Bar

On April 13, 2026, Taso Rashid Noel Saunders noted an appeal and Motion to Stay a Reciprocal Memorandum Order of the Disciplinary Board suspending his license to practice law in the Commonwealth of Virginia for six months, effective March 27, 2026. By Order entered August 20, 2026, the Court dismissed Saunders' appeal for failure to file transcripts or written statement of facts. Senior Assistant Attorney General John Gilbody and Assistant Attorney General Erin McNeill represented the bar.

Gary Steven Pisner v. Virginia State Bar

Effective June 8, 2026, a three-judge circuit court revoked Gary Steven Pisner's license to practice law. This revocation was a reciprocal revocation based on Maryland's revocation of Pisner's license on March 5, 2025. Pisner noted an appeal which the Court dismissed because Pisner failed to file assignments of error within 30 days of the final judgment. Senior Assistant Attorney General John Gilbody represented the bar.

VIII. Appeal before the Court of Appeals of Virginia

Justin Lee Criner v. Virginia State Bar
Record No. 0710252

On April 8, 2025, Justin Criner's license was revoked by consent. On April 11, 2025, upon the bar's motion, the Chesterfield Circuit Court entered an order appointing Drew Sarrett, Esq., as the receiver of Criner's former practice, the Beale Law Firm. Criner appealed the order appointing a receiver to the Court of Appeals of Virginia. This appeal is pending. Oral argument was held on September 10, 2026. Assistant Attorneys General Erin McNeill and

Chris Bernhardt represent the bar.

IX. Federal Lawsuit

Phillip Leiser v. Renu M. Brennan

By Order entered September 17, 2025, the Eastern District of Alexandria (EDVA) dismissed, without prejudice, Leiser's lawsuit against the Virginia State Bar and now retired Chief Justice Goodwyn and me, in our official capacities, and denied Leiser's motion for a preliminary injunction seeking to enjoin a disciplinary hearing against him.

On October 7, 2025, Leiser filed a Motion to Reconsider the EDVA's September 17, 2025, Order. By Order entered December 4, 2025, the EDVA denied Leiser's Motion to Reconsider.

Leiser noted an appeal of both the September 17 and December 4 Orders to the Fourth Circuit. The Fourth Circuit docketed Leiser's appeal and entered a briefing order.

By Order entered February 24, 2026, the Fourth Circuit denied Leiser's motion for a preliminary injunction. Assistant Attorney General Robert Claiborne represented retired Chief Justice Goodwyn, the bar, and me.

On June 22, 2026, Leiser filed an Emergency Application for Injunction Pending Appellate Review in the Supreme Court of the United States. Leiser sought an injunction prohibiting enforcement of Virginia Rule of Professional Conduct 8.2 Judicial Officials against him, whether directly, or indirectly through enforcement of Virginia Rule of Professional Conduct 8.4(b) Misconduct. Leiser sought the injunction until the Supreme Court of the United States has had the opportunity to consider whether to grant *certiorari.* On July 1, the Chief Justice of the Supreme Court of the United States denied Leiser's application. On July 10, 2026, Leiser's application was refiled and submitted to Justice Gorsuch. On August 17, 2026, the application was referred to the Supreme Court of the United States, which also denied Leiser's application.

Louis B. Antonacci v. The Virginia State Bar, et al.

On January 23, 2026, Antonacci filed suit in the United States District Court for the District of Columbia against several defendants including the bar and Assistant Bar Counsel Richard W. Johnson in his individual capacity. On March 16, 2026, the Deputy Solicitor General filed a motion to dismiss Antonacci's suit against the bar and Johnson. A new judge has been assigned to Antonacci's suit, and the judge has ordered the parties to refile their responsive pleadings. A scheduling conference will be set. Assistant Attorney General Erin McNeill represents the bar.

X. Proposed Rules of Professional Conduct

Proposed Rule of Professional Conduct 1.14, regarding client with diminished capacity

and

Proposed Legal Ethics Opinion 1902, Duties When Opposing Counsel Fails to Review and Correct Generative Artificial Intelligence (AI) Output

will be presented to Council on October 30, 2026.

XI. Unauthorized Practice of Law (UPL)

As of September 29, 2026, there are 16 open cases: 12 are in the preliminary stage and four are in the final stage.

XII. Receiverships

As of October 1, 2026, there are 12 open receiverships:

Bell (02/07/23)[2]; **Shapiro** (03/09/23); **Ward** (02/14/24); **McLaughlin, III** (06/24/24); **Tyson** (02/07/25); **Criner** (04/11/25); **Smyrnos** (07/14/25); **Allen** (08/07/25); **Booberg** (11/14/25); **Wright** (03/13/26); **McCormack** (05/18/26); and

[2] Entry date of the Order Appointing Receiver.

Clay (07/02/26)

The receivership budget for FY 2027 is $300,000. As of October 1, 2026, the VSB paid $50,069.37 in receivership costs and received $6,595.94 for a net $43,473.43 for FY 2027.

Attachments:

Statistics – Five-Year Comparison and Six-Month Comparison

STATISTICS – FIVE-YEAR COMPARISON						
Docket Period Ending→	**9/30/26**	**9/30/25**	**9/30/24**	**9/30/23**	**9/30/22**	**9/30/21**
Total Open Cases	334	308	239	259	280	308
DISTRICT COMMITTEE CASES OVER 180 DAYS						
Cases Awaiting Report by Investigator	32	32	26	22	44	45
Cases Awaiting Report by Bar Counsel!	28	10	7	22	14	22
Cases Awaiting Meeting by Subcommittee*!	2	7	11	21	6	5
Total	**62**	**49**	**44**	**65**	**64**	**72**
PRELIMINARY INVESTIGATIONS & DC CASES						
Preliminary Investigation Cases	84	69	40	32	71	71
District Committee Cases	110	117	86	141	162	183
Total	**194**	**186**	**126**	**173**	**233**	**254**
SANCTIONS ISSUED BY DISTRICT COMMITTEE SUBCOMMITTEES Y-T-D						
Total	**19**	**16**	**18**	**22**	**23**	**16**
DC CASES AWAITING CERTIFICATION TO DB TO BE WRITTEN BY BAR COUNSEL						
Total	**1**	**4**	**2**	**2**	**2**	**7**
DC CASES AWAITING CHARGE OF MISCONDUCT TO BE WRITTEN BY BAR COUNSEL						
Total	**0**	**0**	**0**	**0**	**0**	**1**
CASES TO BE TRIED						
District Committee	2	2	1	1	0	4
Disciplinary Board / Circuit Court	48	48	33	35	30	46
Total	**50**	**50**	**34**	**36**	**30**	**50**
CONSENTS TO REVOCATION Y-T-D						
Total	**4**	**3**	**0**	**7**	**3**	**5**
TRIALS HELD Y-T-D						
District Committee	0	1	0	3	0	0
Disciplinary Board / Circuit Court	5	4	8	5	5	6
Total	**5**	**5**	**8**	**8**	**5**	**6**
AGREED DISPOSITIONS Y-T-D						
District Committee	17	8	16	16	12	10
Disciplinary Board / Circuit Court	6	13	6	2	5	4
Total	**23**	**21**	**22**	**18**	**17**	**14**
CLOSED IMPAIRMENTS Y-T-D	**4**	**4**	**3**	**0**	**8**	**1**

STATISTICS–SIX-MONTH COMPARISON						
Docket Period Ending→	**9/30/26**	**8/31/26**	**7/31/26**	**6/30/26**	**5/31/26**	**4/30/26**
Total Open Cases	334	306	315	310	299	279
DISTRICT COMMITTEE CASES OVER180 DAYS						
Cases Awaiting Report by Investigator	32	34	29	30	35	34
Cases Awaiting Report by Bar Counsel!	28	41	40	31	29	26
Cases Awaiting Meeting by Subcommittee *!	2	11	11	0	5	4
Total	**62**	**86**	**80**	**61**	**69**	**64**
PRELIMINARY INVESTIGATIONS & DC CASES						
Preliminary Investigation Cases	84	66	56	59	62	49
District Committee Cases	110	114	118	127	115	126
Total	**194**	**180**	**174**	**186**	**177**	**175**
SANCTIONS ISSUED BY DISTRICT COMMITTEE SUBCOMMITTEES Y-T-D						
Total	**19**	**16**	**9**	**84**	**76**	**71**
DC CASES AWAITING CERTIFICATION TO DB TO BE WRITTEN BY BAR COUNSEL						
Total	**1**	**10**	**3**	**10**	**3**	**5**
DC CASES AWAITING CHARGE OF MISCONDUCT TO BE WRITTEN BY BAR COUNSEL						
Total	**0**	**0**	**0**	**1**	**2**	**1**
CASES TO BE TRIED (DC):						
District Committee	2	2	2	3	2	3
Disciplinary Board/Circuit Court	48	40	37	37	37	21
Total	**50**	**42**	**39**	**40**	**39**	**24**
CONSENTS TO REVOCATION Y-T-D						
Total	**4**	**3**	**0**	**16**	**16**	**16**
TRIALSHELD Y-T-D						
District Committee	0	0	0	4	4	3
Disciplinary Board/Circuit Court	5	4	1	33	26	25
Total	**5**	**4**	**1**	**37**	**30**	**28**
AGREED DISPOSITIONS Y-T-D						
District Committee	17	12	5	67	58	51
Disciplinary Board/Circuit Court	6	5	4	54	53	51
Total	**23**	**17**	**9**	**121**	**111**	**102**
CLOSED IMPAIRMENTS Y-T-D	**4**	**3**	**1**	**9**	**9**	**9**

TAB 5

VIRGINIA STATE BAR
Report of the Local and Specialty Bar Section
Rachel Wolfe, Chair
Presented by Llezelle Dugger, Vice Chair
October 29, 2026

The Local and Specialty Bar Section (LLSBS) is in its first year without its previous budget that was provided when it was a conference under the Virginia State Bar ("VSB"). In the Spring of 2026, our members voted to waive all section membership dues as our members are bar associations and not induvial attorneys. In April of 2026, the Executive Council of the VSB approved our $2.00 Solicitation/Donation Program to help our section fundraise. All members of VSB were asked to donate $2.00 on the VSB website when renewing their annual membership. LSBS is excited to announce that it raised $5,512.00 in its $2.00 solicitation program. LSBS also was given a $10,000.00 grant from ALPS which will assist us in continuing our longstanding programs.

The LSBS remains committed to its mission:

1. To establish and maintain a mutually beneficial working relationship between the Virginia State Bar ("VSB") and local and specialty bar associations in Vrignia.

2. To establish and maintain communication to provide for the transmission of the input of local and specialty bar associations to the VSB on issues affecting the legal profession, as well as information from the VSB about its activities and policies to such associations from Virginia.

3. To coordinate and maintain cooperation between the VSB and local and specialty bar associations to constantly improve the practice of law in Virgia and to enhance the public understanding and appreciation of law and the legal profession.

4. To present high-quality educational programs for leaders of local and specialty bar associations designed to facilitate the management of those associations and to provide a forum for the exchange of information and ideas about programs and policies.

For this year, we have the following programs in place:

1. **Solo & Small-Firm Practitioner Forums**. These 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 attorneys who are proactive in legal deserts or outside of large, populated areas with reduced access to live, in-person, CLEs.

On September 25, 2026, we held the first forum in Martinsville, Virginia. The Honorable Kimberly S. White of the Court of Appeals of Virginia, the Honorable James R. McGarry, Henry County Circuit Court Judge, Immediate Past President of VSB Brett Marston, and LSBS Chair Rachel Wolfe presented on the townhall discussion during lunch. The program offered 6.5 of CLES hours (6.5 ethics and 1.5 wellness).

On February 5, 2026, we will hold the second forum in Front Royal, Virginia which will also provide 6.5 hours of free CLE hours.

The third forum will be March 19, 2026 in Abingdon, Vrignia and will again offer 6.5 hours of free CLE credits to attendees.

You can register for these forums on the VSB website www.vsb.org.

2. **Bar Leaders Institute.** The Bar Leaders Institute ("BLI") is an annual one-day program of the LSBS designed to foster each facet of our mission. At the BLI, we highlight the outstanding work of the outstanding local and specialty bar associations by asking the associations that earned awards of merit to present on their successful programs. The concept is to recognize the work of these associations and facilitate the replication of these programs by other associations throughout the Commonwealth. The BLI also seeks to facilitate to current and aspiring local and specialty bar associations leaders by educating them on issues affecting the legal profession, encouraging cooperation between the VSB and bar associations, presenting high-quality educational programs for attendees and to provide a forum for the exchange of information and ideas about programs and policies.

   The BLI is calendared currently for March 5, 2026. Our co-chairs for this year's BLI co-chairs are Llezelle Dugger and Amari Harris. More information will be forthcoming in the coming weeks and months.

3. **Awards.** The LSBS awards bar associations and bar leaders with several awards for their contributions to the legal progression. Awards for Merit, Local Bar Leader of the Year, Specialty Bar Leader of the Year, and Bar Association of the Year are based on criteria published on our website at https://vsb.org/CLSBA/groups/CLSBA /local-bar-award.aspx.

   The deadline for submissions of 2027 applications will be announced in the near future.

4. **So You're 18 Program**. The LSBS develops, updates, and distributes the *So You're 18* handbook which is designed to inform and educate young adults of their legal rights and responsibilities as they become adults. The publication is available for distribution to schools, JD&R Courts, departments of social services, election registrars, juvenile detention centers, and other groups/organizations as requested.

The publication is available on our website. This year we have cut out print versions of the publication as a cost-saving measure. If you would like copies of the *So You're 18 Handbook* for distribution, please contact Nancy Donner at 804-775-0519 or ndonner@vsb.org.

The LSBS will continue to support the local and specialty bar associations throughout the Commonwealth. Feel free to reach out to our Section with new ideas or for guidance for your local and specialty bar associations.

TAB 6

VIRGINIA STATE BAR
DIVERSITY SECTION

Debra Powers, Chair

The Diversity Section held or will hold the following activities, meetings, and events between July 1, 2025 and June 30, 2026:

UPCOMING - VSB Annual Meeting

1. **Welcome Reception** Thursday, June 4, 2026, 4:30 – 5:30 pm
   Hilton Oceanfront, Peacock Ballroom A/Courtney Terrace

   Sponsored by Ruttenberg Dickerson and Taylor Huguley Powers PLLC

   We will once again host a welcome reception for all attendees. This is great opportunity for the Law School Mentees to socialize and meet members of the bar, judges, and VSB council members in attendance. Come join us!

   (Because of budgetary constraints, it is unlikely we will host this reception next year.)

2. **Luncheon and Presentation of the Clarence M. Dunnaville Jr. Achievement Award**
   Friday, June 5, 2026, 11:45 am – 1:00 pm Hilton Oceanfront, Peacock Ballroom A

   This year's recipient of the is Clarence M. Dunnaville Jr. Achievement Award is the **Honorable Roger L. Gregory**, judge of the U.S. Court of Appeals for the Fourth Circuit. Judge Gregory exemplifies the section's goal of encouraging full and equal participation in the Commonwealth's legal profession. In 2000, Judge Gregory became the first African American appointed to the U.S. Court of Appeals for the Fourth Circuit. He later served as the court's chief judge from 2016 to 2023, becoming the first African American to hold that title as well.

   At the luncheon, we will also conduct our annual meeting and approve the Board of Governors slate for 2026/2027.

3. **CLE** (1.0 hour CLE) Friday, June 5, 2026, 2:00 pm – 3:00 pm
   Hilton Garden Inn, Nautilus Ballroom

   THANKS FOR YOUR SERVICE, SHIPMATES - Veterans Treatment Courts in Virginia: How Do They Work? What Do They Need? How Can They Expand?

   Jointly sponsored with the Military and Veterans Law Section

   The panel will consist of Veterans Treatment Court Judges and personnel who describe their experiences with Veterans in their courts, and what is needed to make these courts

of even greater service to Veterans who have served our country and all of us in recent armed conflicts.

Moderator and Panelist: Brandy M. Disbennett-Albrecht
Panelists: Hon. Susan F. Earman, Hon. Lorrie A. Sinclair Taylor, and Jamie Hurd

Special thanks to Brian Buniva for spearheading this CLE!

4. **Law School Mentor/Mentee Initiative**
Students from all 8 of Virginia's law schools are invited by the Diversity Section to participate in the Mentor/Mentee Initiative. The students will meet with volunteer mentees, attend receptions, dinners, meetings, CLEs, law school alumni breakfasts, and the Diversity Section luncheon and Dunnaville Award presentation, as well as other networking events. This program allows future VSB members to participate in our Annual Meeting and start making their mark in our legal community.

Special thanks to Brain Wesley for chairing the initiative this year!

UPCOMING – 2026 Oliver Hill/Samuel Tucker Pre-Law Institute
July 5 – July 10, 2026 University of Richmond

The Institute is a week-long program held in the summer for high school students and provides them with exposure to the law and the opportunity to explore the legal profession, all at no cost to the participants. Students learn how to put on a trial, meet local officials and judges, learn etiquette and social norms of attorney life, and apply their lessons through a mock trial and networking reception.

This program is a joint initiative with the Young Lawyers Conference. It would not happen without the dedication of the 2026 co-chairs Mikaela Phillips, Cleo Scott, and Alberto Wray. Thank you, thank you, thank you! And, congratulations to Mikaela Phillips for her well-deserved recognition as the 2026 Young Lawyer of the Year!

2026 Annual Forum

Friday, April 24, 2026, 8:45am – 3:15 pm, Lewis Ginter Botanical Garden, Richmond
5.0 CLE hours (1.5 Ethics)

At the Annual Forum, an amazing group of moderators and panelists presented the following topics and encouraged lively discussions from the attendees:

- Artificial Intelligence (AI): Promises and Pitfalls - How to Navigate AI in the Practice of Law

- The Continuing Evolution of DEI in Legal Education
- Navigating the Delicate Dance Between Law Firm Management and DEI

The registration fee was $25.00, and we had approximately 80 attendees.

We have discussed increasing the cost of registration for the Annual Forum next year, including a discounted price for section members.

Special thanks to Zaida Thompson, Doug Smith, Rex Flynn, Kathryn Dickerson, and Sara Tandy for their hard work on this program!

MEMBERSHIP AND MONEY MATTERS

As of March 2026, the Diversity Section had approximately $15,110.53 or 25% of our budget remaining.

The VSB Budget & Finance Committee approved the following funding for Diversity Section programs for 2026/2027:

Program	Requested	Approved by B&F Committee
Annual Forum	$12,500	$12,500
Hill/Tucker Institute	$35,000	$10,000 This is an even split with the Young Lawyers Section. The DS will continue to seek grant funding for this program and is encouraged to request a higher grant amount.
Mentor/Mentee Initiative	$6,500	$5,000
Annual Meeting	$3,000	$1,500

The Diversity Section has approximately 400 members, and section dues are currently $25.00.

In the coming year, in addition to planning our outreach programs, the Diversity Section Board of Governors will focus on membership recruitment.

Message from the Chair

I want to sincerely thank all Diversity Section Board members, speakers, and volunteers for their invaluable contributions, time, and unwavering commitment. The Diversity Section could not do the good work we do without you!

Good luck to incoming chair Brain Buniva! I know you courageously lead us in the coming year.

And last, but far from least, thank you to our liaison Nancy Donner. It may be possible that we could do all we do without you, but I sure wouldn't want to try. THANK YOU!

TAB 7

Virginia State Bar Senior Lawyers Section
Chair's Report to Bar Council
For meeting October 30, 2026
Williamsburg, Virginia

This report of the Senior Lawyers Section (SLS) is submitted to the VSB Bar Council for its meeting on October 30, 2026, in Williamsburg, Virginia.

Meetings and SLS Involvement.

Annual Virginia State Bar Meeting: We elected new officers and three new members of the Board for the term starting July 1, 2026 who were elected at the Annual Meeting in June:

Officers Elected:

- Richard A. Gray, Chair
- Nancy M. Reed, Vice Chair
- Jean M. Kelleher, Secretary
- Barbara S. Anderson, Immediate Past Chair

Members of the Board of Governors Elected:

- Mark Cummings, (20th Judicial Circuit - Arlington)
- Christine Mougin-Boal (19th Judicial Circuit - Fairfax)
- Michael York (19th Judicial Circuit – Fairfax)

We look forward to having this outstanding group become involved in SLS leadership and activities.

50-Year Celebration and Brunch

On Saturday, June 6, 2026 at the Annual Meeting the SLS hosted the annual brunch for 50-Year Award Recipients. 576 lawyers reached 50-year status and 45 of them attended the brunch to receive their certificates and lapel pins. The pins, designed by VSB staff, were chosen to replace the frames for the certificates this year and were well received. Certificates were mailed to all honorees who were unable to attend.

The anticipated number of 50 years honorees eligible for participation at the 2027 annual meeting and awards brunch is 586.

Board of Governors Meeting. Our first Board of Governors meeting for the current year was on September 17 virtually via TEAMS.

Agenda Items at this meeting included the following:

Senior Virginians Handbook

The last update to the *Senior Virginians Handbook* was July of 2025 when the federal tax law section was updated to reflect changes made under the One Big Beautiful Bill (OBBB).

Board member, Marty Wegbriet, has now completed work on updating the 2025 Senior Virginians Handbook based on additional changes to state laws that the Virginia General Assembly made. The revised 2026 Senior Virginians Handbook will state Virginia law as of 7/1/2026 and should be ready to print sometime in October. The SLS plans an initial run of 5,000 hardcopies of The Senior Virginians Handbook (which is in our current budget to do). The SLS also plans to post the updated Handbook online and to have the updated Handbook translated into Spanish. The Spanish translation will also be posted online.

When published, the *Senior Virginians Handbook* will be up to date on the new Virginia law changes that impact seniors as well. The English language Handbook has been in very high demand, and our supply of 5000 copies of the 2025 revision has all been distributed. Copies were sent to several local bar associations to distribute via their Senior Law Day programs this year, as well as to the Local Area Agencies on Aging and the legal services offices throughout Virginia.

"Civility and Professionalism" Film Project

The two-hour ethics film *Civility and Professionalism in a Successful Litigation Practice* was issued in April of 2024. The film was approved for a full two hours of MCLE Ethics credit. It was produced by the Section with assistance from the VSB Litigation Section and the Virginia Law Foundation. As of mid-August of 2026 , it had been viewed for MCLE credit by more than 3,000 lawyers.

The SLS will continue in the current year to publicize and market the film to as wide a legal audience as possible.

Two other CLE's were recorded in 2026 and are available for free CLE credit on the VSB website: *Protecting Your Clients in the Event of Disability, Death or Disaster* and *Succession Planning for Solo and Small Firm Practitioners.*

Other SLS Initiatives.

Two other proposals raised at the Board meeting are the Election Integrity Project proposed by Jean Kelleher and a Pro Bono Virginia Academy planner to help promote the Virginia Pro Bono Academy proposed by Marty Wegbreit .

The Election Integrity Proposal is to promote election integrity and provide volunteer assistance to Electoral Boards and Registrars of Voters throughout the Commonwealth. Senior lawyers, many of whom are retired or semi-retired, have the experience and the dedication to the rule of law that are valuable for protecting voting rights and maintaining free and fair elections. An Impact Statement for New Programs/Projects has been completed and submitted to the VSB Council for review. If approved, we expect to be able to have poll watchers at several polling places throughout the state.

The Pro Bono Academy will provide training on topics such as uncontested divorce, housing law and guardianships. The plan is to build a group of attorneys for pro bono work and mentorship.

Board member Michael York has proposed that the SLS project partner with the Young Lawyers Section on their "Wills for Heroes" program. This program has been primarily directed at police officers and firemen/women and it has been free. A durable power of attorney is also usually part of the free legal services provided.

Immediate Past SLS Chair Barbara Anderson has proposed that the SLS work with the Local and Specialty Bar Section on a joint project promoting one-hour sessions on how to run a Senior Law Day program. Wider involvement of Pro Bono attorneys, Judges, legal service providers, long term care facilities, medical facilities and other community-based organizations can make these programs more widely available, particularly to serve Virginia's legal deserts.

Pro Bono Initiatives

Mentoring. This is an ongoing proposal from last year. The initiative is to encourage Virginia barred attorneys to provide or assist in Pro Bono Representation. This year we want to continue compiling a list of experienced lawyers who would be willing to act as mentors or subject matter experts providing guidance and assistance for pro-bono volunteer lawyers, legal aid lawyers, and others serving the public good.

Senior Lawyer News

THE SLS will continue to produce the *Senior Lawyer* News. The Newsletter reaches approximately 25,000 lawyers and judges and highlights the special talents of senior lawyers. Board member Jim McCauley has assumed the role as Editor of the newsletter this year.

Senior Law Day Programs

Board member Bruce Robinson has agreed to continue to promote the presentation of Senior Law Day programs by local bar associations, aiding with agendas and meeting materials as requested.

Impact of the Change from Conference to Section

Revised Bylaws were unanimously approved by the Board at the meeting on September 16, 2025 and thereafter submitted to the membership and subsequently approved by Council.

Finances:

- 2,085 members join the SLS section this year. As a result, the SLS now has an additional $18,700.75 (minus 5% retained by the VSB) available for SLS projects. The SLS proposes utilizing some of these funds to close a prior $5,000 budget shortfall earmarked for the 50-year member annual brunch and to pay for translating the Senior Virginians Handbook into Spanish. The remainder of these funds may be used for other SLS section needs and/or a joint project with another VSB section.

- **Budget Planning and Financial Reporting:** The Board is in the process of creating the FY28 budget for submission to Council by the December 4, 2026 deadline.

Respectfully submitted,

Richard A. Gray
SLS Governing Board Chair

TAB 8

YOUNG LAWYERS SECTION REPORT

October 30, 2026 Council Meeting

Membership and Transition to Voluntary Section Status. The Young Lawyers Section has continued to see significant growth following its transition to a voluntary, dues-paying section. The Section's FY27 budget was developed based on a membership of 557 lawyers. Membership has since grown to **1,163 members**, more than doubling that figure and generating additional dues revenue that will allow the Section to continue investing in programming and member services. The YLS has focused heavily on demonstrating tangible value to young lawyers through professional development, service opportunities, networking, and opportunities for leadership within the Bar.

Professional Development Conference. On August 14, the YLS held its 2026 Professional Development Conference virtually, with **104 attorneys participating**. The full-day program offered **7.0 hours of live MCLE credit, including 1.0 hour of Ethics**, and included programming on non-traditional legal careers, advocacy and business strategy, legal ethics, effective legal writing, the Doctrine of Completed Staff Work, and expanding access to justice through pro bono service. The PDC remains an important component of the Section's efforts to provide immediate and meaningful value to YLS members.

Wills for Heroes. On August 20–21, the YLS held a Wills for Heroes event serving first responders in Culpeper and Fauquier. **Ninety-six first responders and spouses were served, 288 estate-planning documents were prepared, and 44 volunteers participated**, including 23 attorneys, 14 notaries, and seven witnesses. The Section looks forward to continuing and expanding this important public-service program during the bar year.

Volunteer Leadership and Engagement. On August 29, the YLS held its Volunteer Leadership Kickoff, bringing together **15 new and returning volunteers** to learn about YLS programs, meet Section leadership, and connect with opportunities to serve. Developing a strong pipeline of volunteers remains particularly important as the Section works to retain its growing membership and provide young lawyers with meaningful opportunities to become involved in the Virginia State Bar.

Admission & Orientation and Member Recruitment. The Section has also continued its efforts to connect with newly admitted Virginia lawyers through the Admission & Orientation program. The YLS substantially revised its informational brochure for new

admittees and has worked to connect new lawyers with the Section at the beginning of their careers. These efforts form part of the Section's broader focus on increasing awareness of YLS programming and converting initial membership growth into long-term engagement and retention.

Upcoming Programming. The YLS will hold its annual **Bench-Bar Dinner on October 20 at the Kimpton The Forum Hotel in Charlottesville**. The Section's coordinators are also developing additional professional-development, service, and networking programming for the remainder of the 2026–27 bar year.

Looking Ahead. The Section's principal focus for the coming months will be **member retention and engagement**. Having successfully grown its membership following the transition to voluntary status, the YLS is focused on ensuring that members see continuing value in their membership through high-quality CLE programming, public-service initiatives, networking, publications, and meaningful opportunities to participate in the work of the Bar.

Christy Compagnone
Chair, Young Lawyers Section

TAB 9

Virginia Judges and Lawyers Assistance Program

Virginia State Bar Council Meeting

October 30, 2026

What is VJLAP & Who We Serve

Virginia JUDGES & LAWYERS® Assistance Program

A confidential, complimentary, non-disciplinary resource for Virginia's judges, lawyers, law students, and immediate family members

Support for **stress, burnout, anxiety, depression, grief, family challenges, substance use, and other career or personal challenges.** It does not have to be crisis-level to call!

Support is tailored to an individual's needs - it may include a clinical assessment, connection with a peer, ongoing check-ins, monitoring services, support group, professional referral or other resource and assistance

The Need Is Real

- 1 in 5 lawyers reported moderate-or-higher depression, anxiety, or stress.
- Nearly 1 in 2 reported high or very high work-related burnout.

These findings underscore the importance of making support accessible.

-Krill & Anker, *When Demands Equal Distress* (2025)

COMPLIMENTARY • CONFIDENTIAL • NON-DISCIPLINARY

What Happens When Someone Contacts VJLAP

Virginia JUDGES & LAWYERS® Assistance Program



Confidential conversation - speak with someone who understands the unique demands and challenges of the legal profession



Listen and assess - we take the time to understand what's happening, identify concerns and discuss individual needs



Explore options together – we help identify helpful next steps, resources, referrals, and services needed



Remain in control of next steps- complimentary and confidential help that is respectful, safe, and personalized

COMPLIMENTARY • CONFIDENTIAL • NON-DISCIPLINARY

How You Can Help

Virginia JUDGES & LAWYERS® Assistance Program

01 **Introduce VJLAP** to the people and organizations you know

02 **Invite VJLAP to speak** at your firms, associations, and community events

03 **Lead by example and encourage open conversations** about the importance of wellbeing and support resources, like VJLAP, to help build a stronger, healthier legal profession

04 **Remember VJLAP when someone might need support** - connect colleagues and other legal professionals with VJLAP, share our contact information or reach out directly if you are concerned

04 **Donate your time or make a financial contribution to support VJLAP**

COMPLIMENTARY • CONFIDENTIAL • NON-DISCIPLINARY

Contact

Virginia JUDGES & LAWYERS® Assistance Program

RICHMOND OFFICE
804.644.3212

HELP LINE (24/7)
877.545.4682

EMAIL
info@vjlap.org

REGIONAL CONTACTS

Northern Virginia	804.405.1609
Central	804.405.1609
Tidewater	757.775.0058
Southwest	276.920.8133
Education & Outreach	804.610.4573

COMPLIMENTARY • CONFIDENTIAL • NON-DISCIPLINARY

TAB 10

Virginia State Bar
1111 E. Main Street, Suite 700
Richmond, Virginia 24219-0026
Telephone: (804) 775-0500

MINUTES OF THE VIRGINIA STATE BAR COUNCIL MEETING

Date: **June 4, 2026, 9:00 a.m.**
Location: **Hilton Garden Inn, Nautilus Ballroom, 3315 Atlantic Avenue, Virginia Beach**

The VSB Council met on Thursday, June 4, 2026. At 9:18 a.m., President K. Brett Marston called the meeting to order. Fifty-seven (57) committee members attended in-person, satisfying the meeting quorum requirement in Part 6, Sec. IV, Para. 7 of the Rules of the Supreme Court of Virginia.

Committee members in attendance:

President K. Brett Marston
President-Elect Susan B. Tarley
Immediate Past President Michael M. York

Circuit 1	D.J. Hansen
Circuit 2	Bretta Zimmer Lewis
Circuit 3	Matthew R. Foster
Circuit 4	Charlene A. Morring
Circuit 4	W. Caswell Richardson
Circuit 5	Sean P. Dolan
Circuit 6	Derek A. Davis
Circuit 7	Patrick C. Murphrey
Circuit 8	Veronica E. Meade
Circuit 11	Dale W. Pittman
Circuit 12	Adrienne George-Eliades
Circuit 12	Anne L. Roddy
Circuit 14	William J. Egen
Circuit 14	Stephanie E. Grana
Circuit 15	Mackenzie K. Babichenko
Circuit 15	Allen F. Bareford
Circuit 16	Richard H. Howard-Smith
Circuit 16	Ann Marie Park
Circuit 17	Carole H. Capsalis
Circuit 17	Adam D. Elfenbein
Circuit 17	G. L. “Rex” Flynn, Jr.
Circuit 18	Nicholas J. Gehrig
Circuit 18	David C. Hagan
Circuit 18	Sebastian M. Norton
Circuit 19	Gabrielle A. Best Husband
Circuit 19	Kyung N. “Kathryn” Dickerson
Circuit 19	John E. Foster
Circuit 19	Gifford R. Hampshire
Circuit 19	Chidinma U. Harley
Circuit 19	Paul H. Melnick
Circuit 19	Alison R. Mullins
Circuit 19	Luis A. Perez
Circuit 19	Juli M. Porto
Circuit 19	Debra L. Powers
Circuit 19	Gobind S. Sethi
Circuit 19	Robert B. “Bob” Walker
Circuit 19	Brianna B. Weiner
Circuit 20	Leslie Y. Barnes
Circuit 20	Marie E. Washington
Circuit 21	O. Randolph Rollins
Circuit 22	Michael A. Nicholas
Circuit 23	Daniel P. Frankl
Circuit 24	Hope R. Townes
Circuit 26	Peter K. McDermott II
Circuit 28	Bruce H. Russell II
Circuit 31	Seema D. Ruchandani

LSBS Chair Nicholas J. Gehrig
Diversity Section Chair Debra L. Powers
Senior Lawyers Section Chair Barbara S. Anderson
Young Lawyers Section Chair Simone T. Williams

DRAFT

Member at Large Craig E. Ellis
Member at Large James W. Hundley
Member at Large Lonnie D. "Chip" Nunley, Jr.
Member at Large Jacob R. Lambert
Member at Large Douglas B. "Brad" Marshall
Member at Large Molly E. Newton
Member at Large Joanna L. Suyes
Member at Large Nicole E. Upshur
Member at Large Lisa A. Wilson

Absent:

Circuit 2	Jeremiah A. "Jake" Denton, IV	Circuit 13	Jonathan M. Petty
Circuit 2	Steven G. Owen	Circuit 14	Joel R. McClellan
Circuit 4	Kristan B. Burch	Circuit 17	Gregory T. Hunter
Circuit 9	Andrew J. Dean	Circuit 17	David E. Sher
Circuit 10	E. M. Wright, Jr.	Circuit 19	Gina L. Schaecher
Circuit 13	Carson A. Cox	Circuit 23	Kevin W. Holt
Circuit 13	Mark D. Dix	Circuit 25	David B. "Brian" Richardson
Circuit 13	Kyle R. Elliott	Circuit 27	W. Grant Back
Circuit 13	Shameka L. Harris	Circuit 29	Bradley D. Fleming
Circuit 13	Alicia R. Johnson	Circuit 30	D. Sue Baker
Circuit 13	Karissa T. Kaseorg		

Council Invitees and Guests:

Mark S. Brennan	Chair, VSB Special Committee on Lawyer Referral
Peter H. Davies	Council Member at Large (2029/1)
G.L. "Rex" Flynn, Jr.	Old Dominion Bar Association
David J. Gogal	President, Virginia Law Foundation
Chidi I. James	85th VSB Past President
Jill K. Lawson	Council Member at Large (2029/1)
Jay Myerson	83rd VSB Past President
David B. Neumeyer	Virginia Access to Justice
Melissa Ray	President, Virginia Trial Lawyers Association
K. Danielle Payne	Virginia Association of Criminal Defense Lawyers
Elizabeth "Liz" Soc	Asian Pacific American Bar Association of Virginia
M. Bryan Slaughter	Member, Supreme Court of Virginia Access to Justice Committee
Madeline C. Woodruff	Circuit 1 Council Member (2029/1)
Edward L. Weiner	President-Elect, Virginia Law Foundation and 77th VSB Past President

Also attending:

Janet P. Van Cuyk	VSB	Acting Executive Director
Renu M. Brennan	VSB	Bar Counsel
DaVida M. "Dee" Davis	VSB	Acting Deputy Director and Director of Regulatory Compliance
Nancy L. Donner	VSB	Meetings Coordinator
Toni B. Dunson	VSB	Manager of Lawyer Referral Service
Crista L. Gantz	VSB	Director of Legal Access
Emily F. Hedrick	VSB	Ethics Counsel
Crystal T. Hendrick	VSB	Director of Finance and Procurement
Shawne D. Moore	VSB	Assistant to the Executive Director
Caryn B. Persinger	VSB	Director of Communications
Mallory J. Ralston	VSB	Director of Bar Programs & Engagement
Maddie Walker	VSB	Legal Intern

I. Reports

A. President's Report

Brett Marston reported on his activities. The President's Report for June 2026 was included in the meeting materials provided to Council.

B. Executive Director's Report

Janet Van Cuyk reported on matters relating to the VSB and staff. A copy of the Actin Executive Director's Report to the Executive Committee and Council was included in the materials provided to Council.

C. Financial Report

Crystal Hendrick presented the VSB Financial Report as of April 30, 2026. The April 2026 Financial Report and Long-Range Projections were included in the meeting materials provided to Council.

D. Bar Counsel Report

Renu Brennan reported on the activities in the Office of Bar Counsel. The Disciplinary System report, dated May 12, 2026, was included in the materials provided to Council.

E. Local and Specialty Bar Section Report

Nicholas Gehrig reported on the activities of the Local and Specialty Bars Section (LSBS). A copy of the Report of the LSBS, dated June 4, 2026, was included in the meeting materials provided to Council.

F. Diversity Section Report

Debra Powers presented the report on the activities of the Diversity Section. The Report of the Diversity Section Chair, dated June 2026, was included in the meeting materials provided to Council.

G. Senior Lawyers Section Report

Barbara Anderson reported on the activities of the Senior Lawyers Section (SLS). The SLS Chair's Report to Bar Council, dated June 4, 2026, was included in the meeting materials provided to Council.

H. Young Lawyers Section Report

Simone Williams presented the report on the activities of the Young Lawyers Section (YLS). The YLS Chair's Report, dated June 2026, was included in the meeting materials provided to Council.

I. Special Committee on Lawyer Referral Report

Mark Brennan reported on Virginia Lawyer Referral Service rule changes. A copy of the memo dated June 3-4, 2026, re: Virginia Lawyer Referral Rule Change, Percentage Fee Remittance Revised March 30, 2026, effective July 1, 2026, was included in the materials provided to Council. No action was taken by Council on this matter.

J. Pro Bono Virginia Campaign

Bryan Slaughter presented the report on the Pro Bono Virginia Campaign.

With support from Crista Gantz, he described the launch of Pro Bono Virginia, a statewide initiative to increase pro bono participation, address infrastructure challenges, and provide training, mentorship, and remote representation options for attorneys.

- **Infrastructure and Legal Aid Challenges:** The initiative identified that Virginia's legal aid system is fragmented, with nine separate organizations and over 50 qualified legal service providers, making coordination difficult. Legal aid organizations often find one-off pro bono cases inefficient, prompting the need for improved infrastructure.
- **Marketing and Outreach Efforts:** Pro Bono Virginia partnered with Capital One's West Cary Group to develop effective messaging and address barriers to pro bono participation. Surveys and marketing materials were created to promote diverse pro bono options and align opportunities with attorneys' interests.
- **Training and Pro Bono Academy:** The Pro Bono Virginia Academy was established to provide subject matter training, ongoing support, and mentorship. Cohorts of attorneys are trained in areas such as uncontested divorces, with immediate case assignments and support from expert faculty. The Virginia Law Foundation agreed to partner and house the academy.
- **Remote Representation and Centralized Portal:** A centralized online portal (Paladin) was launched by the VSB in January 2026. It allows attorneys to find pro bono cases statewide and enables remote representation, especially in legal deserts. The portal supports attorneys in rural areas through remote case handling.
- **Funding and Partnerships:** Initial funding was provided by Dominion, the Carsons Fund, DBA, and the Virginia Law Foundation, supporting the hiring of a pro bono coordinator. The initiative is formalized through an MOU with the Virginia State Bar, Supreme Court's Access to Justice Commission, and Greater Richmond Bar Foundation.

K. 2025-2028 VSB Strategic Plan Update

Brett Marston and DaVida Davis presented VSB 2025-2028 the strategic plan overview. The memo dated June 3-4, 2026, Virginia State Bar Strategic Plan Progress Report, was included in the meeting materials provided to Council.

The execution of the Virginia State Bar's strategic plan, focusing on financial stability, member engagement, member services, and access to legal services, with specific accomplishments and ongoing projects highlighted by various committees and section leaders.

- **Financial Stability Measures:** The VSB implemented several financial measures, including increasing the statutory dues cap, raising MCLE sponsor fees, restoring delinquency fees, reducing reliance on print publications, and instituting no-show and rescheduling fees for events. These actions are intended to ensure a balanced budget and maintain financial health.
- **Member Engagement Initiatives:** A deputy director of programs was hired to lead engagement strategies. The VSB launched a Lunch and Learn webinar series, introduced the Sidebar online magazine supplement, and spotlighted attorneys in the Virginia Lawyer Magazine. Local attorneys were invited to council meetings and dinners, and bylaws are being updated for the 24 voluntary sections to encourage board member rotation.
- **Member Services and Legal Landscape:** The VSB published the Report on the Entry,

Growth, and Distribution of Virginia Attorneys, articles on generative artificial intelligence (AI), and alerts on email scams. The VSB continues to offer resources and guidance on emerging legal issues and updated the malpractice avoidance hotline to offer an online portal.

- **Access to Legal Services:** The VSB conducted a mission analysis for the VLRS, transitioned software for improved efficiency, and worked to reverse negative trends in lawyer volume for VLRS panelists. The VSB launched the Paladin pro bono portal, and pro bono participation was strengthened through coordinated outreach and partnerships with legal aid organizations. The MCLE Rules were revised to allow mandatory continuing legal education credit for pro bono work.
- **Next Steps and Community Building:** Plans include creating online communities for sections, drafting ethics guidance on hallucinated citations, hiring a pro bono coordinator, and exploring opportunities for further member engagement and service delivery.

II. Action Items

A. Approval of the Minutes of the February 28, 2026 Meeting

Brett Marston presented a draft of the minutes of the February 28, 2026 meeting. A draft copy of the minutes was included in the meeting materials provided to Council.

An error in the attendance was noted.

A motion was made by Bruce Russell, and seconded by Adam Elfenbein, to approve the minutes of the February 28, 2026 meeting, as amended, with the corrected attendance record.

Council voted to approve the minutes of the February 28, 2026 meeting, as amended; and the motion passed.

B. Approval of Disciplinary District Committee Appointments

Janet Van Cuyk presented the recommended nominees for appointments to Disciplinary District Committees, as outlined in the memo dated June 3-4, 2026, Request for Approval of Appointments to Disciplinary District Committees, that was included in the meeting materials provided to Council.

A motion by Molly Newton, seconded by John Foster, was made to approve all nominees for the following committees:

- First District Committee
- Second District Committee, Section I
- Second District Committee, Section II
- Third District Committee, Section I
- Third District Committee, Section II
- Third District Committee, Section III
- Fourth District Committee, Section I
- Fourth District Committee, Section II
- Fifth District Committee, Section I
- Fifth District Committee, Section II

- Fifth District Committee, Section III
- Sixth District Committee
- Seventh District Committee
- Eighth District Committee
- Ninth District Committee
- Tenth District Committee, Section I
- Tenth District Committee, Section II

Council voted to approve all recommended nominees, and the motion passed.

C. Approval of Amendments to Section Bylaws

Mallory Ralston presented a request for approval to repeal existing governing section bylaws, and to adopt proposed changes, effective July 1, 2026. A memorandum dated June 3-4, 2026, VSB Section and Former Conference Bylaws Amendments, was included in the meeting materials provided to Council.

A motion was made by Matthew Foster, and seconded by Barbara Anderson, to vote to approve the request to repeal the existing governing bylaws and adopt the proposed changes, effective July 1, 2026, for the sections listed below:

- Health Law Section (last amended in 2002).
- Local and Specialty Bar Section (last amended in 2023).

Council voted to approve the request to repeal the existing governing bylaws, and adopt the proposed changes, effective July 1, 2026, for the Health Law and Local and Specialty Bar Sections, and the motion passed.

D. Approval of Resolutions for K. Brett Marston and Gentry Locke Attorneys

Susan Tarley presented resolutions, dated June 4, 2026, to honor K. Brett Marston for his outstanding service as the 87th President of the VSB and to express gratitude to the lawyers and staff of Gentry Locke Attorneys for their time, support, and substantial resources given to the VSB. Copies of the resolutions were included in the meeting materials provided to Council.

A motion was made by Bruce Russell, and seconded by Stephanie Grana, to adopt the resolutions honoring K. Brett Marston and the lawyers and staff of Gentry Locke Attorneys.

The motion passed, and the resolutions were adopted by Council. Members unanimously voted “yes” verbally.

E. Adjournment

There being no other business for Council, at 11:46 a.m. the meeting was adjourned.

Virginia State Bar

1111 E. Main Street, Suite 700
Richmond, Virginia 24219-0026
Telephone: (804) 775-0500

MINUTES OF THE VIRGINIA STATE BAR EXECUTIVE COMMITTEE MEETING

Date and Time: September 10, 2026, 12 noon
Location: Virginia State Bar, Bank of America Building, 3rd Floor Conference Room, 1111 E. Main Street, Richmond

The Virginia State Bar (VSB) Executive Committee met on Thursday, September 10, 2026. At 12:01 p.m. President Susan B. Tarley called the meeting to order. Twelve (12) committee members attended the in-person meeting satisfying the quorum requirement in Part I, Art. V, Sec. 2 of the Bylaws of the VSB and Council. There was no remote participation.

Committee members in attendance:
President Susan B. Tarley
President-Elect Bruce H. Russell II
Immediate Past President K. Brett Marston
Member Mackenzie K. Babichenko
Member Kristan B. Burch
Member Kyle R. Elliott
Member Gifford R. (“Giff”) Hampshire
Member Chidinma U. Harley
Diversity Section Chair G. L. (“Rex”) Flynn, Jr.
Local and Specialty Bar Associations Section Chair M. Rachel Wolfe
Senior Lawyers Section Chair Richard A. Gray
Young Lawyers Section Chair Christina A. Compagnone

Absent:
Member William J. (“Will”) Egen

Also attending:

Janet P. Van Cuyk	VSB	Acting Executive Director
DaVida M. Davis	VSB	Acting Deputy Executive Director
Renu M. Brennan	VSB	Bar Counsel
Megan R. Connor	VSB	Deputy Director of Bar Programs & Engagement
Emily F. Hedrick	VSB	Ethics Counsel
Crystal T. Hendrick	VSB	Director of Finance and Procurement
Maria D. Jankowski	Virginia Indigent Defense Commission, Executive Director	

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Catherine S. Lemaster	VSB	Judicial Candidate Evaluation Committee Chair
Shawne D. Moore	VSB	Assistant to the Executive Director
Caryn B. Persinger	VSB	Director of Communications
Mallory J. Ralston	VSB	Director of Bar Programs & Engagement
Aaron D. Rose	VSB	Assistant Editor

I. Reports and Information Items

A. President's Report

Susan B. Tarley reported on major bar activities since the last Executive Committee meeting on June 22, 2026. The President's Report for September 2026 was included in the meeting materials provided to the Executive Committee.

B. Executive Director's Report

Janet P. Van Cuyk reported on matters relating to the VSB and VSB personnel. The Acting Executive Director's Report, dated September 10, 2026, was included in the meeting materials provided to the Executive Committee.

C. Financial Report

Crystal T. Hendrick presented the VSB Financial Report as of June 30, 2026. The August 13, 2026 memo, with the report and June 2026 Long-Range Projection attached, was included in the meeting materials provided to the Executive Committee.

D. Bar Counsel Report

Renu M. Brennan reported on the activities in the Office of Bar Counsel. The Disciplinary System Report, dated August 28, 2026, was included in the materials provided to the Executive Committee.

E. Discussion of VSB Leadership Program

Susan B. Tarley and K. Brett Marston discussed their planned leadership pipeline program. Approximately a year ago, they initiated conversations about the need for structured leadership development, noting that leadership selection was informal and that other bars had formal programs; they decided to create a leadership development program tailored for the VSB. The initiative is designed to bridge gaps identified by focus groups and improve leadership at all levels.

The pilot session aims to provide practical information not easily found online and will focus on the role of VSB officers, the process for becoming president-elect, Executive Committee membership responsibilities, relationships with the Supreme Court of Virginia and American Bar Association, event attendance, handling high-profile issues, and fundraising. Feedback from participants will guide future sessions, with at least 40 Council members signed up to attend the initial VSB Leadership Development Program session on October 29, 2026, at The Kingsmill Resort in Williamsburg.

F. Virginia Indigent Defense Commission Presentation

Maria D. Jankowski presented an agency overview of the Virginia Indigent Defense Commission. A copy of the "Virginia Defenders" presentation was included in the materials

provided to the Executive Committee.

G. Closed Session

Judicial Committee Evaluation Committee Recommendations and 2026 Report

A copy of the memo from Janet P. Van Cuyk, dated September 10, 2026, re: Judicial Candidate Evaluation Committee Report Review was included in the meeting materials provided to the Executive Committee. The confidential September 2026 VSB Report of the Judicial Candidate Evaluation Committee, prepared at the request of the General Assembly, was also provided to the Executive Committee prior to the meeting.

Susan B.Tarley requested a motion to convene in a closed session to discuss the Judicial Committee Evaluation Committee Recommendations and 2026 report.

A motion was made by Bruce H. Russell II, and seconded by K. Brett Marston, pursuant to § 2.2-3711(A)(7) of the Code of Virginia, to convene a closed session for the following purpose: Discussion of personnel information concerning identifiable individuals, as authorized by to § 2.2-3705.1(1) of the Code of Virginia.

The Executive Committee voted unanimously to accept and approve the motion made pursuant to § 2.2-3711(A)(7) of the Code of Virginia, to convene a closed session for the following purpose: Discussion of personnel information concerning identifiable individuals, as authorized by to § 2.2-3705.1(1) of the Code of Virginia, and the motion passed.

I. Open Session

Certification

Susan B.Tarley requested, after the Executive Committee reconvened in open session, that each member respond to the following certification:

*"*To the best of my knowledge, I certify that only public business matters lawfully exempt from the VFOIA open meeting requirements and identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting of the Executive Committee."

In a roll call, all Executive Committee members present responded "yes" in response to the request for certification.

The Executive Committee did not take any action on the Judicial Candidate Evaluation Committee's report to the General Assembly, which will be provided to the Chairs of the Senate and House Courts of Justice Committees by the Committee Chair today.

II. Action Items

A. Approval of the Minutes of June 22, 2026 Meeting

Susan Tarley presented a draft of the minutes of the June 22, 2026 virtual Executive Committee meeting. A draft copy of the minutes was included in the meeting materials provided to the Executive Committee.

A motion was made by Bruce Russell, and seconded by Brett Marston, to approve the minutes of the June 22, 2026 meeting.

The Executive Committee unanimously voted to approve the minutes of the June 22, 2026 meeting, and the motion passed.

B. Request for Approval of Virginia Indigent Defense Commission Reappointments

Janet Van Cuyk presented the request for approval of reappointments for three-year terms ending on June 30, 2029. A copy of the memo, dated September 10, 2026, re: Indigent Defense Commission Appointments, was included in the meeting materials provided to the Executive Committee.

After a discussion, a motion was made by Rex Flynn, and seconded by Giff Hampshire, to approve the request to appoint VSB members Aaron L. Cook and Carolyn V. Grady to the Indigent Defense Commission Board for a three-year term ending June 30, 2029.

The Executive Committee unanimously voted to approve the appointments of VSB members, Aaron L. Cook and Carolyn V. Grady, to the Indigent Defense Commission Board or a three-year term ending June 30, 2029, and the motion passed.

C. Approval of Grant and Donation Solicitation Request

Mallory Ralston presented the requests for the approval of solicitation or receipt of grants and other funds. A memorandum dated September 10, 2026, Requests for Solicitation or Receipt of Funds or Grants, was included in the meeting materials provided to the Executive Committee. The VSB Request Form for Solicitation or Receipt of Grants and Other Funds, from the Intellectual Property Section, dated September 9, 2026, was distributed to Executive Committee members at the meeting.

A motion was made by Giff Hampshire, and seconded by Chidinma Harley, to approve the Requests for the Approval of the Solicitation or Receipt of Grants and Other Funds for the sections listed below:

- Diversity Section: Forum Reception, Welcome Reception at the Annual Meeting, and Hill Tucker Law Institute.
- Family Law Section: Board Meeting Reception and AAML Writing Competition Awards.
- Intellectual Property Section: Annual Fall CLE Reception.
- Professionalism Course: Faculty Dinner Reception.
- Section on the Education of Lawyers: Law school and law firm contributions.
- VSB Annual Meeting: Various Annual Meeting receptions, events, and speaker fees.
- Young Lawyers Section: Bench-Bar Celebration Dinner and Pre-Law Conference (in-kind donation).

The Executive Committee unanimously voted to approve the requests and the motion passed.

D. Approval of Professionalism Course Extension Requests

Megan Connor presented member requests for approval of professionalism course extensions. A copy of the memo, VSB Harry L. Carrico Professionalism Course Extension Requests, dated August 11, 2026, was included in the meeting materials provided to the Executive Committee for the members listed below:

1. Jennie Santos-Bourne, Circuit 15-Fredericksburg
   a. A motion was made by Brett Marston and seconded by Chidinma Harley to accept the staff recommendation not to grant the request for an extension through December 1, 2026.
   b. The Executive Committee voted eleven (11) yes and one (1) no to accept the staff recommendation not to grant the request for an extension. The motion passed.

2. Brandon T. Harrison, Circuit 33-Aberdeen, NC
   a. A motion was made by Giff Hampshire and seconded by Chidinma Harley to accept and approve the staff recommendation not to grant the request for an extension through October 1, 2027.
   b. The Executive Committee voted ten (10) yes and two (2) no to accept and approve the staff recommendation not to grant the request for an extension. The motion passed.

E. Adjournment

There being no other business for the Executive Committee, at 2:38 p.m. Susan Tarley requested a motion to adjourn.

A motion was made by Bruce Russell, and seconded by Chidinma Harley, to adjourn.

The motion passed and at 2:38 p.m. the meeting was adjourned.

TAB 11

Virginia State Bar

To: The Virginia State Bar Executive Committee and Council

From: Janet P. Van Cuyk
Acting Executive Director

Dates: October 29-30, 2026

Re: Request for Approval of Mid-Term Appointments to Disciplinary District Committees

I. ACTION REQUESTED

The Virginia State Bar (VSB) respectfully requests the Executive Committee to recommend and Council to appoint the attorneys named hereafter to fill the vacancies on the VSB's local disciplinary district committees (District Committees), effective November 1, 2026.

The VSB solicited volunteers for the anticipated vacancies beginning in August 2026. The applications for appointments were reviewed by the Council members representing the judicial circuits in each of the District Committee's geographical areas. The recommendations of the Council members in the judicial districts in each disciplinary district with are provided in the following pages.

II. AUTHORITY

Part Six, Section IV, Paragraph 13-4 of the Rules of the Supreme Court of Virginia invests in Council the authority to appoint District Committees to carry out the purposes of the procedures for disciplining, suspending, and disbarring attorneys in the Commonwealth. Council created 10 District Committees, to which it must appoint a minimum of 10 members, three of whom must be nonlawyers.

III. REQUEST

A. Unanimous Recommendations:

The VSB respectfully requests the Executive Committee to recommend, and Council to appoint, the following individuals who were unanimously recommended by the respective Council members to the VSB's disciplinary district committees:

- Third District, Section II: Erin B. Barr, Chesterfield
  Bradley P. Marrs, Henrico
  Robert K. Miller, Henrico

- Fifth District, Section II: Thompson J. Hagan, Fairfax
- Eight District: Mona A. Raza, Roanoke
- Tenth District, Section I: Andrew D. Dye, Bristol
- Tenth District, Section II: Chance M. Esposito, Bristol

B. Non-unanimous Recommendations

The VSB respectfully requests the Executive Committee to recommend and Council to appoint one of the following individuals, nominated by the Council members representing the judicial circuits in the disciplinary district, to the Sixth District Committee:

- Elena J. Hernandez, Quinton
- Barbara E. Parman, Williamsburg
- Tiffany M. Webb, King William

Nominees for District Committees for Appointments Effective November 1, 2026

THIRD DISTRICT COMMITTEE, SECTION II

Current Composition:

Attorneys	**Address**	**Term Expires**
VACANCY		2027-U
VACANCY		2027-U
Jackson D. Littlejohn	Richmond	2028-1
Erika E. MacCormac	Chesterfield	2028-1
VACANCY		2028-U
Julie E. McConnell	Richmond	2029-2
Emilee M. Hasbrouck	Richmond	2029-1

Lay Members	**Address**	**Term Expires**
Karen McCarthy	Richmond	2027-1
David Q. Robinson	Henrico	2028-2
Vanessa Griggs	Henrico	2029-2

Vacancies:

Three (3) attorney vacancies to fill previously held by:
Brian L. Buniva
David Stock
Robert D. Bauer

Nominees:

Attorneys	**Address**	**Term Expires**
Erin B. Barr	Chesterfield	2027-U
Bradley P. Marrs	Henrico	2027-U
Robert K. Miller	Henrico	2028-U

Nominees for District Committees for Appointments Effective November 1, 2026

FIFTH DISTRICT COMMITTEE, SECTION II

Current Composition:

Attorneys	**Address**	**Term Expires**
Nicholas J. Lawrence	Fairfax	2027-1
Brendan D. Harold	Fairfax	2027-U
Micah E. Ticatch	Vienna	2028-2
VACANCY		2028-U
Richard B. Orsino	Fairfax	2029-2
Brandon R. Sloane	Fairfax	2029-2
Whitney M. Melton	Manassas	2029-1

Lay Members	**Address**	**Term Expires**
Brenda E. Ramirez	Fairfax	2028-1
R. Michael Massey, II	Manassas	2029-1
Edward B. Wright, Jr.	Manassas	2029-1

Vacancy:

One (1) attorney vacancy to fill previously held by Marisa L. Santana

Nominee:

Attorneys	**Address**	**Term Expires**
Thompson J. Hangen	Fairfax	2028-U

Nominees for District Committees for Appointments Effective November 1, 2026

SIXTH DISTRICT COMMITTEE

Current Composition:

Attorneys	**Address**	**Term Expires**
S. David Schiller	Mechanicsville	2027-2
Adam R. Kinsman	Williamsburg	2027-1
Daniel C. Yates	Yorktown	2028-2
Nathan Green	Williamsburg	2028-U
Gary D. Godman	Fredericksburg	2029-2
Joseph A. Budny	Hanover	2029-1
VACANCY		2029-1

Lay Members	**Address**	**Term Expires**
Ti'Juana A. Gholson	Williamsburg	2027-1
Roy H. Smith	Spotsylvania	2028-2
David Fagiano	Spotsylvania	2029-2

Vacancy:

One (1) attorney vacancy which was not filled in June 2026

Nominees: Council must <u>vote</u> to appoint one of the following candidates -

Attorneys	**Address**	**Term Expires**
Elena J. Hernandez	Quinton	
Barbara E. Parman	Williamsburg	
Tiffany M. Webb	King William	

Nominees for District Committees for Appointments Effective November 1, 2026

EIGHTH DISTRICT COMMITTEE

Current Composition:

Attorneys	**Address**	**Term Expires**
Lauren M. Ellerman	Roanoke	2027-2
Bryson J. Hunter	Roanoke	2027-2
John C. Blair	Staunton	2027-1
John C. Johnson	Roanoke	2027-1
Todd G. Patrick	Waynesboro	2028-1
Mark D. Loftis	Roanoke	2029-1
VACANCY		2029-1

Lay Members	**Address**	**Term Expires**
Todd Putney	Roanoke	2028-1
Charles Coulter	Roanoke	2029-2
Susan Wirt	Catawba	2029-1

Vacancy:

One (1) attorney vacancy to fill previously held by Melanie Edge

Nominee:

Attorneys	**Address**	**Term Expires**
Mona A. Raza	Roanoke	2029-1

Nominees for District Committees for Appointments Effective November 1, 2026

TENTH DISTRICT COMMITTEE, SECTION I

Current Composition:

Attorneys	**Address**	**Term Expires**
Patrick R. Jensen	Christiansburg	2027-1
VACANCY		2027-U
Bethany M. Long-Hampsten	Wytheville	2028-2
Zachary B. Smith	Pearisburg	2028-2
Phillip L. Blevins	Marion	2029-2
Laurann B. Brown	Tazewell	2029-1
Aaron L. Foster	Pulaski	2029-1

Lay Members	**Address**	**Term Expires**
Jeffrey N. Hurst	Richlands	2027-1
Kevin Wright	Bristol	2027-1
Brian J. Craig	Willis	2028-2

Vacancy:

One (1) attorney vacancy to fill previously held by Sheri Kelly

Nominee:

Attorneys	**Address**	**Term Expires**
Andrew D. Dye	Bristol	2027-U

Nominees for District Committees for Appointments Effective November 1, 2026

TENTH DISTRICT COMMITTEE, SECTION II

Current Composition:

Attorneys	**Address**	**Term Expires**
Michael F. M. Carrico	Gate City	2027-2
Hugh Shannon Cooke	Cedar Bluff	2027-1
VACANCY		2027-U
Timothy A. Boyer	Bristol	2028-2
Chase D. Collins	Tazewell	2029-2
Aaron M. Gillespie	Tazewell	2029-2
Michael A. Thomas	Tazewell	2029-1

Lay Members	**Address**	**Term Expires**
Amber D. Stevens	Bristol	2028-1
Jenny Nichols	Bristol	2029-2
Connie Comer	Lebanon	2029-2

Vacancy:

One (1) attorney vacancy to fill previously held by William C. Wampler

Nominee:

Attorneys	**Address**	**Term Expires**
Chance M. Esposito	Bristol	2027-U

TAB 12

Virginia State Bar

To: The Virginia State Bar (VSB) Executive Committee and Council

From: Janet P. Van Cuyk
Acting Executive Director

Date: October 20-30, 2026

Re: Request for Approval of Policy on Delegates to the American Bar Association's House of Delegates

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I. BACKGROUND

The American Bar Association's (ABA's) House of Delegates (HOD) consists of approximately 600 members who meet twice per year and adopt policies for the ABA on issues affecting the legal profession, justice administration, and the rule of law. Under ABA's delegate-allotment calculation for the HOD, the Virginia State Bar (VSB) may appoint six HOD delegates. Appointing VSB members to these positions allows Virginia lawyers to have full representation to ensure that Virginia-specific legal issues and perspectives are considered by the HOD and to have direct input and proportional votes on ABA policies.

While the Virginia State Bar (VSB) has a policy governing employee participation in the ABA, it does not have a policy governing volunteer participation. This memorandum is to request the Executive Committee to recommend to Council and Council to approve the "Policy on Delegates to the American Bar Association's House of Delegates"

II. POLICY OVERVIEW

The proposed "Policy on Delegates to the American Bar Association's House of Delegates" contains the following provisions:

1. The VSB's six delegates will be:
    a. The VSB President
    b. The VSB President-Elect
    c. Four members appointed by Council, of which one will be recommended by the

Young Lawyers Section

2. Delegates apply directly to Council, are appointed by a majority vote, must be VSB Active Members in good standing and ABA members, and may serve three two-year terms.

3. Council may appoint alternative representatives who may serve as Virginia's delegate if one of the VSB delegates cannot attend the ABA midyear or annual meeting. VSB past presidents, who served as a VSB delegate during their presidential year may also serve as alternatives.

4. Delegate expenses related to ABA HOD-participation may not be reimbursed by the VSB general funds. VSB sections' voluntary dues revenue may be used to reimburse delegates for such offenses.

III. PUBLIC COMMENT

The VSB's public comment period on the proposed policy was open from September 9, 2026 through October 9, 2026. During this period, two comments were received. These were:

1. Chidi I. James – in support
2. August Bequai – in support

The full public comments are attached as Attachment A.

IV. REQUEST

The VSB respectfully request the Executive Committee to recommend to Council and Council to approve the "Policy on Delegates to the American Bar Association's House of Delegates."

V. PROPOSED POLICY

Please find the proposed Policy on Delegates to the American Bar Association's House of Delegates attached as Attachment B.

TAB 13

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 Council

From: DaVida M. Davis, Acting Deputy Executive Director and Director of Regulatory Compliance

Date: October 29, 2026

Re: Proposed Amendment to Part 6, §IV, Paragraph 8 of the Rules of the Supreme Court of Virginia pertaining to elected officer term commencement

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I. Action Requested:

The Virginia State Bar (VSB) respectfully requests that the VSB's Executive Committee recommend to Council and Council recommend to the Supreme Court of Virginia that Part Six, Section IV, Paragraph 8 of the Rules of the Supreme Court of Virginia (Rules) pertaining to the term commencement of elected officers be amended. Paragraph 4 of the Rules, governing the election and terms for VSB Officers, states the officers are "elected annually for a term to commence on July 1." Paragraph 8 of the Rules, which governs the VSB Annual Meeting, states officers "take office immediately upon adjournment of the annual meeting".

This proposal corrects an inconsistency within the Rules regarding the date upon which the term of the VSB Officers (President, President Elect and Immediate Past President) commences to have both provisions in the Rules have the terms start on July 1.

II. Public Comment

On September 21, 2026, notice of and a request for public comment on the proposed amendment was posted on the VSB website. The public comment period was from September 9, 2026 through October 20, 2026. The request for comment is attached as **Attachment A**.

As of the date of this memorandum, one public comment was received from August Bequai in support of the proposed amendment. This comment is attached as **Attachment B**.

III. Proposed changes:

The proposed change amends Part Six, §IV, Paragraph 8 of the Rules as follows:

8. Annual Meeting of the Virginia State Bar
Annually, on or before July 1, there shall be held a meeting of the members of the Virginia State Bar at a time and place designated by the Council or Executive Committee and presided over by the President. All officers elected at the annual meeting or by the Council shall take office ~~immediately upon adjournment of the annual meeting~~ *on July 1 of the year of election,* except in cases where vacancies are filled for an unexpired term. At such meeting there shall be a report from the officers and from the Council, and there shall be elected the President and President-Elect for the ensuing year.

A quorum at such meeting shall be those members of the Virginia State Bar present and voting.

There may be transacted also such other business as may come before the meeting.

A special meeting of the Virginia State Bar may be called by the Council.

September 21, 2026 VSB News Item

(available at: https://vsb.org/Site/news/rules-news/20260921-elected-officer-term.aspx)

VSB Seeks Public Comment on Proposed Rule Change Regarding Elected Officer Term Commencement

September 21, 2026

The Virginia State Bar (VSB) seeks public comment on proposed amendments to Part Six, Section IV, Paragraph 8 (Paragraph 8) of the Rules of the Supreme Court of Virginia (Rules). The proposal corrects an inconsistency within the Rules regarding the date upon which the term of the VSB Officers—the President, Immediate Past President, and President Elect—commences. Paragraph 4 of the Rules, governing the election and terms for VSB Officers, states the officers are "elected annually for a term to commence on July 1." Paragraph 8 of the Rules, governing the VSB Annual Meeting, states the officers "take office immediately upon adjournment of the annual meeting."

The proposed change amends Paragraph 8 for the VSB President's, President Elect's, and Immediate Past President's terms in office to begin on July 1.

Proposed Rule Change, Part Six, Section IV, Paragraph 8

[Deletions noted by strikethroughs; additions by underlining; proposed for amendment is provided below]

8. Annual Meeting of the Virginia State Bar

Annually, on or before July 1, there shall be held a meeting of the members of the Virginia State Bar at a time and place designated by the Council or Executive Committee and presided over by the President. All officers elected at the annual meeting or by the Council shall take office ~~immediately upon adjournment of the annual meeting~~ *on July 1 of their year of election,* except in cases where vacancies are filled for an unexpired term. At such meeting there shall be a report from the officers and from the Council, and there shall be elected the President and President-Elect for the ensuing year.

A quorum at such meeting shall be those members of the Virginia State Bar present and voting.

There may be transacted also such other business as may come before the meeting.

A special meeting of the Virginia State Bar may be called by the Council.

Comment:

Any individual, business, or other entity may submit written comments in support of or in opposition to the proposed action to Janet P. Van Cuyk, acting executive director of the Virginia State Bar, by close of business on October 20, 2026. Comments may be submitted via email to publiccomment@vsb.org.

Public Comments

From: attyabeq@aol.com <attyabeq@aol.com>
Sent: Tuesday, October 6, 2026 1:04 PM
To: publiccomment <PublicComment@vsb.org>
Cc: Gus Bequai <attyabeq@aol.com>
Subject: EXT: Public Comments on VSB Proposed Changes

Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Comments on the above as follows:

1. Proposed Rule change Regarding Elected Officer Term Commencements: I support it.

2. Proposed Amendments to Part Six, Sect. IV, Par. 8 of the Rules of the SC of VA: I support the proposal.

3. Proposed Rule Changes Regarding Dues for Active-Duty Military: the sympathy factor aside, speaking as a former US Army Officer, I oppose it. I am well attuned to the financial situation of both the military side and VSB future needs, and side with the latter.

4. VSB Providing AI Software to Members: support it, with the caveat that they be instructed on how to employ it ethically and share its benefits with their clients. AI abuses by both lawyers and the judiciary are well documented.

5. VSB Delegates to the ABA: with a history of ABA membership, I support the proposal, with the proviso that delegates pay for their own expenses. I have done so in the past, and frankly, the VSB membership stands to gain little by in person attendance a participation in ABA events in the age of the IT Revolution.

Thank you for according to us the opportunity to offer our opines on these matters of import to the VSB and our profession.

August Bequai, Esq.
McLean, VA 22102
Tel.: (703) 893-4806
Fax: (703) 388-0648
attyabeq@aol.com

TAB 14

Virginia State Bar

To: Executive Committee
Council

From: DaVida M. Davis
Acting Deputy Executive Director
and Director of Regulatory Compliance

Date: October 29-30, 2026

Re: Proposed Amendment to Paragraph 11 Pertaining to Annual Dues and Assessments for Active-duty Military Members Deployed in Combat Zones

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I. Action Requested:

The Virginia State Bar (VSB) respectfully requests that the Executive Committee recommend to Council and Council to recommend to the Supreme Court of Virginia that Part Six, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia (Rules) be amended to authorize the waiver of annual dues for members of the United States Armed Forces or the National Guard and Reserves who are deployed to a combat zone or receiving hardship, hostile fire, hazardous duty or imminent danger pay.

In addition to the proposed revisions to Paragraph 11, the VSB respectfully requests corresponding amendments to Paragraphs 16 and 23 of Part Six, Section IV of the Rules to waive the Clients' Protection Fund assessment (Paragraph 16) and the Attorney Wellness Fund fee (Paragraph 23) for these individuals.

The proposed amendments would waive (i) the VSB's annual dues assessment, (ii) the annual CPF assessment, and (iii) the annual attorney wellness fee for eligible active-duty military members deployed to combat zones and receiving hardship, hostile fire, hazardous duty or imminent danger pay.

The fee waiver would not relieve active status members of the requirement to comply with the annual professional liability insurance certification required in Paragraph 18 of the Rules.

II. Background

On June 30, 2026, the VSB Military and Veterans Law Section submitted a proposal for waiver of dues for military members serving on active duty. The Military and Veterans Law Section noted that active-duty

members of the United States Armed Forces face unique professional and financial challenges that can limit their ability to maintain bar membership. These challenges include frequent relocations, deployment obligations, and prohibitions on practicing state law while on active duty.

Several jurisdictions provide some form of dues relief for active-duty military attorneys, such as:

- California, Florida, Connecticut, Michigan, Minnesota, Missouri, Wisconsin: various waivers or exemptions for attorneys ordered to active duty or serving in full-time active-duty status.
- North Carolina, West Virginia, Kentucky: relief for full-time, active-duty military personnel.
- Texas and Oklahoma: waivers targeted specifically to those deployed in combat zones or receiving hardship or imminent danger pay**.**

This proposal seeks to authorize waiver of mandatory dues, fees, and assessments for attorneys serving on verified active-duty status when deployed to combat zones or receiving hardship, hostile fire, hazardous duty or imminent danger pay.

The fee waiver would not relieve active status members of the requirement to comply with the annual professional liability insurance certification required in Paragraph 18 of the Rules.

III. Process and Public Comment:

On September 9, 2026, a notice and request for public comment on the proposed amendment was posted on the VSB website. The public comment period was from September 9, 2026, through October 9, 2026. The request for public comment is attached as **Attachment A**.

As of the date of this memorandum, the following public comments were received, and are attached as Attachment B.

- Michael Kavanagh – neutral
- Michelle Duda – opposed
- Robert Mihail – in support
- Chris Reismeier – in support
- Izac Ossiander – in support
- Edward Robbins, Jr. – in support
- August Bequai – opposed
- Richard Prevost – in support
- Kathryn Freiburger – support
- Megan Konzen – support
- Carlos Hopkins – in support
- Robert McRight – in support

IV. Proposed changes:

The proposed changes amend Part Six, §IV, Paragraph 11 of the Rules as follows:

11. Dues

Each active member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed $250, and each associate member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed $125, on or before the 31st day of July of each fiscal year, provided that persons admitted to practice by examination or under Rule 1A:1 of the Supreme Court of Virginia shall not be liable for dues in the year of admission if admitted during the last three months of any fiscal year. Persons admitted to practice under Rule 1A:1 at any other point during any fiscal year shall pay the full amount of dues as specified above at the time they register with the Virginia State Bar. Persons admitted to practice by examination at any other point during any fiscal year shall pay one-half the amount of dues as specified above at the time they register with the Virginia State Bar. On or before April 1st, the Bar shall report to the Court the annual dues amount proposed for the next fiscal year.

The requirement to pay annual dues as provided herein shall be waived for any active or associate member (i) serving active duty in the United States Armed Forces or serving in the National Guard and Reserves and (ii) deployed for a period of six months or more to a combat zone or receiving hardship duty, hostile fire, hazardous duty or imminent danger pay. The Virginia State Bar shall develop rules and regulations governing this process.

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.

All monies collected hereunder shall be accounted for and paid into the State Treasury of Virginia.

Failure to comply with this Rule shall subject the member to penalties set forth in Paragraph 19 herein.

The proposed changes amend Part Six, §IV, Paragraph 16 of the Rules as follows:

16. Clients' Protection Fund

The Council may establish a Clients' Protection Fund for the purposes of reimbursing all or part of losses sustained by a client or other person or entity to whom a fiduciary duty is owed as a result of dishonest conduct of a member of the Virginia State Bar. The Board shall be appointed by Council, and shall receive, hold, manage, invest and distribute funds appropriated to it by Council or otherwise received, in accordance with procedures established by Council.

Effective July 1, 2021, each active member of the Virginia State Bar shall be assessed a required fee of $5 for the Clients' Protection Fund on the bar's annual dues statement. The fee shall be in addition to each member's annual dues as prescribed in Part 6, Section IV, Paragraph 11 of these rules, and it shall be paid on or before the 31st day of July each fiscal year.

The requirement to pay the annual Clients' Protection Fund fee as provided herein shall be waived for any active member (i) serving active duty in the United States Armed Forces or serving in the National Guard and Reserves and (ii) deployed for a period of six months or more to a combat zone or receiving hardship duty, hostile fire, hazardous duty or imminent danger pay. The Virginia State Bar shall develop rules and regulations governing this process.

All monies collected under this Paragraph 16 shall be accounted for and paid into the State Treasury of Virginia and transferred by the bar from the Treasury to the Clients' Protection Fund. The bar shall report annually on or about January 15 to the Supreme Court of Virginia on the financial condition of the Clients' Protection Fund, and the assessment will be discontinued whenever directed by the Court.

Failure to comply with the requirements of this Paragraph 16 shall subject the active member to penalties set forth in Part 6, Section IV, Paragraph 19 of these rules.

The proposed changes amend Part Six, §IV, Paragraph 23 of the Rules as follows:

23. Attorney Wellness Fund

Effective July 1, 2019, the Supreme Court of Virginia hereby authorizes and directs the Virginia State Bar to collect on its behalf up to $30 each year from its active members as an Attorney Wellness Fund fee. The specific amount of the fee will be directed by the Court.

The Attorney Wellness Fund fee is to be used to fund a judges and lawyers assistance program (JLAP), CLE courses, and other initiatives relating to wellness, behavioral health, and substance abuse. The well-being of lawyers, judges and law students in the Commonwealth of Virginia is integral to professional competence.

Each active member of the Virginia State Bar is required to pay to the Virginia State Bar the Attorney Wellness Fund fee set forth on the dues statement. The fee shall be in addition to each member's annual dues as prescribed in Part 6, Section IV, Paragraph 11 of these rules, and it shall be paid on or before the 31st day of July each fiscal year.

The requirement to pay the annual Attorney Wellness Fund fee as provided herein shall be waived for any active member (i) serving active duty in the United States Armed Forces or serving in the National Guard and Reserves and (ii) deployed for a period of six months or more to a combat zone or receiving hardship duty, hostile fire, hazardous

duty or imminent danger pay. The Virginia State Bar shall develop rules and regulations governing this process.

All monies collected under this Paragraph 23 shall be accounted for and paid into the State Treasury of Virginia, and transferred by the VSB to the Supreme Court of Virginia. Failure to comply with this Rule shall subject the active member to the penalties set forth in Paragraph 19 herein.

September 9, 2026 VSB News Item

(available at https://vsb.org/Site/news/rules-news/20260909-dues-active-duty-military.aspx)

VSB Seeks Public Comment on Proposed Rule Change Regarding Dues for Active-Duty Military Deployed in Combat Zones

September 9, 2026

The Virginia State Bar (VSB) seeks comment on amending Part Six, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia (Rules) to waive or reduce the mandatory membership dues for Active and Associate members who are (i) serving active duty in the United States Armed Forces, including, but not limited to, the National Guard and Reserves, and (ii) deployed to a combat zone or receiving hardship or imminent danger pay. Any waiver or reduction would apply only to Active and Associate class members who are in good standing and are serving on verified active-duty military status.

Active members will continue to be required to complete the annual professional liability insurance certification, in accordance with Part Six, Section IV, Paragraph 18 of the Rules (Paragraph 18), by July 31st of each year. Failure to comply with the requirements in Paragraph 18 would subject the member to penalties set forth in Paragraph 19, including the assessment of fees and administrative suspension.

Proposed Rule Change, Part Six, Section IV, Paragraph 11

11. Dues

Each active member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed $250, and each associate member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed $125, on or before the 31st day of July of each fiscal year, provided that persons admitted to practice by examination or under Rule 1A:1 of the Supreme Court of Virginia shall not be liable for dues in the year of admission if admitted during the last three months of any fiscal year. Persons admitted to practice under Rule 1A:1 at any other point during any fiscal year shall pay the full amount of dues as specified above at the time they register with the Virginia State Bar. Persons admitted to practice by examination at any other point during any fiscal year shall pay one-half the amount of dues as specified above at the time they register with the Virginia State Bar. On or before April 1st, the Bar shall report to the Court the annual dues amount proposed for the next fiscal year.

The requirement to pay annual dues as provided herein shall be waived for any active or associate member (i) serving active duty in the United States Armed Forces, including, but not limited to the National Guard and Reserves, and (ii) deployed to a combat zone or receiving hardship or imminent danger pay. The Virginia State Bar shall develop rules and regulations governing this process.

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.

All monies collected hereunder shall be accounted for and paid into the State Treasury of Virginia.

Failure to comply with this Rule shall subject the member to penalties set forth in Paragraph 19 herein.

Comment:

Any individual, business, or other entity may submit written comments in support of or in opposition to the proposed action to Janet P. Van Cuyk, acting executive director of the Virginia State Bar, by close of business on October 9, 2026. Comments may be submitted via email to publiccomment@vsb.org.

Attachment B

Public Comments

-----Original Message-----
From: Michael Kavanagh <mpkavanagh@yahoo.com>
Sent: Thursday, October 1, 2026 1:51 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Amendments to Paragraph 11 2026

[You don't often get email from mpkavanagh@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Although this does not cause me great concern either way, I did want to share a few thoughts that come to mind.

Dues for VSB are used to fund the operations of the VSB and programs for which all Virginia attorneys benefit, and pay to support.

Judge Advocates' pay and benefits are commensurate with other attorneys, in fact, often higher than any state employee attorneys and attorneys in private practice when you add in the tax free housing allowance and other benefits.

When I was a JAG, I had to call my state ethics hotline b/c I was governed and licensed by VA and had to comply with all VA rules. JAG Attorneys need a state bar to be licensed through; a state bar that is funded by all attorneys, not all but select groups.

r,

Mike Kavanagh

From: Duda, Michelle (VDSS) <michelle.duda@dss.virginia.gov>
Sent: Friday, October 2, 2026 2:11 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Rule Change, Part Six, Section IV, Paragraph 11

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I do not agree with removing the dues requirement for attorneys in the military. The bar has stated in recent years that funds to the VSB have decreased and expenses have increased. Many parties in the military make more money than many private or government attorneys. They also receive other monetary benefits other members of the public do not receive. I do not feel that this amendment is beneficial to the financial health of the VSB nor is it a burden to military lawyers to pay. In addition, this amendment notes the military member must also be deployed in certain theatres/ situations. How would the bar propose to determine if a military member meets this criteria? Do they have to be in this combat situation a year? A month? 6 months? Only when dues are due? If the VSB's concern is that the member is not in a physical position to make the payment when due, perhaps the VSB should consider an extension, like the IRS does for taxes, rather than wave the payment altogether.

My comments are solely my own and in no way reflect the position of my employer.

Michelle Duda, Esq.
#65421

From: Robert Mihail <rmihail@effectus.legal>
Sent: Monday, October 5, 2026 11:03 AM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Rule Change, Part Six, Section IV, Paragraph 11

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Dear Ms. Van Cuyk,

As a former active-duty service-member who was deployed to a combat zone, I fully support the proposed action announced here: https://vsb.org/Site/news/rules-news/20260909-dues-active-duty-military.aspx

V/R,

Robert Mihail
Partner
Effectus PLLC
www.effectus.legal
Linkedin: www.linkedin.com/in/robert-mihail
Phone: 202-864-2574
800 Connecticut Avenue, NW
Suite 300
Washington, DC 20006

From: Chris Reismeier <creismeier@gmail.com>
Sent: Monday, October 5, 2026 2:28 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Amendments to Paragraph 11 2026

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As a Virginia Bar member and retired Navy Judge Advocate, I strongly support the amendment to waive fees for active duty service members, especially since the Navy does not pay the dues for Judge Advocates. They are responsible for their own fees.

Great initiative!

Chris Reismeier

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From: Izac Ossiander <iossiander@gmail.com>
Sent: Monday, October 5, 2026 7:08 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Rule Change, Part Six, Section IV, Paragraph 11

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Hello,

I support the proposed rule change to Part 6, Section IV, Para 11.

I would have appreciated this when I was deployed.

v/r
Izac Ossiander
#77158

From: Edward A. Robbins <erobbins@vacourts.gov>
Sent: Tuesday, October 6, 2026 9:34 AM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: FW: Military and Veterans Law Section: Public Comment on Proposed Military Dues Rule Change

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I am a retired Army Judge Advocate, licensed in the Commonwealth. I support the intent of the proposed rule. It's a great idea.

I would suggest the annual bar dues exemption apply to: "any member of the Armed Forces of the United States qualifying for the combat zone tax exclusion (26 US Code Section 112) or special pay for duty subject to hostile fire or imminent danger during any part of the VSB fiscal year."

Thank you.

Edward A. Robbins, Jr.

The information contained in this email and any attachments may be confidential and protected by privilege. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient (or his/her authorized agent responsible for delivering this information to the intended recipient), please notify the sender by reply email and immediately delete this email and any attachments without reading, copying, saving, or forwarding it to others. No representation is made that this email and any attachments are free of viruses. Virus scanning is recommended and is the responsibility of the recipient.

From: attyabeq@aol.com <attyabeq@aol.com>
Sent: Tuesday, October 6, 2026 1:04 PM
To: publiccomment <PublicComment@vsb.org>
Cc: Gus Bequai <attyabeq@aol.com>
Subject: EXT: Public Comments on VSB Proposed Changes

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Comments on the above as follows:

1. Proposed Rule change Regarding Elected Officer Term Commencements: I support it.

2. Proposed Amendments to Part Six, Sect. IV, Par. 8 of the Rules of the SC of VA: I support the proposal.

3. Proposed Rule Changes Regarding Dues for Active-Duty Military: the sympathy factor aside, speaking as a former US Army Officer, I oppose it. I am well attuned to the financial situation of both the military side and VSB future needs, and side with the latter.

4. VSB Providing AI Software to Members: support it, with the caveat that they be instructed on how to employ it ethically and share its benefits with their clients. AI abuses by both lawyers and the judiciary are well documented.

5. VSB Delegates to the ABA: with a history of ABA membership, I support the proposal, with the proviso that delegates pay for their own expenses. I have done so in the past, and frankly, the VSB membership stands to gain little by in person attendance a participation in ABA events in the age of the IT Revolution.

Thank you for according to us the opportunity to offer our opines on these matters of import to the VSB and our profession.

August Bequai, Esq.
McLean, VA 22102
Tel.: (703) 893-4806
Fax: (703) 388-0648
attyabeq@aol.com

From: Richard Prevost <richardprevostservices@gmail.com>
Sent: Tuesday, October 6, 2026 12:59 PM
To: publiccomment <PublicComment@vsb.org>
Cc: Flynn, Pamela <pflynn@vsb.org>
Subject: EXT: Waiver of Annual VSB dues

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I vote for and recommend approval of the proposed amendment for waiver of annual VSB dues under these conditions.

Regards,

Richard Prevost

From: Kathryn Freiburger <kathryn.freiburger@gmail.com>
Sent: Wednesday, October 7, 2026 3:23 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Comments on Proposed Rule Change, Part Six, Section IV, Para. 11

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Good afternoon. I'm a member of the Military Law Section, and they've asked us to review the proposed amendment to the bar rules pertaining to dues for servicemembers and offer comment. I had a few questions after reading the proposed changes to the rule. I'm not sure if some of these things were discussed in the drafting of the proposed rule change, but I wanted to mention them just in case.

1) Is it the Bar's intent to exclude active duty servicemembers from this exception if they are not deployed to a combat zone or receiving hardship or imminent danger pay? That's what the rule currently states but this is different from what was discussed in our section meeting so I just wanted to clarify that that is the intended result;

2) Does the Bar wish to distinguish between Hazardous Duty Pay and Imminent Danger Pay? As written, the rule does not include servicembmers receiving Hazardous Duty Pay;

3) Does the rule apply to servicemembers if they are deployed to a combat zone or receiving hardship or imminent danger pay ***for any amount of time*** throughout the year? Or must they be in that status for a certain amount of time to qualify?

4) I think a slight change in wording to the proposed language would be helpful to clarify that the rule applies to active duty AND Guard and Reserve. Since these are separate components, leaving it as drafted stating that "active duty, including Guard and Reserves" is confusing since Guard and Reserve members can be activated to active orders.
I suggest the following language:
The requirement to pay annual dues as provided herein shall be waived for any active or associate member (i) serving active duty in the United States Armed Forces~~, including, but not limited to~~ or serving in the National Guard and Reserves, and (ii) deployed to a combat zone or receiving hardship or imminent danger pay. The Virginia State Bar shall develop rules and regulations governing this process.

I hope this helps!

Respectfully,
Kathryn

Kathryn D. Freiburger, Esq.
Kathryn D. Freiburger P.A.
www.vetrecordcorrections.com
Tel: 561-834-9703
Fax: 561-894-5358

MILITARY SPOUSE
J.D. NETWORK

October 6, 2026

BY EMAIL: publiccomment@vsb.org

Janet P. Van Cuyk
Acting Executive Director
Virginia State Bar
1111 East Main Street, Suite 700
Richmond, Virginia 23219-0026

Re: Proposed Rule Change to Part Six, Section IV, Paragraph 11

Dear Mrs. Van Cuyk,

I am writing on behalf of the Military Spouse J.D.Network (MSJDN), a bar association for military connected legal professionals, to request an addition to the Proposed Rule Change to Part Six, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia. MSJDN supports the amendment and asks that the waiver also extend to members who are spouses of active-duty servicemembers. We have included proposed language to this effect as an attachment with this letter.

From: Hopkins, Carlos L. <CHopkins@gentrylocke.com>
Sent: Thursday, October 8, 2026 4:52 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Amendments to Paragraph 11 2026

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Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Dear Ms. Van Cuyk,

I am writing in support of the rule change to waive annual dues for active duty members of the military as well as Guard and Reserve members serving in designated combat zones or receiving hardship or imminent danger pay. The proposed rule is a great step in helping to reduce the added burdens place on military members because of their service.

Between 2021-2022, I was deployed as a judge advocate to the Middle East. Even though I was deployed, I was still required to pay annual dues. For some attorneys whose firms would normally cover those expenses, or for solo practitioners who had to suspend their practice while overseas, the annual dues can be an unnecessary burden. Additionally, while the Bar suspends the CLE requirement for deployed service members, the Bar does not remove the requirement for the 12 CLE hours while deployed (unless there's been a recent change). In my situation, not only did I have to have 12 completed CLE hours for the time I was deployed, but I also had to complete the 12 hours for the new annual period within just a few months after returning from service in addition to the annual fee amount. And I am not the only servicemember who faced that issue.

Waiving the requirement for deployed service members to pay annual dues is a great step towards easing the burden on our military personnel and perfectly aligns with Virginia's goal to be the most military friendly state.

v/r,
Carlos Hopkins
COL, JA, VaARNG (ret.)

GENTRY LOCKE
Carlos L. Hopkins
Direct: 804.297.3707 | Cell: 804.920.3928
VIRGINIA: Richmond | Roanoke | Lynchburg | Norfolk
web | bio | map

This email may contain confidential or privileged information. If you are not the intended recipient, please advise by return email and delete immediately without reading/forwarding to others.

From: Robert <ramcright@gmail.com>
Sent: Friday, October 9, 2026 2:21 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: In Favor - Proposed Rule Change, Part Six, Section IV, Paragraph 11

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Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Ma'am,

I write in favor of the proposed rule change waiving annual dues for certain military members.

I am myself a military reservist and I currently support a Navy command that mobilizes active and reserve forces to theatres across the globe. I know full well the sacrifice many servicemembers make in support of their country sometimes with little notice or choice. I fully support any steps to ameliorating the burdens of deployment through waiver of dues or other administrative burdens. That seems like an appropriate step for the VSB and consistent with our broader dedication to public service.

I note the proposed language indicates the Bar would develop rules for this process and I do wonder about the details. For instance, many reservists receive mobilization orders that cross fiscal/calendar/VSB reporting years - would the waiver of dues apply in total to the years in which the member served qualifying service or would they be calculated in a pro rata fashion? Given the language limits qualifying service to combat zones which is itself an extraordinary service I am in favor of waiving the dues for each of the years in which qualifying service was executed.

I would further consider amending the language to include designated contingency operations in addition to strictly instances of serving in a combat zone or receiving hardship/imminent danger pay. Some servicemembers are called to critical service in high operational tempo areas of need which strike me as worthy of the fee waiver though they may not trigger a strict "combat zone" requirement.

Regardless of the details, I strongly support the proposed rule change and commend the VSB on any action in support of our servicemembers.

These comments are submitted strictly in my personal capacity as a member of the public and member of the Virginia State Bar. These comments are not submitted on behalf of the Department of the Navy or the Department of War and neither necessarily endorses, agrees, or supports my views.

Sincerely,
Rob McRight

TAB 15

Virginia State Bar

To: The Virginia State Bar Executive Committee and Council

From: Derek A. Davis
Chair, The Virginia State Bar Budget and Finance Committee

Date: October 29-30, 2026

Re: Proposed Amendment to Rule 11 for Removal of the Required Balance Threshold for Requesting a Dues Increase

---

The Virginia State Bar (VSB) respectfully requests the Executive Committee to recommend to Council and Council to recommend to the Supreme Court of Virginia (Court) that Part Six, Section IV, Paragraph 11 of the Rules of the Court (Paragraph 11) be amended by deleting the second paragraph, which conditions the Court's approval of a VSB dues increase on the Reserve Fund balance falling below 15 percent of the VSB's prior year's operating expenditures.

I. BACKGROUND

Part Six, Section IV, Paragraph 11 of the Rules of the Court (Paragraph 11) limits when the Supreme Court of Virginia (Court) may authorize an increase to the VSB's annual membership dues. Specifically, it prohibits the Court from authorizing a dues increase when the VSB's combined cash balances in the State Bar Fund and Administration and Finance Account (Reserve Funds) exceed 15 percent of the VSB's prior year's operating expenses. This provision was added to Paragraph 11 in February 1996.

The VSB's Budget and Finance Committee (B&F Committee) reviewed this provision in its June 3, 2026, and October 15, 2026 meetings and recommended removing this section from the Rules for the following reasons:

Timeline:

To request a dues increase, the VSB must (i) ask the General Assembly to increase the statutory dues cap in Va. Code § 54.1-3912 and (ii) separately petition the Supreme Court of Virginia to increase the dues cap established by Paragraph 11. Each request requires Court approval.

Before petitioning the Court, the VSB solicits public comment for at least 30 days and must present the proposal to Council for approval. If Council approves the proposal, the VSB may then petition the Court. Because Council meets only three times a year—in October, February, and June—the approval

process is subject to scheduling constraints. After the Court approves an increase, the VSB must provide notice to the membership before implementing the increase during the annual membership renewal cycle in July.

The 15 percent reserve threshold does not provide sufficient time for the VSB to complete the required approval process and implement a dues increase before its reserves are depleted.

Necessity:

The provision appears to impose an unnecessary limitation on the Court's authority to oversee the VSB's budget and finances. The VSB is an administrative agency of the Court, and the Court approves the VSB's budget annually and retains discretion to deny any petition for a dues increase regardless of the Reserve Fund balance.

Accordingly, the 15 percent threshold is not necessary to preserve the Court's oversight or fiscal control. Instead, it restricts the Court's ability to consider and approve a dues increase based on the VSB's actual financial circumstances and projected operating needs, potentially delaying necessary action until the VSB's Reserve Funds are insufficient to sustain operations through the approval and implementation process.

Removing the threshold would preserve the Court's authority and discretion while allowing it to evaluate each request on its merits and determine whether an increase is warranted and appropriate.

II. PROPOSED RULE CHANGE

The B&F Committee recommends the following amendments to Paragraph 11:

11. Dues

Each active member shall pay to the Treasurer of the Virginia State Bar, annual dues not to exceed $250, and each associate member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed $125, on or before the 31st day of July of each fiscal year, provided that persons admitted to practice by examination or under Rule 1A:1 of the Supreme Court of Virginia shall not be liable for dues in the year of admission if admitted during the last three months of any fiscal year. Persons admitted to practice under Rule 1A:1 at any other point during any fiscal year shall pay the full amount of dues as specified above at the time they register with the Virginia State Bar. Persons admitted to practice by examination at any other point during any fiscal year shall pay one-half the amount of dues as specified above at the time they register with the Virginia State Bar. On or before April 1st, the Bar shall report to the Court the annual dues amount proposed for the next fiscal year.

~~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.~~

All monies collected hereunder shall be accounted for and paid into the State Treasury of

Virginia.

Failure to comply with this Rule shall subject the member to penalties set forth in Paragraph 19 herein.

III. PUBLIC COMMENT

On July 1, 2024, the VSB requested public comment on amending Paragraph 11 to, in relevant part, increase the minimum balance threshold required for the Court to approve a dues increase to 30 percent of the prior year's operating expenses to ensure sufficient time to obtain approval from the Court and the Virginia General Assembly when a dues increase is required before funds are exhausted. See **Appendix I** for the request for public comment.

From July 1, 2024, through September 2, 2024, the VSB received one comments that opposed changing the reserve fund threshold requirement.

See **Appendix II** for the full public comments.

On June 15, 2026, the VSB requested public comments on amending Paragraph 11 to (i) align the VSB annual membership dues cap in the Rule with the change to the statutory cap made in the 2026 General Assembly Session and (ii) remove the required maximum state bar fund and administration and finance account balances allowed before the Court may authorize a membership dues increase. See **Appendix III** for the request for public comment.

From June 15, 2026, through August 17, 2026, the VSB received 5 comments that are included with the meeting materials and summarized below:

- 2 – Supported the rule change
- 1 – Opposed 40% increase of the VSB dues cap
- 2 – Opposed dues increase for associate members

See **Appendix IV** for the full public comments.

IV. REQUEST

The VSB respectfully requests the Executive Committee to recommend to Council and Council to recommend that the Court amend Paragraph 11 by deleting the second paragraph, which conditions the Court's approval of a VSB dues increase on the Reserve Fund balance falling below a specified threshold.

JULY 2024 REQUEST FOR PUBLIC COMMENT

Virginia State Bar
An agency of the Supreme Court of Virginia

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This proposal is still pending.

July 1, 2024

VSB Seeks Comment on Raising the Required Minimum Balance Threshold for the Court's Authorization of a Dues Increase

The Virginia State Bar (VSB) seeks comment on amending Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia to raise the required minimum balance threshold of the state bar fund and administration and finance account to allow the Supreme Court's authorization of an annual dues increase. The current level at which the Supreme Court may authorize an annual dues increase occurs when the combined balance falls below 15 percent of the total annual operating expenditures during the year prior to the year a dues increase is sought. The VSB seeks to increase the minimum balance threshold to 30 percent to ensure sufficient time to obtain approval from the Supreme Court and the Virginia General Assembly when a dues increase is required before funds are exhausted.

PROPOSED CHANGES TO THE RULES OF THE SUPREME COURT OF VIRGINIA (Proposed July 2024)

[Deletions noted by strikethroughs; additions by underlining; the portion of Rule 11 proposed for amendment is provided below]

Part 6 Section IV, Paragraph 11. Dues

... 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~~thirty (~~15~~30) 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. ...

Comment:

Any individual, business, or other entity may submit written comments in support of or in opposition to the proposed action to Cameron M. Rountree, executive director of the Virginia State Bar, by close of business on September 2, 2024. Comments may be submitted via email to publiccomment@vsb.org.

From: Colin Smith <cfsprofessional@gmail.com>
Sent: Friday, August 2, 2024 12:50 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXTERNAL SENDER Threshold balance increase

You don't often get email from cfsprofessional@gmail.com. Learn why this is important

Dear Sir or Ma'am,
I do not support increases to dues based on a 30% minimum threshold. From my standpoint as a sole practitioner, my state bar dues, local bar dues coupled with overhead costs are already fairly high vis my gross income. I realize this is not a request for comment *per se* on what bar due amounts should be. However, I believe that the higher reserve could be much more easily triggered and bar dues would invariably increase. A large wealthy firm can afford to pay bar dues for its associates. Small firms and sole practitioners pay out of pocket without respect to size or revenue.

Respectfully submitted,
--
Colin Smith Esq
The Law Firm of Colin F Smith PLLC
9401 Battle Street
Suite 207
Manassas VA 20110
T: (571) 363 1479

VSB Seeks Public Comment on Amendments to Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia

June 15, 2026

The Virginia State Bar (VSB) seeks comment on amending Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia (Rules) to (i) align the VSB annual membership dues cap in the Rule with the change to the statutory cap made in the 2026 General Assembly Session and (ii) remove the required maximum state bar fund and administration and finance account balances allowed before the Court may authorize a membership dues increase.

Dues Cap:

Va. Code § 54.1-3912 was amended in the 2026 General Assembly Session (HB 276, Kilgore), effective July 1, 2026, to increase the statutory dues cap from $250 to $350. The proposed change to the Rule dues cap would mirror the statutory change. Importantly, any change to the Rule cap would not result in an automatic dues increase. Any adjustments to the annual dues require separate approval from Council and the Court.

Both the statutory and Rule caps have been in place since 1995 and VSB annual dues for Active and Associate Members, $250 and $125, respectively, have not increased since July 1, 2000 (and were lowered 2012–2015). The VSB does not receive general funds from the state budget, and most of its revenue is from annual membership dues.

Historically, the rates of new admissions kept pace with rising costs in salaries, inflation, technology expenses, and rent. However, in the last 10 years, substantially fewer lawyers are choosing to practice in Virginia. As such, despite having fewer employees now than 20 years ago, maximizing sources of income, and containing expenses, revenue has not kept pace with operating expenses, resulting in an unbalanced budget.

Based on the current budget projections, the VSB anticipates requesting an increase of $50 for Active and $25 for Associate Members, bringing the annual dues to $300 and $150, respectively – subject to the approval of Council and the Court.

View FAQs and additional information on the VSB's membership, finances, and expenses

Balance Threshold:

Currently, the Rule does not permit a dues increase if the combined VSB account balances exceed 15 percent of the prior year's total operating expenditures. However, because the VSB collects virtually all membership dues in June and July for the fiscal year beginning July 1, this threshold does not provide sufficient time to obtain approval and implement a dues increase before available funds are depleted.

PROPOSED CHANGES TO THE RULES OF THE SUPREME COURT OF VIRGINIA (Proposed June 2026)

[Deletions noted by strikethroughs; additions by underlining; the portion of Rule 11 proposed for amendment is provided below]

Part 6 Section IV, Paragraph 11. Dues

11. Dues

Each active member shall pay to the Treasurer of the Virginia State Bar, annual dues not to exceed ~~$250~~$350, and each associate member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed ~~$125~~$175, on or before the 31st day of July of each fiscal year, provided that persons admitted to practice by examination or under Rule 1A:1 of the Supreme Court of Virginia shall not be liable for dues in the year of admission if admitted during the last three months of any fiscal year. Persons admitted to practice under Rule 1A:1 at any other point during any fiscal year shall pay the full amount of dues as specified above at the time they register with the Virginia State Bar. Persons admitted to practice by examination at any other point during any fiscal year shall pay one-half the amount of dues as specified above at the time they register with the Virginia State Bar. On or before April 1st, the Bar shall report to the Court the annual dues amount proposed for the next fiscal year.

~~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.~~

All monies collected hereunder shall be accounted for and paid into the State Treasury of Virginia.

Failure to comply with this Rule shall subject the member to penalties set forth in Paragraph 19 herein.

Comment:

Any individual, business, or other entity may submit written comments in support of or in opposition to the proposed action to Janet P. Van Cuyk, acting executive director of the Virginia State Bar, by close of business on August 17, 2026. Comments may be submitted via email to publiccomment@vsb.org.

JUNE 15, 2026 – AUGUST 17, 2026 PUBLIC COMMENTS

From: Claire Gastanaga
To: publiccomment
Subject: EXT: Proposed Rule Change on Bar Dues
Date: Thursday, July 2, 2026 9:56:44 AM

You don't often get email from claire@changeservant.com. Learn why this is important

Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Janet:
As an active member of the Virginia State Bar, I fully support the proposed rules changes on bar dues. The State Bar has been hampered by antiquated limits on its ability to increase dues for some years. Now that the General Assembly has acted, it is time for the Bar's rules to be harmonized with the expanded legislative authority.
Very truly yours,
Claire Guthrie Gastañaga

Claire Guthrie Gastañaga, Esq.
ChangeServant, PLC
Email: claire@changeservant.com
Phone: 804-337-3233
Socials: @changeservant
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From: Wayne Painter
To: publiccomment
Subject: EXT: Dues cap amendment
Date: Thursday, July 2, 2026 9:57:15 AM

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I am opposed to the 40% increase on the VSB dues cap. Stating that this isn't an immediate increase is a misrepresentation as we all know that these fees will be increased if allowed to.

Raising the fees, while keeping or cutting the fees for those representing the most marginalized persons in our community, demonstrates missplaced priorities. Special justices and attorneys representing those with mental issues are not getting increases in pay for work that is taxing both mentally and emotionally and those attorneys representing the incarcerated populations within our Commonwealth have actually had their pay cut not increased.

Will we see raises in compensation for attorneys representing those in our community who are the most at risk or institutionalized? Aren't we trying to bring affordability to the Commonwealth instead of making it worse for citizens?

--

Wayne S. Painter
2798 Black Stump Road
Weems, Virginia 22576
Telephone: 804-436-6332
Facsimile: 888-749-4922
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From: attyabeq@aol.com
To: publiccomment
Subject: EXT: Proposal to Increase VSB Dues
Date: Friday, July 3, 2026 12:15:19 PM

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Fully support it, if the VSB is to function in the coming years. The increase would still be below what many other jurisdictions charge their members in annual dues.

August Bequai, Esq.
McLean, VA 22101
Tel.: (703) 893-4806
attyabeq@aol.com

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From: Gary Greenbaum
To: publiccomment
Subject: EXT: Opposition to dues increase authorizaiton
Date: Saturday, July 4, 2026 1:43:42 PM

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I write briefly in opposition to the dues increase authorization insofar as it affects associate members, especially in their later years. For many practicing lawyers, money grows on clients, but that is not the case for the retired lawyer who wishes to keep status with the Bar, especially since Retired status is not possible until age 70. Dues are a heavier burden for associate members as well because if you are not practicing, dues are not a business expense.

Gary Greenbaum
Associate member, 33736

From: Brad Martin
To: publiccomment
Subject: EXT: Public Comment on Amendments to Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia
Date: Friday, July 31, 2026 10:26:46 AM

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Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Re: Public Comment on Proposed Amendments to Part 6, Section IV, Paragraph 11 (Dues)

Dear Ms. Van Cuyk:

I respectfully submit this comment regarding the proposed amendments to Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia.

I am a Virginia State Bar Associate Member who resides and practices law in Mississippi. I maintain my Virginia license because I value my admission to the Virginia Bar and wish to preserve it, but I do not practice Virginia law or utilize the services and resources provided to active Virginia practitioners.

While I appreciate the financial challenges outlined by the Virginia State Bar, I question whether a 20% increase in associate member dues, from $125 to $150, is equitable for attorneys who neither practice in Virginia nor place the same demands on the Bar's regulatory and member-service functions.

The proposal also removes the existing safeguard that limits dues increases when reserve balances exceed a specified threshold. Although I understand the administrative concerns described in the proposal, removing this protection reduces an important check on future dues increases. Members should have confidence that increases will occur only when clearly justified and after meaningful consideration of available reserves and alternative cost-saving measures.

The Virginia State Bar notes that rising costs, inflation, and declining admissions have contributed to budgetary pressures. Those are legitimate concerns. However, before increasing mandatory dues, particularly for associate members with limited involvement in Virginia's legal community, I encourage the Bar and the Supreme Court of Virginia to consider additional operational efficiencies, alternative revenue sources, and whether a differentiated dues structure would better reflect the varying levels of benefit received by different membership classifications.

I respectfully urge the Court and the Virginia State Bar to reconsider the proposed increase for associate members or, at a minimum, provide a more detailed justification demonstrating why attorneys who neither reside nor practice in Virginia should bear a substantial increase in mandatory dues.

Thank you for considering my comments.

Respectfully,

Charles Bradford Martin

TAB 16

Virginia State Bar

To: The Virginia State Bar Executive Committee and Council

From: Derek A. Davis
Chair, The Virginia State Bar Budget and Finance Committee

Date: October 29-30, 2026

Re: Proposed Amendment to Rule 11 for Annual Membership Dues Increase and Request to Increase Membership Dues for the FY 2028 Membership Dues Assessment.

The Virginia State Bar (VSB) respectfully requests the VSB Executive Committee to recommend to Council and Council to recommend to the Supreme Court of Virginia (Court) that:

1. The Court amend Part Six, Section IV, Paragraph 11 of the Rules of the Court (Paragraph 11) to increase the maximum amount for Active Member dues from $250 to $350 and for Associate Member dues from $125 to $175, a $100 and $50 increase, respectively.

2. The Court authorize the VSB to increase, for the 2028 Fiscal Year (FY) assessment, the annual membership dues for Active Members to $310 and for Associate Members to $155, a $60 and $30 increase, respectively.

I. Background of Request for Dues Increase

The Virginia State Bar (VSB) is a self-sustaining, non-general fund agency responsible for raising its own revenue, most significantly through its annual membership dues. All dues payments are deposited into the State Bar Fund established pursuant to Va. Code § 54.1-3913, with amounts received exceeding payments held in reserve (Reserve Fund).

Statutory and Rule Caps:

Beginning in 1995, VSB annual dues were statutorily capped at $250.[1] On July 1, 2026, the statutory cap increased to $350.[2] VSB annual dues for Active and Associate Members, $250 and $125, respectively, have not increased since July 1, 2000.[3]

Paragraph 11 states the VSB annual dues may not exceed $250 for Active Members and $125 for Associate Members. See **Appendix I** for the full text of Paragraph 11.

---

[1] *1995 Acts of Assembly*, Chapter 15 (HB 1812, Croshaw).
[2] *2026 Acts of Assembly*, Chapter 584 (HB 276, Kilgore).
[3] From 2012 to 2015, VSB dues were reduced by $25 and $12.50 for Active and Associate Members, respectively.

Revenue and Expenditures:

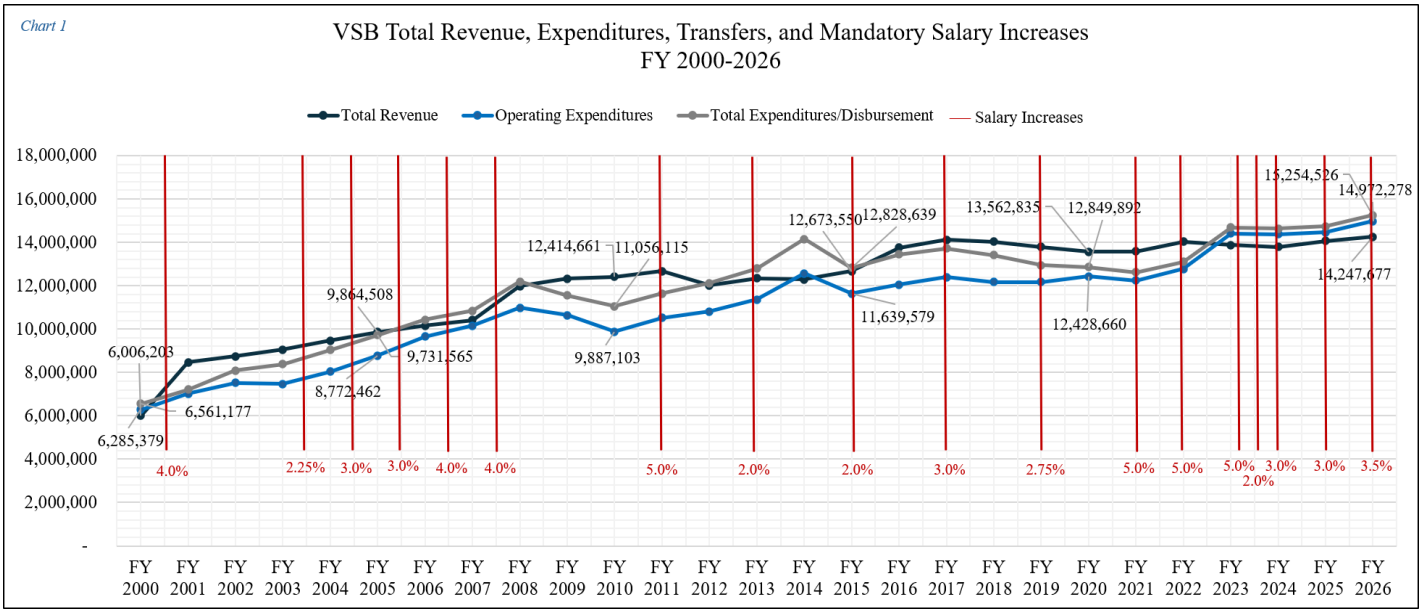
The VSB receives most of its revenue through annual membership dues payments. The VSB also generates revenue through other sources, such as mandatory continuing legal education (MCLE) course-sponsor fees, delinquency fees, section-dues allotments, and Virginia Lawyer Referral Service administrative fees and remittances.

The growth in VSB expenditures is primarily due to increases in salaries, technology costs, inflation, and rent. Specifically:

- Since 2000, salaries have increased more than 60 percent.
- Technology demands and cybersecurity costs have risen substantially.
- Since 2000, inflation has risen 93 percent.[4]
- In the past 10 years, rent has increased 28 percent.

Salaries are the VSB's most significant operating expense. More than 70 percent of the VSB Fiscal Year (FY) 2026 Budget was allocated to employee salaries and benefits – an increase from 65 percent in FY 2000 and 58 percent in FY 2006. Despite the increase in the proportion of operating expenses attributable to employee salaries and benefits, the VSB has not had a corresponding increase in personnel – the FY 2026 budget included 91 funded positions, 2 fewer positions than funded in FY 2006.[5]

The data show that General Assembly-authorized salary increases, with the VSB's primary revenue source capped, are highly correlated with the VSB's increased expenditures, particularly beginning in FY 2021 where, between FY 2021 and 2026, the General Assembly mandated seven separate raises adding more than a 20 percent increase in wages.[6] **Chart 1** summarizes the mandated compensation increases,

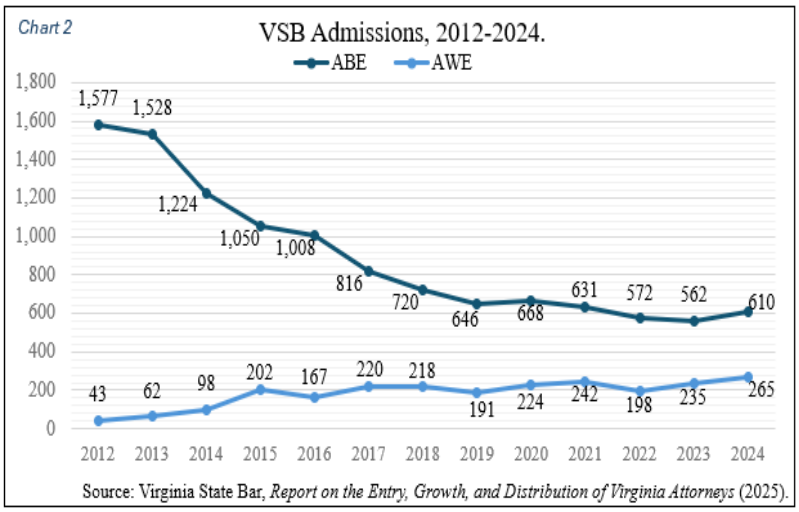


[4] From 2000 to 2026, from the U.S. Bureau of Labor Statistics, Consumer Price Index.
[5] The VSB Budget documents presented to and approved by the Supreme Court of Virginia prior to 2006 listed the costs for salaries and benefits but did not list the number of funded positions.
[6] The General Assembly mandated (i) a 5.0 percent raise in June 2021, (ii) a 5.0 percent raise in July 2022, (iii) a 5.0 percent raise in June 2023, (iv) a 2.0 percent raise in December 2023, (v) a 3.0 percent raise in June 2024, (vi) a 3.0 percent raise in June 2025, and (vii) a 3.5% raise in June 2026. As the raises were implemented incrementally over time, each successive increase compounded on the employee's previously adjusted salary, resulting in a cumulative effect greater than the sum of the individual percentage increases.

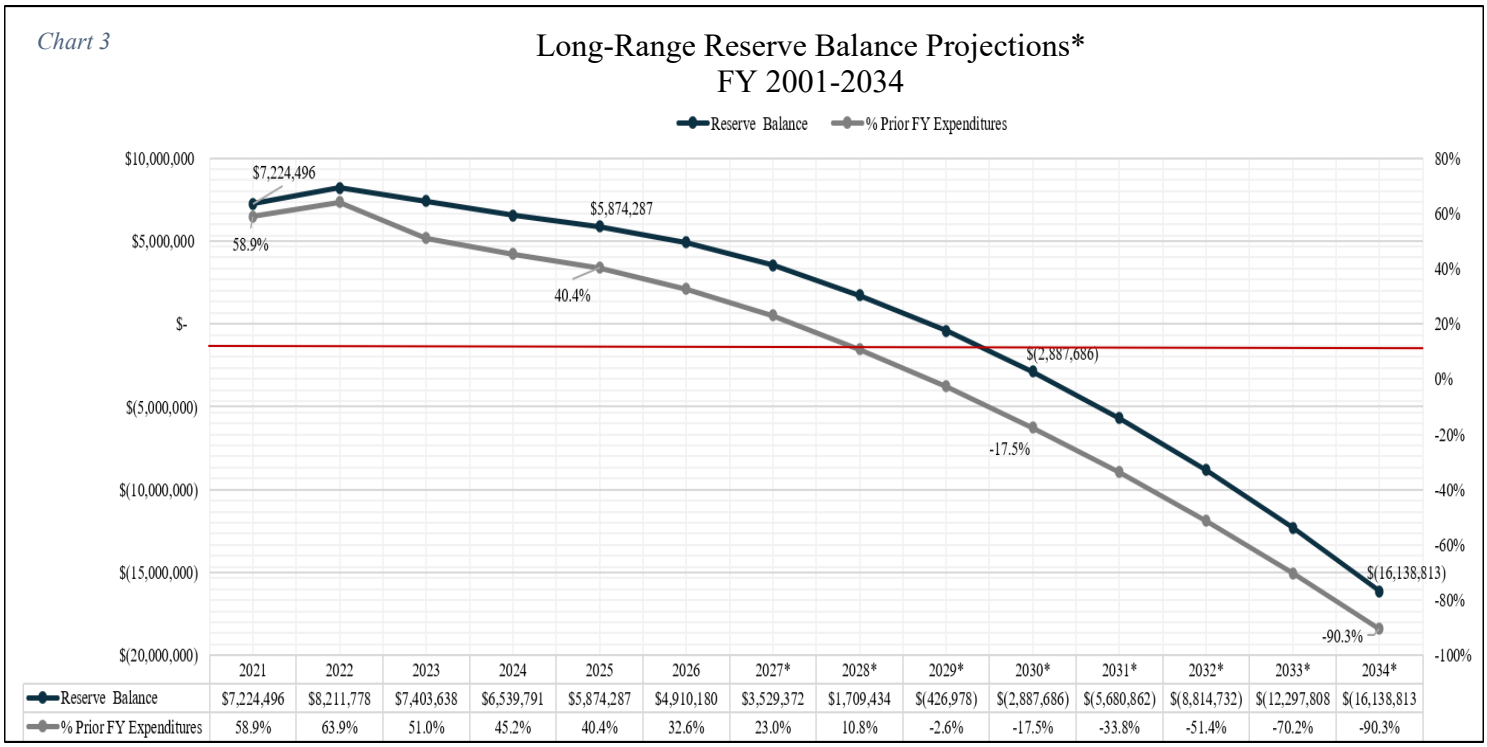
which were well-deserved and earned, alongside each FY's total expenditures and revenue. See **Appendix II** for the FY 2000 through FY 2025 revenue and expenditures data.

Budget Shortfalls:

Historically, the number of VSB members generally increased each year, resulting in higher amounts of revenue from annual dues payments – negating the need for a dues increase. However, VSB data show that, between 2012 and 2024, all new VSB admissions declined 48 percent. New VSB members admitted by examination (ABE) declined 56 percent. While VSB admissions without examination (AWE) increased 540 percent, the increase in the number of attorneys AWE is insufficient to replace the decline in ABE. See **Chart 2** for the supporting VSB admission data.



Given the stagnation in VSB membership numbers, VSB revenue has not kept pace with its operating expenses, resulting in an unbalanced budget. Beginning in FY 2006, the VSB budget was approved with anticipated expenditures exceeding anticipated revenue. Since that time, in several FYs, the VSB relied on Reserve Funds to cover the resulting budget shortfalls. See **Chart 1** for FY 2000 through 2026 revenue and expenditures and **Chart 3** for the reserve balances for FY 2021 through 2026 and the reserve balance projections for FY 2027 through 2034.



	2021	2022	2023	2024	2025	2026	2027*	2028*	2029*	2030*	2031*	2032*	2033*	2034*
Reserve Balance	$7,224,496	$8,211,778	$7,403,638	$6,539,791	$5,874,287	$4,910,180	$3,529,372	$1,709,434	$(426,978)	$(2,887,686)	$(5,680,862)	$(8,814,732)	$(12,297,808	$(16,138,813
% Prior FY Expenditures	58.9%	63.9%	51.0%	45.2%	40.4%	32.6%	23.0%	10.8%	-2.6%	-17.5%	-33.8%	-51.4%	-70.2%	-90.3%

Maximizing Revenue and Containing Expenses:

The VSB's 2025-2028 Strategic Plan, adopted by Council in April 2024, has the strategic goal for the VSB to operate from a position of financial health by (i) maximizing revenue generation including, but not limited to, increasing bar dues, pursuing alternative revenue streams, and improving future flexibility of VSB fund balances; (ii) containing expenses; and (iii) educating members on the need for and benefits of VSB financial stability.

To achieve this goal, the following revenue maximization and expense containment measures were implemented:

- Increased MCLE sponsor fees.
- Restored delinquency fees to pre-pandemic levels.
- Reduced reliance on print publications and continued review of printing and mailing costs with a focus on leveraging technology for greatest accessibility of resources.
- Transitioned the four former conferences (Young Lawyers, Senior Lawyers, Diversity, and Local and Specialty Bar Associations) into self-funded sections.
- Did not replace the Information and Records Manager.
- For certain events, charging fees began when attendance was confirmed and the participant did not cancel registration and did not attend.

Additionally, in support of the 2025-2028 VSB Strategic Plan goal for VSB's financial health, the following steps were taken to educate members on the anticipated annual dues increase:

- Updates provided at all Executive Committee and Council meetings.
- Officers and the Executive Director directly addressed members at CLEs and other events.
- *Virginia Lawyer,* President K. Brett Marston's Message, "Making a Difference in Financial and Ethical Accountability" p. 8, October 2025. LINK
- *Virginia Lawyer,* President K. Brett Marston's Message, "Virginia Lawyers Making a Difference: CAN DO!," p. 16, August 2025. LINK.
- *Virginia Lawyer,* Executive Director Cameron M. Rountree's Message, "Not Ossified in Millennium Amber: The Evolving Costs and Benefits of Your VSB," p. 10, April 2025. LINK.
- *Virginia Lawyer*, "The VSB: What we do – 25 for 2025," p. 19, April 2025. LINK.
- *Virginia Lawyer*, Executive Director Cameron M. Rountree's Message, "You: The Gift that Keeps on Giving," p. 14, December 2024. LINK.
- *Virginia Lawyer*, Executive Director Cameron M. Rountree's Message, Part II, "It was my understanding that there would be no math.," p. 10, April 2024. LINK.
- *Virginia Lawyer*, Executive Director Cameron M. Rountree's Message, Part I, "It was my understanding that there would be no math.," p. 12, February 2024. LINK.

II. BUDGET AND FINANCE RECOMMENDATIONS

October 15, 2026 Recommendations:

At its October 15, 2026, meeting, the B&F Committee recommended the following:

1. **Rule Change/Dues Cap:**

   Amending the maximum Active Member dues amounts in Paragraph 11 to match the statutory dues cap of $350 and to increase the Associate Member dues cap to $175 to maintain its level at 50 percent of the Active Member dues;

2. **Annual Dues Amount:**

   Increasing annual dues by $60 for Active Members, to $310, and by $30 for Associate Members, to $155; and

3. **Dues Request Reserve Fund Balance Threshold:**

   Removing the reserve balance threshold required for the Court to approve a dues increase.

In making these recommendations, the B&F Committee considered (i) updated long-range Reserve Fund projections, incorporating FY 2026 year-end results, (ii) information regarding changes to the assumptions underlying those projections, and (iii) several dues-increase scenarios showing projected long-range Reserve Fund balances under different FY 2028 dues-increase amounts.

Long-Range Projections:

Below please find the long-range projections based on the current dues levels (**Table 1**).

Table 1

VIRGINIA STATE BAR
LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
6/30/2026

Variables	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Active Member Dues [Cap $350]	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00
Associate Member Dues ($)	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00
Corporate Counsel Member Dues ($)	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00
New Active Member Dues ($)	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 125.00
New Associate Member Dues ($)	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 62.50
Staff Salary Increase (%)	7.0%	3.0%	3.0%	3.5%	3.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Staff One-Time Bonus		1.5%	$ 1,500.00								
CPI (%)					2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Fiscal Year	**Actual 2024**	**Actual 2025**	**Actual 2026**	**Projected 2027**	**Projected 2028**	**Projected 2029**	**Projected 2030**	**Projected 2031**	**Projected 2032**	**Projected 2033**	**Projected 2034**
Operating Revenue	13,608,130	13,895,178	14,076,959	14,027,850	14,027,850	14,027,850	14,027,850	14,027,850	14,027,850	14,027,850	14,027,850
Operating Expenditures	14,456,486	14,558,258	15,083,808	15,365,777	15,847,788	16,164,262	16,488,558	16,821,026	17,161,720	17,510,926	17,868,855
Contributions To/(From) Operating Reserve	(848,356)	(663,080)	(1,006,849)	(1,337,927)	(1,819,938)	(2,136,412)	(2,460,708)	(2,793,176)	(3,133,870)	(3,483,076)	(3,841,005)
Add: Beginning Operating Reserve Balance	7,135,584	6,287,228	5,624,148	4,617,299	3,279,372	1,459,434	(676,978)	(3,137,686)	(5,930,862)	(9,064,732)	(12,547,808)
Ending Operating Reserve Balance (2)	6,287,228	5,624,148	4,617,299	3,279,372	1,459,434	(676,978)	(3,137,686)	(5,930,862)	(9,064,732)	(12,547,808)	(16,388,813)
Ending A&F Reserve Balance	252,563	250,139	292,881	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Reserve Balance	6,539,791	5,874,287	4,910,180	3,529,372	1,709,434	(426,978)	(2,887,686)	(5,680,862)	(8,814,732)	(12,297,808)	(16,138,813)
Reserve as a % of the preceding year's Operating Expenditures (3)	45.24%	40.35%	32.55%	22.97%	10.79%	-2.64%	-17.51%	-33.77%	-51.36%	-70.23%	-90.32%

NOTES/ASSUMPTIONS:

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 6/30/2026 includes the Professionalism Course Reserve of $285,852.

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."

Changes in Assumptions:

On June 29, 2026, the General Assembly enacted the 2026-2028 Biennium Budget which included two key factors that were used to update the VSB long-range projections:

1. FY 2027 Staff Salary Increase of 3.5% - previous projected increase was 2.5%
2. FY 2028 Staff Salary increase of 3.5% - previous projected increase was 2.5%

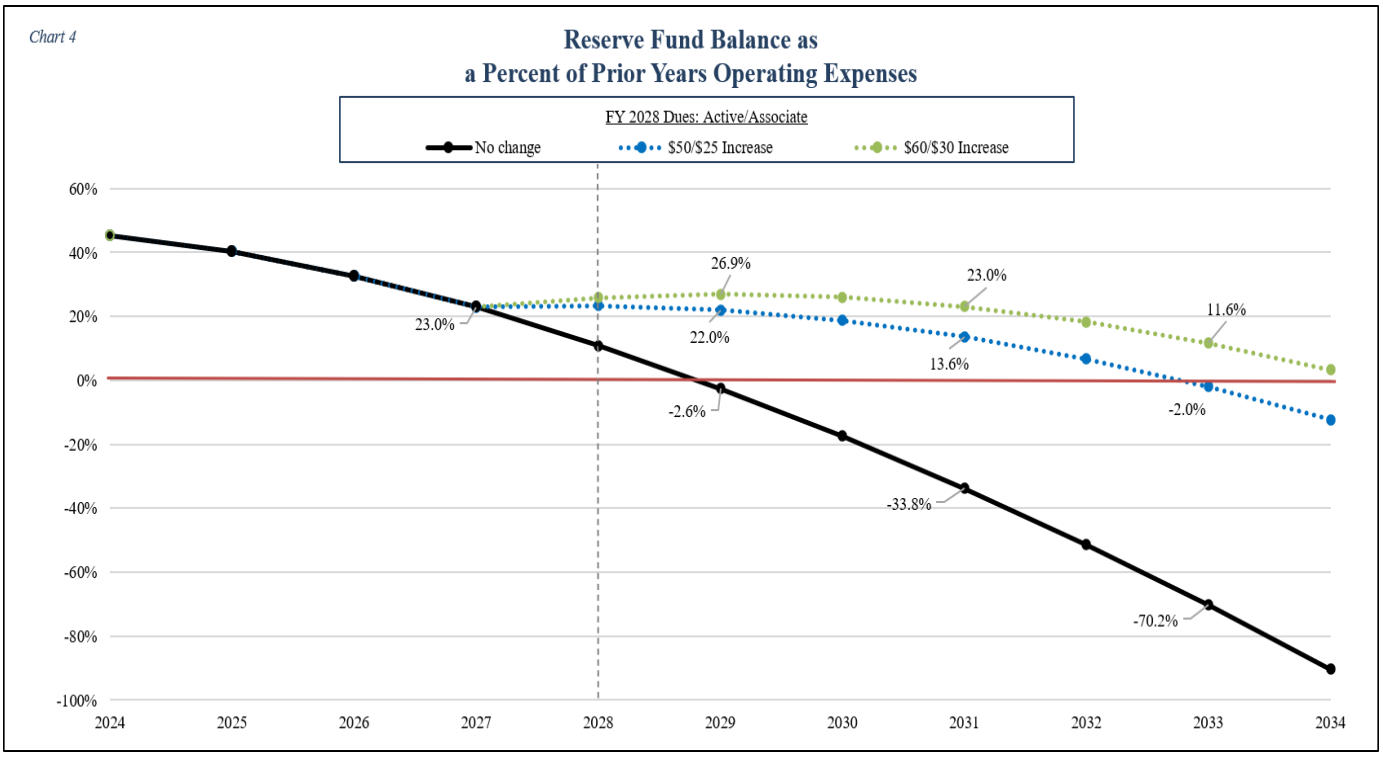
In addition, the Commonwealth of Virginia state employee health benefits program implemented unexpected adjustments and cost increases for the 2026-2027 plan year

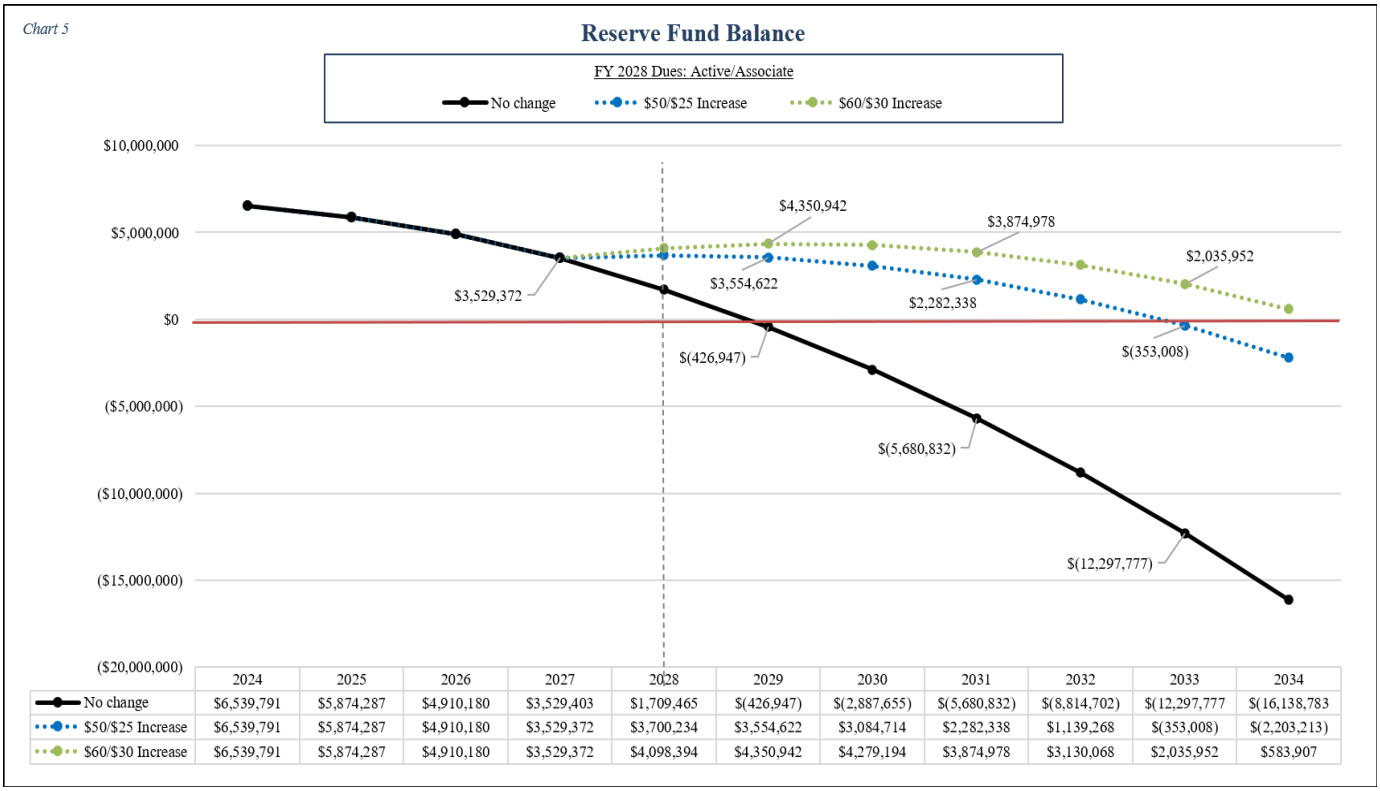
Dues Increase Scenarios:

Below please find charts for two of the dues increase scenarios considered by the B&F Committee. **Chart 4** provides the Reserve Fund balance as a percent of the prior years' operating expenditures and **Chart 5** provides the Reserve Fund balances for the following scenarios:

1. **No Change**: Dues remain at $250/$125 for Active/Associate Members.
2. **$50/$25 Increase:** FY 2028 dues increase to $300/$150 for Active/Associate Members.
3. **$60/$30 Increase**: FY 2028 dues increase to $310/$155 for Active/Associate Members.

The full long-range projections for these scenarios are available in **Appendix III**.





	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
No change	$6,539,791	$5,874,287	$4,910,180	$3,529,403	$1,709,465	$(426,947)	$(2,887,655)	$(5,680,832)	$(8,814,702)	$(12,297,777	$(16,138,783
$50/$25 Increase	$6,539,791	$5,874,287	$4,910,180	$3,529,372	$3,700,234	$3,554,622	$3,084,714	$2,282,338	$1,139,268	$(353,008)	$(2,203,213)
$60/$30 Increase	$6,539,791	$5,874,287	$4,910,180	$3,529,372	$4,098,394	$4,350,942	$4,279,194	$3,874,978	$3,130,068	$2,035,952	$583,907

III. Proposed Rule Change

The B&F Committee recommends the following amendments to Paragraph 11:

11. Dues

Each active member shall pay to the Treasurer of the Virginia State Bar, annual dues not to exceed $350, and each associate member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed $175, on or before the 31st day of July of each fiscal year, provided that persons admitted to practice by examination or under Rule 1A:1 of the Supreme Court of Virginia shall not be liable for dues in the year of admission if admitted during the last three months of any fiscal year. Persons admitted to practice under Rule 1A:1 at any other point during any fiscal year shall pay the full amount of dues as specified above at the time they register with the Virginia State Bar. Persons admitted to practice by examination at any other point during any fiscal year shall pay one-half the amount of dues as specified above at the time they register with the Virginia State Bar. On or before April 1st, the Bar shall report to the Court the annual dues amount proposed for the next fiscal year…

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.

All monies collected hereunder shall be accounted for and paid into the State Treasury

of Virginia.

Failure to comply with this Rule shall subject the member to penalties set forth in Paragraph 19 herein.

IV. PUBLIC COMMENTS

On March 3, 2025, the VSB sought comments on legislative activity to amend Va. Code § 54.1-3912 to either increase or remove the $250 statutory dues cap. The VSB News Item is provided in **Appendix IV**.

The comment period was open for over 60 days and closed on May 20, 2025. The VSB received 21 comments that are summarized below:

- 15 – Supported the rule change (one person provided two separate comments)
- 4 – Opposed the rule change
- 1 – Suggested dues reduction for part-time practice members over 65
- 1 – Suggested the VSB create an alternative dues structure

The full public comments are provided in **Appendix V**.

On June 15, 2026, the VSB requested public comments on amending Paragraph 11 to (i) align the VSB annual membership dues cap in the Rule with the change to the statutory cap made in the 2026 General Assembly Session and (ii) remove the required maximum state bar fund and administration and finance account balances allowed before the Court may authorize a membership dues increase. The VSB News Item is provided in **Appendix VI**.

From June 15, 2026, through August 17, 2026, the VSB received five comments that are included with the meeting materials and summarized below:

- 2 – Supported the rule change
- 1 – Opposed a 40% increase of the VSB dues cap
- 2 – Opposed dues increase for associate members

The full public comments are provided in **Appendix VII.**

V. DUES AND FEES FOR ALL MANDATORY STATE BAR ASSOCIATIONS

To assist in the analysis to determine the appropriate VSB annual dues assessment levels, **Appendix VIII** provides details of the annual dues and fee assessments in the 32 mandatory state bar associations.[7] **Tables 2-4** rank the dues and fees assessed by each.

Table 2

Mandatory State Bar License Fee* Rankings	
State	License Fees*
Louisiana	$200
Hawaii	$210
Kentucky	$218
Virginia	$250
Texas	$258
Missouri	$259
Michigan	$260
Georgia	$264
Florida	$265
New Mexico	$275
Wisconsin	$296
Alabama	$300
North Carolina	$300
South Carolina	$300
New Hampshire	$310
Montana	$325
District of Columbia	$341
Oklahoma	$350
Wyoming	$350
Mississippi	$380
North Dakota	$380
Rhode Island	$425
Utah	$425
Nevada	$450
West Virginia	$450
Washington	$458
California	$476
Arizona	$485
Idaho	$485
South Dakota	$540
Alaska	$650
Oregon	$658
Average	**$356**

***License Fees** are the annual assessment identified by the bar associations in the 2025 American Bar Association's Benchmark Report.

Table 3

Mandatory State Bar Regulatory Fee* Rankings	
State	Regulatory Fees*
Virginia	$250
Texas	$258
Georgia	$264
Florida	$265
Kentucky	$266
Alabama	$300
North Carolina	$325
District of Columbia	$341
Oklahoma	$350
Wyoming	$355
Missouri	$360
South Carolina	$370
Mississippi	$380
North Dakota	$380
Michigan	$400
New Mexico	$425
Rhode Island	$425
Louisiana	$435
Utah	$435
Nevada	$450
West Virginia	$450
Washington	$458
Wisconsin	$462
Arizona	$485
Idaho	$485
Montana	$495
California	$501
South Dakota	$540
New Hampshire	$555
Hawaii	$560
Alaska	$650
Oregon	$658
Average	**$410**

***Regulatory Fees** are annual assessments for (i) license fees; (ii) dues assessments; (iii) disciplinary system fees; and (iv) MCLE fees.

Table 4

Mandatory State Bar Cost to Practice* Rankings	
State	Cost to Practice*
Florida	$265
Virginia	$285
Georgia	$290
Kentucky	$310
Texas	$323
Alabama	$325
North Carolina	$325
District of Columbia	$341
Oklahoma	$350
Wyoming	$355
Mississippi	$380
North Dakota	$380
South Carolina	$400
Missouri	$410
Michigan	$415
Louisiana	$435
Utah	$435
New Mexico	$440
Idaho	$445
Nevada	$450
Rhode Island	$450
West Virginia	$450
Washington	$478
Arizona	$505
Montana	$515
Wisconsin	$537
South Dakota	$540
California	$551
New Hampshire	$615
Alaska	$660
Hawaii	$679
Oregon	$683
AVERAGE	**$432**

***Cost to Practice** is the total Regulatory Fees plus any other assessments lawyers are required to pay annually.

[7] Appendix VIII and the tables in this section were created using the American Bar Association's 2025 Benchmark Report and supplemented with information from bar association websites as needed to understand, supplement, or clarify the data.

APPENDIX I

PART SIX, SECTION IV, PARAGRAPH 11
OF THE RULES OF THE SUPREME COURT OF VIRGINIA

11. Dues

Each active member shall pay to the Treasurer of the Virginia State Bar, annual dues not to exceed $250, and each associate member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed $125, on or before the 31st day of July of each fiscal year, provided that persons admitted to practice by examination or under Rule 1A:1 of the Supreme Court of Virginia shall not be liable for dues in the year of admission if admitted during the last three months of any fiscal year. Persons admitted to practice under Rule 1A:1 at any other point during any fiscal year shall pay the full amount of dues as specified above at the time they register with the Virginia State Bar. Persons admitted to practice by examination at any other point during any fiscal year shall pay one-half the amount of dues as specified above at the time they register with the Virginia State Bar. On or before April 1st, the Bar shall report to the Court the annual dues amount proposed for the next fiscal year.

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.

All monies collected hereunder shall be accounted for and paid into the State Treasury of Virginia.

Failure to comply with this Rule shall subject the member to penalties set forth in Paragraph 19 herein.

APPENDIX II

FISCAL YEAR 2000-2026 OPERATING REVENUE AND EXPENDITURES

VSB Revenue, Expenditures, Transfers, Disbursements, and Cash Reserve, FY 2000-2026					
Fiscal Year	Total Revenue[1]	Expenditures	Disbursements[2]	Total Expenditures/ Disbursement	Operating Reserve June 30
FY 2000	6,006,203	6,285,379	275,798	6,561,177	347,087
FY 2001	8,468,167	7,026,032	183,672	7,209,704	1,605,550
FY 2002	8,741,481	7,524,990	557,232	8,082,222	2,264,809
FY 2003	9,052,612	7,472,834	911,126	8,383,960	2,933,461
FY 2004	9,467,515	8,037,948	993,658	9,031,606	3,369,370
FY 2005	9,864,508	8,772,462	959,103	9,731,565	3,502,313
FY 2006	10,149,715	9,648,863	777,361	10,426,224	3,225,805
FY 2007	10,409,087	10,148,711	690,876	10,839,587	2,795,304
FY 2008	11,976,470	10,986,701	1,200,516	12,187,217	2,584,557
FY 2009	12,323,709	10,630,992	917,059	11,548,051	3,360,215
FY 2010	12,414,661	9,887,103	1,169,012	11,056,115	4,718,762
FY 2011	12,676,836	10,512,860	1,123,327	11,636,187	5,759,411
FY 2012	12,010,171	10,805,431	1,319,140	12,124,571	5,645,011
FY 2013	12,343,560	11,364,515	1,417,736	12,782,251	5,196,320
FY 2014	12,297,167	12,567,611	1,588,577	14,156,188	3,337,300
FY 2015	12,673,550	11,639,579	1,189,060	12,828,639	3,182,211
FY 2016	13,751,194	12,052,594	1,386,594	13,439,187	3,494,217
FY 2017	14,112,429	12,398,086	1,330,093	13,728,179	3,878,466
FY 2018	14,024,102	12,162,275	1,240,182	13,402,457	4,500,112
FY 2019	13,781,408	12,163,295	776,014	12,939,309	5,342,210
FY 2020	13,562,835	12,428,660	421,231	12,849,892	6,055,154
FY 2021	13,578,700	12,234,054	389,478	12,623,532	7,010,322
FY 2022	14,030,351	12,772,092	326,121	13,098,213	7,942,460
FY 2023	13,871,689	14,417,105	261,461	14,678,565	7,135,584
FY 2024	13,788,580	14,372,014	264,922	14,636,936	6,287,228
FY 2025	14,069,109	14,467,723	264,466	14,732,189	5,624,148
FY 2026	14,247,677	14,972,278	282,248	15,254,526	4,617,299

Note 1: Includes CPF and A&F revenue which is transferred and grant revenue. FY 2016 includes $2,500 from a closed petty cash acct.

Note 2: Includes CPF, A&F and legislative transfers and grant expenditures. Historically included IBIS and Lawyers Helping Lawyers expenditures .

APPENDIX III

LONG-RANGE PROJECTIONS SCENARIO 1: FY MEMBERSHIP DUES $310/$155

LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
6/30/2026

Variables	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Active Member Dues [Cap $350]	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 310.00	$ 310.00	$ 310.00	$ 310.00	$ 310.00	$ 310.00	$ 310.00
Associate Member Dues ($)	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 155.00	$ 155.00	$ 155.00	$ 155.00	$ 155.00	$ 155.00	$ 155.00
Corporate Counsel Member Dues ($)	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 310.00	$ 310.00	$ 310.00	$ 310.00	$ 310.00	$ 310.00	$ 310.00
New Active Member Dues ($)	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 155.00	$ 155.00	$ 155.00	$ 155.00	$ 155.00	$ 155.00	$ 155.00
New Associate Member Dues ($)	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 77.50	$ 77.50	$ 77.50	$ 77.50	$ 77.50	$ 77.50	$ 77.50
Staff Salary Increase (%)	7.0%	3.0%	3.0%	3.5%	3.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Staff One-Time Bonus		1.5%	$ 1,500.00								
CPI (%)					2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Fiscal Year	**Actual 2024**	**Actual 2025**	**Actual 2026**	**Projected 2027**	**Projected 2028**	**Projected 2029**	**Projected 2030**	**Projected 2031**	**Projected 2032**	**Projected 2033**	**Projected 2034**
Operating Revenue	13,608,130	13,895,178	14,076,959	14,027,850	16,416,810	16,416,810	16,416,810	16,416,810	16,416,810	16,416,810	16,416,810
Operating Expenditures	14,456,486	14,558,258	15,083,808	15,365,777	15,847,788	16,164,262	16,488,558	16,821,026	17,161,720	17,510,926	17,868,855
Contributions To/(From) Operating Reserv	(848,356)	(663,080)	(1,006,849)	(1,337,927)	569,022	252,548	(71,748)	(404,216)	(744,910)	(1,094,116)	(1,452,045)
Add: Beginning Operating Reserve Balan	7,135,584	6,287,228	5,624,148	4,617,299	3,279,372	3,848,394	4,100,942	4,029,194	3,624,978	2,880,068	1,785,952
Ending Operating Reserve Balance (2)	6,287,228	5,624,148	4,617,299	3,279,372	3,848,394	4,100,942	4,029,194	3,624,978	2,880,068	1,785,952	333,907
Ending A&F Reserve Balance	252,563	250,139	292,881	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Reserve Balance	6,539,791	5,874,287	4,910,180	3,529,372	4,098,394	4,350,942	4,279,194	3,874,978	3,130,068	2,035,952	583,907
Reserve as a % of the preceding year's Operating Expenditures (3)	45.24%	40.35%	32.55%	22.97%	25.86%	26.92%	25.95%	23.04%	18.24%	11.63%	3.27%

NOTES/ASSUMPTIONS:

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 6/30/2026 includes the Professionalism Course Reserve of $285,852.

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."

LONG-RANGE PROJECTIONS SCENARIO 1: FY MEMBERSHIP DUES $300/$150

LONG RANGE PROJECTIONS
OPERATING PLAN SUMMARY
6/30/2026

Variables	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Active Member Dues [Cap $350]	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00
Associate Member Dues ($)	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00
Corporate Counsel Member Dues ($)	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00
New Active Member Dues ($)	$ 125.00	$ 125.00	$ 125.00	$ 125.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00	$ 150.00
New Associate Member Dues ($)	$ 62.50	$ 62.50	$ 62.50	$ 62.50	$ 75.00	$ 75.00	$ 75.00	$ 75.00	$ 75.00	$ 75.00	$ 75.00
Staff Salary Increase (%)	7.0%	3.0%	3.0%	3.5%	3.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Staff One-Time Bonus		1.5%	$ 1,500.00								
CPI (%)					2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Fiscal Year	**Actual 2024**	**Actual 2025**	**Actual 2026**	**Projected 2027**	**Projected 2028**	**Projected 2029**	**Projected 2030**	**Projected 2031**	**Projected 2032**	**Projected 2033**	**Projected 2034**
Operating Revenue	13,608,130	13,895,178	14,076,959	14,027,850	16,018,650	16,018,650	16,018,650	16,018,650	16,018,650	16,018,650	16,018,650
Operating Expenditures	14,456,486	14,558,258	15,083,808	15,365,777	15,847,788	16,164,262	16,488,558	16,821,026	17,161,720	17,510,926	17,868,855
Contributions To/(From) Operating Reserv	(848,356)	(663,080)	(1,006,849)	(1,337,927)	170,862	(145,612)	(469,908)	(802,376)	(1,143,070)	(1,492,276)	(1,850,205)
Add: Beginning Operating Reserve Balan	7,135,584	6,287,228	5,624,148	4,617,299	3,279,372	3,450,234	3,304,622	2,834,714	2,032,338	889,268	(603,008)
Ending Operating Reserve Balance (2)	6,287,228	5,624,148	4,617,299	3,279,372	3,450,234	3,304,622	2,834,714	2,032,338	889,268	(603,008)	(2,453,213)
Ending A&F Reserve Balance	252,563	250,139	292,881	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Reserve Balance	6,539,791	5,874,287	4,910,180	3,529,372	3,700,234	3,554,622	3,084,714	2,282,338	1,139,268	(353,008)	(2,203,213)
Reserve as a % of the preceding year's Operating Expenditures (3)	45.24%	40.35%	32.55%	22.97%	23.35%	21.99%	18.71%	13.57%	6.64%	-2.02%	-12.33%

NOTES/ASSUMPTIONS:

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 6/30/2026 includes the Professionalism Course Reserve of $285,852.

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."

VSB NEWS ITEM REQUESTING PUBLIC COMMENT FOR LEGISLATIVE ACTIVITY TO RAISE OR REMOVE THE STATUTORY DUES CAP IN VA. CODE § 54.1-3912.

VSB Seeks Public Comment on Legislative Activity to Amend Va. Code § 54.1-3912

March 3, 2025

The Virginia State Bar (VSB) seeks comments on its proposed engagement in legislative activity, pursuant to Part 6, Section IV, Paragraph 9 (j) of the Rules of the Supreme Court of Virginia, to amend Va. Code § 54.1-3912 in the 2026 General Assembly Session. The proposed amendment aims to amend the statutory maximum for the annual dues paid to the VSB.

This amendment proposes to allow the Supreme Court of Virginia greater flexibility, pursuant to Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia, to set the rate of the VSB annual dues for lawyers licensed in Virginia. **The existing statutory cap was amended in 1995 (from $300 to $250)** and limits the Court's ability to adjust dues to align with economic conditions and operational requirements.

Importantly, any change to the statutory cap would *not* result in an automatic dues increase. Any future adjustments to the annual dues would require separate approval from the Court.

The proposed change seeks to ensure the VSB's financial stability and sustainability, enabling it to better serve Virginia's legal community and the public. The key reasons supporting this amendment include:

1. **Flat Dues for 25 Years**: Dues have not increased since 2000 (and were decreased for four years from 2012 through 2015), and rank among the lowest in the nation (6th lowest of 33 unified bars nationwide).
2. **Increased benefits**: Over this period, the VSB has enhanced lawyer benefits by introducing the free Malpractice Avoidance Hotline, free legal research software, free trust accounting and billing software, and access to free trainings and CLEs.
3. **Cost-Savings Measures**: The VSB has implemented various efficiencies (e.g., reduced personnel to a 24 percent lower staff-to-member ratio compared to 2000) while maximizing other sources of revenue (e.g., increased MCLE sponsor course application fees).
4. **Rising Costs**: Expenses related to salaries, technology, inflation, and rent have significantly increased outpacing the VSB's revenue.
5. **Financial Viability**: A membership dues increase will avoid VSB insolvency in FY 29.

If the General Assembly amends Va. Code § 54.1-3912, the VSB plans to request the Court's approval for an annual dues increase limited to the amount necessary to balance total revenue with necessary expenses. **Based on current budget projections, the VSB anticipates requesting an increase of no more than 20 percent to the current $250 dues assessment.**

Comment:

Any individual, business, or other entity may submit written comments in support of or in opposition to the proposed action to Cameron Rountree, Executive Director of the Virginia State Bar, by close of business on May 20, 2025. Comments may be submitted via email to publiccomment@vsb.org.

COMMENTS RECEIVED ON LEGISLATIVE ACTIVITY TO RAISE OR REMOVE THE STATUTORY DUES CAP IN VA. CODE § 54.1-3912.

From: Orran Brown
To: publiccomment
Subject: EXTERNAL SENDER FW: Opposition to Request for Amendment to Va Code Section 54.1-3912
Date: Tuesday, March 4, 2025 1:56:22 PM

You don't often get email from obrown@browngreer.com. Learn why this is important

I oppose any change to this statute that could lead to higher VSB dues for any Virginia lawyer.

We lawyers in Virginia receive no support or help from the State Bar in any respect. We get nothing back in a positive way for the dues we already are required to pay.

Instead, the VSB treats its lawyers as the enemy. Constant threats about paying dues and having to submit CLE hours. Punishments handed out to lawyers that do nothing to improve their performance or the profession. The CLE requirement is just a racket providing a source of income to CLE providers who charge high rates for useless programs. That requirement merely creates a business market for those sellers.

There can be no justification for the dues we pay, much less any possible increase.

Orran L. Brown, Sr.
BROWNGREER PLC
250 Rocketts Way
Richmond, Virginia 23231
Telephone: (804) 521-7201
Facsimile: (804) 521-7299
www.browngreer.com
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From: Lily Engle
To: publiccomment
Subject: EXTERNAL SENDER Bar Dues
Date: Tuesday, March 4, 2025 5:59:01 AM
Attachments: image001[39].png

You don't often get email from lengle@conservationfund.org. Learn why this is important

I support the proposed amendment. The benefits our Bar dues provide and the need for more resources by the (very hard working) Bar outweigh any negative effects of an increase in fees, especially when you amortize the annual amount into a monthly cost. Yes, many of us have strained finances, but we probably spend far more than that amount on coffee or lunch out. Thank you.



Lily Engle
Assistant Secretary and Deputy General Counsel
The Conservation Fund
202.413.6424
lengle@conservationfund.org

From: Susan Harris
To: publiccomment
Subject: EXTERNAL SENDER Legislative Activity to Amend Va. Code § 54.1-3912
Date: Tuesday, March 4, 2025 2:26:54 PM

[You don't often get email from smozleyharris@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Hello,
I am against any sort of increase in dues. They are too high as it is and a burden for those who do not work for the government. Thanks. Susan Harris

From: Ryan S. Hershey
To: publiccomment
Subject: EXTERNAL SENDER Do NOT increase bar dues
Date: Tuesday, March 4, 2025 1:01:00 PM

You don't often get email from hershey.ryan@gmail.com. Learn why this is important

Many attorneys cannot afford this. This is paramount to extortion to be able to practice our vocation. I strongly object to any increase.

Ryan Hershey
VSB # 85092

From: Matthew Morrison, Esq.
To: publiccomment
Subject: EXTERNAL SENDER Public Comment 54.1-3912
Date: Tuesday, March 4, 2025 2:09:33 PM

You don't often get email from mattmorrisonlaw@gmail.com. Learn why this is important

Understanding the ever-increasing costs of doing business, I think a modest increase in bar dues is understandable and not unreasonable. I would certainly leave it to the discretion of the SCV to determine the appropriate amount that would promote economic efficiency while still holding some pride that Virginia lawyers are not gouged like other jurisdictions.

I would like to suggest, however, that the VSB consider a dues structure that would allow attorneys to pay multiple years of bar dues at a slightly discounted rate. For example, should dues be raised to $300/yr, consider allowing attorneys to pay five years of dues at a time for $1250 instead of $1500 for all five years. I am confident that many lawyers would choose that option (tax purposes) and the VSB would see increased long-term liquidity.

-M. Morrison
VSB #89872

From: Jennie Waering
To: publiccomment
Subject: EXTERNAL SENDER Dues increase
Date: Tuesday, March 4, 2025 1:31:57 PM

You don't often get email from jwaering1102@gmail.com. Learn why this is important

VSB,

I would like to propose that when you look at the fees charged, that you consider reducing fees for those over 65 who are in part time practice and don't fit the inactive category.

I am 70 and wish to keep my license so I can do the occasional pro bono representation as needed in the low income communities that I work with as a social activist. I maintain more CLE than is required. It is a strain to pay the whole fee when there is no income, but you cannot take inactive status and still represent clients, I don't think.

Thank you for your consideration of this idea.

Jennie Waering
540-314-1157
JWaering1102@gmail.com
Seeking Justice for All
Living on Tutelo Land

From: attyabeq@aol.com
To: publiccomment
Subject: EXTERNAL SENDER Legislative Activity to Amend Va. Code § 54.1-3912
Date: Wednesday, March 5, 2025 11:26:16 PM

I wholeheartedly support the proposal to amend the above. It is unrealistic to assume that a $250 cap on annual dues serves either the VSB needs or those of the public that we serve. Dues need to be increased in line with the realities of the real world we operate in.

August Bequai, Esq.
1750 Tysons Blvd., Suite 1500
McLean, VA 22102
(T) (703) 893-4806
(c) (571) 277-5996
attyabeq@aol.com

From: Sherry Ramsey
To: publiccomment
Subject: EXTERNAL SENDER Legislative Activity to Amend Va. Code § 54.1-3912 Comment
Date: Thursday, March 6, 2025 11:54:36 AM

You don't often get email from sramseyesq@aol.com. Learn why this is important

Hello,
I would like to comment on the proposed action to allow an increase to the annual dues. I have never understood why the amount of dues is the same for attorneys who make a great deal of money every year and those who work in public interest jobs, or work part time due to health issues or practice mostly pro-bono work.. The ability to keep our license to practice should not be determined by the ability to pay registration fees, which are of course in addition to CLE fees and malpractice insurance.

Especially as we age, we may choose to work only part time or to give back to a community by providing mostly pro bono work to local groups. It seems unfair to charge the same registration fee for attorneys not making much money for whatever reason. The one size fits all attorney is unfair and may in some cases deter attorneys from keeping their license to practice.
Thank you for considering my comments.

Sherry Ramsey, Esq.
240-401-7361

From: Doug Welty
To: publiccomment
Subject: EXTERNAL SENDER Lobbying for dues increase
Date: Friday, March 7, 2025 2:14:38 PM

You don't often get email from cdwelty@weltyblair.com. Learn why this is important

Hi, VSB,

I OPPOSE any expenditure of VSB time or resources on lobbying the General Assembly to increase the bar dues cap. This effort should be left to individual members, if we believe we are being inadequately served.

If resources are becoming an issue, I suggest cutting out the printed glossy Bar magazine and the funds and other resources allocated to Sections for printed newsletters and annual dinners. These should be things of the past. In addition, the Annual Meeting should be self-supported by user fees.

Regards,
Doug Welty
Member no. 29480

From: Seltzer, Cullen D.
To: publiccomment
Subject: EXTERNAL SENDER Public Comment on Legislative Activity to Amend Va. Code § 54.1-3912
Date: Thursday, March 13, 2025 4:07:59 PM
Attachments: image001.png

You don't often get email from cseltzer@sandsanderson.com. Learn why this is important

Dear Mr. Rountree:

I write in support of VSB engaging in legislative activity to amend the statutory maximum for dues paid to the VSB.

For 25 years, dues for Bar members have been flat though the demands on the Bar for services to the public and to the lawyers it regulates have grown. The Bar has been a good steward of dues and its reserves but twenty-five years of change in our industry and growing costs have combined to make the dues established long ago inadequate today.

I doubt there are any practitioners in Virginia whose income, expenses, or billing rates have remained flat for twenty-five years. While no one wants or likes dues increases, responsible management of the Bar's affairs requires income commensurate with its obligations. Increasing the statutory cap on dues the Bar can charge members is essential to keeping the Bar as a self-regulating profession and to ensuring the Bar is equipped to protect the public by regulating and supporting members of the Bar.

Please let me know if you have any questions or if I can be of any other support in this effort to reset the Bar's financial stability.

Sincerely,

Cullen D. Seltzer

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

From: attyabeq@aol.com
To: publiccomment
Subject: EXT Legislative Activity to Amend Va. Code § 54.1-3912
Date: Tuesday, April 1, 2025 8:05:40 PM

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The proposal makes sense and I fully support it. I have not witnessed any abuses by the VSB when it comes to the use of membership dues. A raise in dues is needed. Thank you.

August Bequai, Esq.
McLean, VA 22102
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attyabeq@aol.com

O. Randolph Rollins PLC
ATTORNEY-AT-LAW

O. RANDOLPH ROLLINS, ESQ.
P.O. Box 4228 • Martinsville, VA 24115
804.405.5080 Mobile
rrollins@orrlawyer.com

May 1, 2025

Cameron Rountree
Executive Director
Virginia State Bar

publiccomment@vsb.org

Re: Support for Bar Dues Increase and Amending Va. Code § 54.1-3912

Virginia State Bar revenues come mainly from member dues, which are $250 for active members and $125 for associate members. Even though it is a state agency, it receives no state funds. Dues have not increased in more than 20 years (and in some years, dues were reduced). There is a $250 statutory cap on annual bar dues.

Bar staff have considered various cost saving measures over several years and concluded that further cuts or personnel reductions would impair the Bar's ability to deliver on its core mission. Without a dues increase and based on current projections, the Bar's reserve ($6,539,791 at the end of FY 2024) will be sharply reduced and go negative in 2029,

In my opinion, good financial stewardship says the Bar should not be operating at a loss. Further, with bar dues among the lowest in the nation, VSB members enjoying the privilege of practicing law should support a modest dues increase and the necessary amendment to Va.Code 54.1-3912 to remove the statutory cap.

Respectfully submitted,

O. Randolph Rollins

O. Randolph Rollins (VSB 05857)

From: Jay Speer
To: publiccomment
Subject: EXT: Comment on Legislative Activity to Amend Va. Code § 54.1-3912
Date: Tuesday, May 13, 2025 9:59:41 AM

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I support the proposed legislative activity to lift the arbitrary limit placed on bar dues 30 years ago. From my many years as a legal services attorney, I know that lawyers must do much more to provide meaningful access to the courts and lawyers. I applaud the VSB efforts to increase access to justice and I know that VSB could do much more with additional funding.

VPLC | Virginia Poverty Law Center

James W. (Jay) Speer
Executive Director
Attorney at Law
Virginia Poverty Law Center
919 E. Main St., Suite 610
Richmond, VA 23219
804-351-5268
Fax: 804-649-0974
www.vplc.org

From: Joey Carico
To: publiccomment
Cc: Joey Carico
Subject: EXT: Public Comment on Legislative Activity to Amend Va. Code § 54.1-3912
Date: Thursday, May 15, 2025 2:01:34 PM
Attachments: image001.png

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As an attorney who has practiced in Virginia for over 25 years, I consistently support our profession's efforts to expand access to justice for all Virginians.

As a legal aid attorney, I especially support the Virginia State Bar's efforts in this regard with their Access to Legal Services Department. At present, this Department is staffed by only one full-time employee. In order to effectively carry out the mission of broader access to legal services, the VSB needs more funding.

One avenue to increase such funding is through a dues increase. Dues have not been increased in 25 years. Therefore, the ability to implement a dues increase to fund efforts to expand access to legal services is laudable. With more funding, the VSB could expand their *pro bono* efforts and provide more support for our membership. I support increased funding for the VSB and their expanded effort to increase access to legal services for the people of Virginia.

Southwest Virginia Legal Aid

Joseph R. Carico, Esq.
Executive Director
227 West Cherry Street
Marion, VA 24354
(276) 783-8300, ext. 2212
(276) 378-8400 (fax)

Project PATHFINDER

From: Nunley, Chip
To: publiccomment
Subject: EXT: Legislative Activity to Amend Va. Code § 54.1-3912
Date: Thursday, May 15, 2025 6:05:13 PM
Attachments: image007.png
image008.png
image009.png
image010.png

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To the Virginia State Bar,

I am in favor of the proposed legislative activity to amend Virginia Code 54.1 – 3912.

In my opinion, the Bar has done a commendable job of administering the disciplinary system and providing services to a growing Virginia lawyer population. Bar dues have not increased for 25 years, although the cost of rent, office equipment, supplies and labor surely have. We are very fortunate as Virginia lawyers to be self-governing and with that comes the responsibility to properly administer ourselves. The relatively small increase in dues, the first in 25 years, is a necessary step to see that the Bar can continue to properly carry out its mission. Personally, I also hope that some of the proposed dues increase can be used to support efforts of the Bar to increase the access to legal services for all Virginians, whether they be compensated services or pro bono services.

Thanks for your time and consideration.

Regards,

Chip Nunley

Lonnie Nunley
Partner
cnunley@HuntonAK.com
p 804.788.8679
bio | vCard

Hunton Andrews Kurth LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219

HuntonAK.com

From: Marty Wegbreit
To: publiccomment
Subject: EXT: Public Comment on Legislative Activity to Amend Code of Virginia §54.1-3912
Date: Thursday, May 15, 2025 2:43:36 PM

You don't often get email from mwegbreit.law@gmail.com. Learn why this is important

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Dear Cameron Rountree - Kindly accept this email in strong support of amending Code of Virginia §54.1-3912 to allow an increase in the statutory maximum Bar dues, currently set at $250 since the year 1995.

I am the retired Director of Litigation from Central Virginia Legal Aid Society, a member of the Virginia State Bar (VSB) for 44 years, and still an active member as an Emeritus *Pro Bono* Attorney. My service to the VSB has included six years on the Third District, Section II Disciplinary Committee (2005 - 2011), six years on the Standing Committee on Access to Legal Services (2017 - 2023), and current service on the Board of Governors of the Senior Lawyers Conference (2024 -).

The case for allowing a modest (20%) increase in Bar dues is compelling and overwhelming. VSB dues have not been increased in 30 years and are the sixth lowest in the country. During that same time period, the Consumer Price Index has more than doubled. This drives up the cost of salaries, benefits, equipment, technology, supplies, and rent.

In addition, due to the added and necessary work taken on by the VSB, including but not limited to - access to free trainings and continuing legal education, FastCase, Malpractice Avoidance Hotline, *Pro Bono* voluntary reporting, Professionalism Course, Trust Accounting and Billing software, and Virginia Free Legal Answers - VSB's expenses now exceed revenues.

While drawing down reserves over the next three fiscal years, the VSB faces insolvency by FY 2029. In that event, VSB functions would be limited to regulation and discipline. Everything else would be sacrificed, including access to legal services.

Access to legal services for low-income people has not changed appreciably during my entire 43 year legal aid career in Virginia. Around 275 legal aid attorneys are available to serve the legal needs of 1.1 million low-income Virginians eligible for their assistance (about 1 legal aid attorney for every 4,000 poor people). Around 32,000 other attorneys are available to serve the legal needs of the other 7.7 million non-poor Virginians (about 1 attorney for every 240 non-poor people). Even if we assume there are only 11,000 non- corporate, non-government attorneys to serve those 7.7 million non-poor Virginians, that still is about 1 attorney for every 700 non-poor people).

In short, a non-poor Virginian is about six times more likely to have an attorney than a poor Virginian. Access to Justice tries to remedy this inequity. Without an increase in Bar dues, the final six words of the Pledge of Allegiance - "with liberty and justice for all" - will remain a cruel mockery.

Thank you for your consideration of these comments.

CENTRAL VIRGINIA LEGAL AID SOCIETY

Lisa A. Bennett, Attorney Director of Pro Bono & Triage Programs

TO: Cameron Rountree, VSB Executive Director, publiccomment@vsb.org
FROM: Lisa A. Bennett, Director of Pro Bono, Central Virginia Legal Aid Society (CVLAS)
RE: Public Comment on Legislative Activity to Amend Va. Code § 54.1-3912
DATE: May 16, 2025

Thank you for the invitation to submit public comment. As a recipient of federal funding, Central Virginia Legal Aid's staff provides public comment in accordance with 45 C.F.R. §1612.6 and only in compelling circumstances and where such comments comport and further CVLAS's mission to provide free civil legal services to low-income individuals. In my capacity as CVLAS's Director of Pro Bono and as a legal aid lawyer with thirty-five (35) years of experience, these comments are submitted in support of the proposal to amend Code of Virginia §54.1-3912 to allow the first increase in the maximum for annual dues (currently $250) paid to the Virginia State Bar (VSB) in thirty (30) years.

The VSB has not had a dues increase in 25 years. Since then, the mission of the VSB has added a third and fourth prong to: (3) advance access to legal services, and (4) assist in improving the legal profession and the judicial system. These missions – especially advancing access to legal services – cannot be sustained in light of the resource constraints imposed by the outdated statute setting maximum bar dues

The Access to Legal Services Committee was only recently made a standing committee (which is permanent), as opposed to a special committee (which can be temporary). Excluding the Virginia Lawyer Referral Service, the VSB Access to Legal Services Department is staffed by only one full-time employee, Crista Gantz. She is supported only part-time by an administrative assistant who is shared with two other departments.

Ms. Gantz continuously operates at full capacity even as the demand for her work continues to grow. Among other tasks, she compiles information from the annual voluntary *Pro Bono* reporting in effect since 2019, facilitates quarterly meetings of the Access to Legal Services Committee, provides services needed for the four annual *Pro Bono* awards, and administers Virginia Free Legal Answers (often answering questions of an urgent nature or which go unanswered by volunteers for long periods of time). Ms. Gantz convenes a Pro Bono consortium comprised of qualified legal service providers and law schools to further best practices in Virginia.

Due to limited staffing and funding, the VSB has reluctantly curtailed member services and programs. Recently, the VSB had to decline the opportunity to administer the Supreme Court of Virginia's Access to Justice Commission's proposed statewide *pro bono* portal system (Paladin), despite strong interest, because of financial and staffing limitations.

The VSB wants to expand *pro bono* efforts, support members, and administer Paladin, none of which are possible without removing the statutory cap on dues. Virginia is poised to make meaningful gains in closing the justice gap thru it's Pro Bono Virginia campaign. Without a dues increase, the VSB will be unable to staff the Access to Legal Services Department at a meaningful level. The situation is

101 West Broad Street Suite 101, Richmond VA 23220
Direct: (804) 200 6038 Fax: (804) 649-8794
Lisa@cvlas.org

approaching a crisis. For the next three fiscal years, the VSB will be drawing down its reserve funds and will be insolvent by FY 2029 without an increase in member dues.

If that were to occur, the VSB would have to eliminate most functions not involving regulation and discipline, and potentially lay off more than 10% of staff. If the statutory maximum is lifted, the VSB would request that the Supreme Court approve a dues increase of no more than 20% – an increase of $50. This would make dues equal to the $300 statutory maximum in effect in 1995. For all these reasons, the increase in the statutory maximum should be approved.

Sincerely,



Lisa A. Bennett

From: John Whitfield
To: publiccomment
Subject: EXT: Comments re Proposed Legislative Activity to Amend Va. Code § 54.1-3912
Date: Friday, May 16, 2025 2:57:39 PM

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On behalf of Blue Ridge Legal Services, the legal aid society that serves the Shenandoah and Roanoke Valleys of Virginia, I write to register our support for the Virginia State Bar's proposal to seek the lifting of the existing statutory limitation on the amount the VSB can levy annual for membership bar dues. The VSB has not increased its bar dues in a quarter century, and this statutory cap prevents the VSB from seeking any increase, no matter how necessary it may be to achieving the VSB's mission.

If the VSB is to effectively accomplish its four-pronged mission of (1) protecting the public; (2) regulating the legal profession in Virginia; (3) advancing access to legal services; and (4) assisting in improving the legal profession and the judicial system, it needs to have adequate resources. From legal aid's perspective, we are critically in need of the VSB's active support in promoting access to legal services, particularly in its work promoting increased pro bono participation among its membership. The VSB is uniquely situated to promote pro bono work, yet it lacks the staffing to fully meet its potential for doing so. Adequately funding these activities could make a dramatic difference in our efforts to increase pro bono work participation and access to justice in Virginia.

$250 in 2000 is equivalent in purchasing power to about $464.28 today, an increase of $214.28 over those 25 years. In light of this significant diminution in buying power, it is no surprise that the VSB is now financially strapped and unable to perform all of its functions effectively. For this reason, it seems abundantly clear that the current statutory cap of $250 in annual bar dues urgently needs to be lifted, and I strongly support the Bar's proposal to pursue this in the Virginia General Assembly.

Thank you for considering these views.

With kind regards,

John E. Whitfield

Legal Services Corporation of Virginia

May 19, 2025

Cameron M. Rountree, Executive Director
Virginia State Bar
1111 East Main Street, Suite 700
Richmond, VA 23219-0026

BY E-MAIL ONLY TO: publiccomment@vsb.org

Re: Proposed engagement in legislative activity to Amend Va. Code § 54.1-3912

Dear Cameron:

I am writing as Executive Director of the Legal Services Corporation of Virginia (LSCV) to support the proposal of the Virginia State Bar (VSB) to engage in legislative activity to amend Va. Code §54.1-3912 during the 2026 General Assembly Session. This amendment would give the Supreme Court of Virginia greater flexibility to set the rate for annual bar dues for Virginia lawyers and ensure that the VSB has the resources needed to continue to support members of the Bar efficiently and effectively. In addition to supporting Bar members, an adequately funded VSB is also critical to helping LSCV fulfill our own mission.

As you know, LSCV works to develop, fund, coordinate, and oversee the delivery of civil legal services to people living in poverty throughout Virginia. Our ten legal aid programs closed 26,700 cases last year, benefiting more than 73,000 Virginians. We couldn't do our work as effectively without the close partnership of the VSB. In the past year alone, we have worked with your talented staff to streamline administration of Virginia's Interest on Lawyers' Trust Accounts (IOLTA) Program, to explore ways to boost pro bono awareness and contributions, and to identify and address issues impacting access to legal services for low-income Virginians. The work of LSCV and our programs is greatly enhanced through our partnership with the VSB, and we have seen firsthand the efficiency, expertise, and dedication of your team.

But the rule of law and access to legal services in Virginia will only be as strong as the Bar that regulates our profession. An increase in Bar dues is long overdue, and for these reasons LSCV supports the VSB's proposed efforts.

With kindest regards, I am

Sincerely yours,

Tim Freilich, Executive Director
Legal Services Corporation of Virginia

919 E. Main Street, Suite 615 Richmond, Virginia 23219-2620
Telephone: 804-782-9438 *Website:* www.lscv.org *E-Mail:* tim@lscv.org

From: Clay Warner
To: publiccomment
Subject: EXT: Legislative Activity to Amend Va. Code § 54.1-3912 - Comments of Legal Aid Justice Center
Date: Monday, May 19, 2025 3:54:49 PM

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The Legal Aid Justice Center (LAJC) supports an increase in member dues payable to the Virginia State Bar (VSB). We also support VSB's efforts to draw attention to its dire financial situation, and we support its efforts to modify Va. Code § 54.1-3912 to raise the cap on VSB member dues.

LAJC is "legal aid society" providing legal services to Virginians who are "unable to pay for" such services, as described in 15 VAC 5-10-10.

VSB member dues – which provide nearly all of VSB's funding – have not increased in twenty-five years. We do not know how VSB has successfully maintained its core functions (regulation of lawyer ethical behavior, and tracking mandatory continuing legal education) over that period in the absence of a dues increase. Basic expenses like salaries, rent, and the cost of technology have all increased significantly during that time.

But during that time VSB's mission has also expanded to include something of special interest to LAJC: it has been charged to "advance access to legal services." That task sorely needs attention. According to a recent report commissioned by the Legal Services Corporation:

- 75% of low-income households in the South experienced at least one civil legal problem in the past year – and many of these problems (threats of eviction, for example) have a substantial impost on people's lives.
- 92% of those with civil legal problems do not get any or enough legal help for the problems that had a substantial impact on them.
- 49% of requests for legal assistance must be turned down by legal aid organizations because of limited resources.

VSB has plans to help close that "justice gap" – notably through the use of a statewide internet portal for pro bono services. But it has been unable to implement those plans because of limited funding. If dues are not increased, VSB will be forced to abandon that part of its mission.

Thank you for your consideration.

Clay Warner

General Counsel
Legal Aid Justice Center
6402 Arlington Blvd., Suite 1130
Falls Church, VA 22042
(703) 282-4067
cwarner@justice4all.org

From:	Valerie L"Herrou
To:	publiccomment
Cc:	Faith Kallman
Subject:	EXT: Public comment re Legislative Activity to Amend Va. Code § 54.1-3912
Date:	Tuesday, May 20, 2025 4:48:48 PM
Attachments:	Outlook-ycsbqedp.png

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Public Comments from Virginia Poverty Law Center Regarding Legislative Activity to Amend Va. Code § 54.1-3912

Virginia Poverty Law Center supports expanding the State Bar's capacity to increase its programs to expand access to legal services.

The VSB's Access to Legal Services Committee has been a driver behind Virginia's push to improve access to justice, an issue that has become more emergent in the wake of the pandemic, and studies showing that access to justice and legal services in Virginia are lacking. The National Center for Access to Justice gives Virginia a score of 30.30; we are ranked 19th out of 50 states; Richmond remains ranked highest in the country for rate of eviction filings.

While increasing pro bono programs will not be enough to meaningfully expand access to legal services, it is nonetheless important. Virginia Poverty Law Center recently learned that the VSB has had to decline the opportunity to administer a statewide pro bono portal proposed by the Supreme Court of Virginia's Access to Justice Commission – not because of a lack of support for the proposal, but due to financial concerns and lack of staff capacity.

We understand that the VSB is seeking to amend Va. Code § 54.1-3912 to lift the $250 cap on state bar membership dues.

Even beyond improving access to justice—an important aspect of the state bar's mission—projections show the VSB will be insolvent by 2030-2031 under current budgeting. This will create a state of crisis for the state bar's ability to regulate the legal profession.

We support, therefore, enabling the VSB to seek legislative access to lift the cap on membership dues. The last action taken by the legislature in regard to membership dues was thirty years ago: *reducing* the dues cap from $300 to $250.

If adjusted to the current rate of inflation, the dues cap should be $525 today. While we would prefer a tiered dues rate, for new attorneys and those working in the public interest sector, it seems well past time to revisit the matter of the membership dues cap, both for the sake of professional regulation and for ensuring that access to justice can be meaningfully supported.

thank you

On behalf of Virginia Poverty Law Center

Valerie L'Herrou
Deputy Director, Center for Family Advocacy

Virginia Poverty Law Center
919 East Main Street, Suite 610 • Richmond, VA 23219
www.vplc.org
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APPENDIX VI

VSB NEWS ITEM REQUESTING PUBLIC COMMENT FOR AMENDING PARAGRAPH 11.

VSB Seeks Public Comment on Amendments to Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia

June 15, 2026

The Virginia State Bar (VSB) seeks comment on amending Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia (Rules) to (i) align the VSB annual membership dues cap in the Rule with the change to the statutory cap made in the 2026 General Assembly Session and (ii) remove the required maximum state bar fund and administration and finance account balances allowed before the Court may authorize a membership dues increase.

Dues Cap:

Va. Code § 54.1-3912 was amended in the 2026 General Assembly Session (HB 276, Kilgore), effective July 1, 2026, to increase the statutory dues cap from $250 to $350. The proposed change to the Rule dues cap would mirror the statutory change. Importantly, any change to the Rule cap would not result in an automatic dues increase. Any adjustments to the annual dues require separate approval from Council and the Court.

Both the statutory and Rule caps have been in place since 1995 and VSB annual dues for Active and Associate Members, $250 and $125, respectively, have not increased since July 1, 2000 (and were lowered 2012–2015). The VSB does not receive general funds from the state budget, and most of its revenue is from annual membership dues.

Historically, the rates of new admissions kept pace with rising costs in salaries, inflation, technology expenses, and rent. However, in the last 10 years, substantially fewer lawyers are choosing to practice in Virginia. As such, despite having fewer employees now than 20 years ago, maximizing sources of income, and containing expenses, revenue has not kept pace with operating expenses, resulting in an unbalanced budget.

Based on the current budget projections, the VSB anticipates requesting an increase of $50 for Active and $25 for Associate Members, bringing the annual dues to $300 and $150, respectively – subject to the approval of Council and the Court.

View FAQs and additional information on the VSB's membership, finances, and expenses

Balance Threshold:

Currently, the Rule does not permit a dues increase if the combined VSB account balances exceed 15 percent of the prior year's total operating expenditures. However, because the VSB collects virtually all membership dues in June and July for the fiscal year beginning July 1, this threshold does not provide sufficient time to obtain approval and implement a dues increase before available funds are depleted.

PROPOSED CHANGES TO THE RULES OF THE SUPREME COURT OF VIRGINIA (Proposed June 2026)

[Deletions noted by strikethroughs; additions by underlining; the portion of Rule 11 proposed for amendment is provided below]

Part 6 Section IV, Paragraph 11. Dues

11. Dues

Each active member shall pay to the Treasurer of the Virginia State Bar, annual dues not to exceed ~~$250~~$350, and each associate member shall pay to the Treasurer of the Virginia State Bar annual dues not to exceed ~~$125~~$175, on or before the 31st day of July of each fiscal year, provided that persons admitted to practice by examination or under Rule 1A:1 of the Supreme Court of Virginia shall not be liable for dues in the year of admission if admitted during the last three months of any fiscal year. Persons admitted to practice under Rule 1A:1 at any other point during any fiscal year shall pay the full amount of dues as specified above at the time they register with the Virginia State Bar. Persons admitted to practice by examination at any other point during any fiscal year shall pay one-half the amount of dues as specified above at the time they register with the Virginia State Bar. On or before April 1st, the Bar shall report to the Court the annual dues amount proposed for the next fiscal year.

~~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.~~

All monies collected hereunder shall be accounted for and paid into the State Treasury of Virginia.

Failure to comply with this Rule shall subject the member to penalties set forth in Paragraph 19 herein.

Comment:

Any individual, business, or other entity may submit written comments in support of or in opposition to the proposed action to Janet P. Van Cuyk, acting executive director of the Virginia State Bar, by close of business on August 17, 2026. Comments may be submitted via email to publiccomment@vsb.org.

APPENDIX VII

PUBLIC COMMENTS FOR AMENDING PARAGRAPH 11

From: Claire Gastanaga
To: publiccomment
Subject: EXT: Proposed Rule Change on Bar Dues
Date: Thursday, July 2, 2026 9:56:44 AM

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Janet:
As an active member of the Virginia State Bar, I fully support the proposed rules changes on bar dues. The State Bar has been hampered by antiquated limits on its ability to increase dues for some years. Now that the General Assembly has acted, it is time for the Bar's rules to be harmonized with the expanded legislative authority.
Very truly yours,
Claire Guthrie Gastañaga

Claire Guthrie Gastañaga, Esq.
ChangeServant, PLC
Email: claire@changeservant.com
Phone: 804-337-3233
Socials: @changeservant
www.changeservant.com
Scheduling link: calendly.com/claire-changeservant

Martindale Hubbell AV Peer Rated Preeminent Attorney 2026
Women Who Drive Richmond, Class of 2025
Virginia Lawyers Weekly, Hall of Fame 2024

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From: Wayne Painter
To: publiccomment
Subject: EXT: Dues cap amendment
Date: Thursday, July 2, 2026 9:57:15 AM

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I am opposed to the 40% increase on the VSB dues cap. Stating that this isn't an immediate increase is a misrepresentation as we all know that these fees will be increased if allowed to.

Raising the fees, while keeping or cutting the fees for those representing the most marginalized persons in our community, demonstrates missplaced priorities. Special justices and attorneys representing those with mental issues are not getting increases in pay for work that is taxing both mentally and emotionally and those attorneys representing the incarcerated populations within our Commonwealth have actually had their pay cut not increased.

Will we see raises in compensation for attorneys representing those in our community who are the most at risk or institutionalized? Aren't we trying to bring affordability to the Commonwealth instead of making it worse for citizens?

--

Wayne S. Painter
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Facsimile: 888-749-4922
email: wpaint1969@gmail.com
Protecting Client's Rights through Zealous Criminal and 2nd Amendment Defense!

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From: attyabeq@aol.com
To: publiccomment
Subject: EXT: Proposal to Increase VSB Dues
Date: Friday, July 3, 2026 12:15:19 PM

> **Caution:** This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Fully support it, if the VSB is to function in the coming years. The increase would still be below what many other jurisdictions charge their members in annual dues.

August Bequai, Esq.
McLean, VA 22101
Tel.: (703) 893-4806
attyabeq@aol.com

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From: Gary Greenbaum
To: publiccomment
Subject: EXT: Opposition to dues increase authorizaiton
Date: Saturday, July 4, 2026 1:43:42 PM

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I write briefly in opposition to the dues increase authorization insofar as it affects associate members, especially in their later years. For many practicing lawyers, money grows on clients, but that is not the case for the retired lawyer who wishes to keep status with the Bar, especially since Retired status is not possible until age 70. Dues are a heavier burden for associate members as well because if you are not practicing, dues are not a business expense.

Gary Greenbaum
Associate member, 33736

From: Brad Martin
To: publiccomment
Subject: EXT: Public Comment on Amendments to Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia
Date: Friday, July 31, 2026 10:26:46 AM

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Re: Public Comment on Proposed Amendments to Part 6, Section IV, Paragraph 11 (Dues)

Dear Ms. Van Cuyk:

I respectfully submit this comment regarding the proposed amendments to Part 6, Section IV, Paragraph 11 of the Rules of the Supreme Court of Virginia.

I am a Virginia State Bar Associate Member who resides and practices law in Mississippi. I maintain my Virginia license because I value my admission to the Virginia Bar and wish to preserve it, but I do not practice Virginia law or utilize the services and resources provided to active Virginia practitioners.

While I appreciate the financial challenges outlined by the Virginia State Bar, I question whether a 20% increase in associate member dues, from $125 to $150, is equitable for attorneys who neither practice in Virginia nor place the same demands on the Bar's regulatory and member-service functions.

The proposal also removes the existing safeguard that limits dues increases when reserve balances exceed a specified threshold. Although I understand the administrative concerns described in the proposal, removing this protection reduces an important check on future dues increases. Members should have confidence that increases will occur only when clearly justified and after meaningful consideration of available reserves and alternative cost-saving measures.

The Virginia State Bar notes that rising costs, inflation, and declining admissions have contributed to budgetary pressures. Those are legitimate concerns. However, before increasing mandatory dues, particularly for associate members with limited involvement in Virginia's legal community, I encourage the Bar and the Supreme Court of Virginia to consider additional operational efficiencies, alternative revenue sources, and whether a differentiated dues structure would better reflect the varying levels of benefit received by different membership classifications.

I respectfully urge the Court and the Virginia State Bar to reconsider the proposed increase for associate members or, at a minimum, provide a more detailed justification demonstrating why attorneys who neither reside nor practice in Virginia should bear a substantial increase in mandatory dues.

Thank you for considering my comments.

Respectfully,

APPENDIX VIII

MANDATORY BAR ASSOCIATION DUES AND FEES

Active	Inactive ~	TOTAL	State	Size Category*	License Fees**	Disciplinary System Fees	MCLE Fees	Regulatory Fees^ TOTAL	CPF Assessmt	LAP/ Wellness Assessmt	Other Fees/ Assessmts	Cost to Practice TOTAL	Notes
14477	4,873	19350	**AL: Alabama State Bar**	Medium	**$300**			**$300**	$25			**$325**	
4044	820	4864	**AK: Alaska Bar Association**	Small	**$650**			**$650**	$10			**$660**	
22747	3606	26353	**AZ: State Bar of Arizona**	Med-Large	**$485**			**$485**	$20			**$505**	
213689	76573	290262	**CA: State Bar of California**	Large	**$476**	$25		**$501**	$40			**$551**	
100326	18900	119226	**DC: District of Columbia Ba**	Large	**$341**			**$341**				**$341**	
103561	10648	114209	**FL: The Florida Bar**	Large	**$265**			**$265**				**$265**	
47510	7882	55392	**GA: State Bar of Georgia**	Large	**$264**			**$264**	$15		$11	**$290**	$11: Prof. Comm.
4946	3381	8327	**HI: Hawaii State Bar Associa**	Small	**$210**	$350		**$560**	$60	$44	$15	**$679**	$15: Proc.Fee
6560	714	7274	**ID: Idaho State Bar**	Small	**$485**			**$485**	$20			**$445**	
19315	1001	20316	**KY: Kentucky Bar Assoc.**	Med-Large	**$218**		$48	**$266**	$7	$15	$22	**$310**	$20: Building Fund; $2: Legal Aid
23200	7022	30222	**LA: Louisiana State Bar Ass**	Med-Large	**$200**	$235		**$435**				**$435**	
45979	1310	47289	**MI: State Bar of Michigan**	Med-Large	**$260**	$140		**$400**	$15			**$415**	
8824	2312	11136	**MI: The Mississippi Bar**	Med-Large	**$380**			**$380**				**$380**	
31563	5373	36936	**MO: The Missouri Bar**	Med-Large	**$259**	$101		**$360**			$50	**$410**	$50: Legal Aid
4272	1028	5300	**MT: State Bar of Montana**	Small	**$325**	$125	$45	**$495**	$20			**$515**	**License Fees =** $300: Annual Dues; $25: Licensing
10874	2938	13812	**NV: State Bar of Nevada**	Medium	**$450**			**$450**				**$450**	
5802	3026	8828	**NH: New Hampshire Bar Ass**	Small	**$310**	$245		**$555**	$30	$30		**$615**	
8428	3070	11498	**NM: State Bar of New Mexic**	Medium	**$275**	$150		**$425**	$15			**$440**	
34406	10304	44710	**NC: North Carolina State Ba**	Med-Large	**$300**		$25	**$325**				**$325**	
2975	0	2975	**ND: State Bar Assoc. of N. Da**	Small	**$380**			**$380**				**$380**	
16375	2665	19040	**OK: Oklahoma Bar Associat**	Medium	**$350**			**$350**				**$350**	
15664	5093	20757	**OR: Oregon State Bar**	Med-Large	**$658**			**$658**	$15		$10	**$683**	$10: Loan Repay Asst.
5626	1207	6833	**RI: Rhode Island Bar Assoc.**	Small	**$425**			**$425**	$25			**$450**	**License Fees =** $225 Dues Assmt: $200: Sup. Ct. Lic.
16810	2381	19191	**SC: South Carolina Bar**	Medium	**$300**	$70		**$370**	$30			**$400**	
2829	636	3465	**SD: State Bar of South Dako**	Small	**$540**			**$540**				**$540**	
116147	20138	136285	**TX: State Bar of Texas**	Large	**$258**			**$258**			$65	**$323**	$65: Legal Aid
11093	3512	14605	**UT: Utah State Bar**	Medium	**$425**		$10	**$435**				**$435**	
32500	21929	54429	**VA: Virginia State Bar**	Large	**$250**			**$250**	$5	$30		**$285**	
36518	6130	42648	**WA: Washington State Bar A**	Med-Large	**$458**			**$458**	$20			**$478**	
6872	2903	9775	**WV: West Virginia State Ba**	Small	**$450**			**$450**				**$450**	
21214	4533	25747	**WI: State Bar of Wisconsin**	Med-Large	**$296**	$155	$11	**$462**	$25		$50	**$537**	
3408	403	3811	**WY: Wyoming State Bar**	Small	**$350**		$5	**$355**				**$355**	
			AVERAGE		**$362**	**$160**	**$29**	**$417**	**$22**	**$30**	**$32**	**$438**	

~ Inactive Members are defined by the reporting bar association. In Virginia, Associate Members are classified as Inactive Members. The 2025 American Bar Association Benchmark Report had "0" for the Alabama State Bar. This was supplemented with data from the Alabama State Bar's website (www.alabar.org) in May 2026.

*Bar Association Size Categories are broken down as follows:

Small=<10,000 members

Medium=10,000-19,999 members

Med-Large=20,000-49,999 members

Large=50,000+ members

**License Fees are the annual assessment identifies by the bar associations in the 2025 American Bar Association's Benchmark Report.

^ Regulatory Fees are annual assessments for (i) license fees; (ii) dues assessments; (iii) disciplinary system fees; and (iv) MCLE fees.

TAB 17

Virginia State Bar

To: VSB Executive Committee and Council

From: Emily F. Hedrick, Ethics Counsel

Date: October 29- 30, 2026

Re: Initiative to Provide Artificial Intelligence Software to Members

---

I. BACKGROUND

The Virginia State Bar (VSB) seeks to contract with a legal software provider for generative artificial intelligence (AI) software that would be made available to VSB members at no cost to the members or to the VSB. This initiative generates from discussions during the work of the Entry, Growth, and Distribution of Virginia Attorneys Study Group as an opportunity to improve access to legal services in areas of the Commonwealth with low lawyer densities. This proposal aims to assist attorneys in accessing legal-specific AI software to improve attorney efficiency and result in more of Virginia's unmet legal needs being addressed.

II. OVERVIEW

A. No Cost and Exclusivity

Any software for which the VSB would contract would be a commercially-available product offered to VSB members for no cost, with the opportunity to upgrade at an additional monthly or annual cost; and VSB members may receive a discount on initial upgraded subscription costs. The VSB would execute an exclusivity contract with the software provider for the duration the software is free for VSB members. The exclusivity provision would be limited to software that is the same or substantially similar to the legal-specific AI software offered to members. The VSB would not pay any money to the software provider for this software to be made available at no cost to VSB members.

B. Software Confidentiality and Security:

The legal-specific AI software would meet the following confidentiality and security standards:

1. Information submitted through the software will not be used to train external models or be otherwise shared outside of the software provider's environment.

2. User data will be stored exclusively in the United States via Amazon Web Services.

3. The provider will maintain zero data retention agreements with external AI models – meaning that the models it may use (e.g., Open AI and Anthropic) are prohibited from storing any user data.
   Note: Zero data retention agreements are generally only available to enterprise-level users of these services – meaning that solo and small firm lawyers who contract individually for such software are unable to obtain that level of data security directly from the software providers. However, such users will have that level of security through any software provider with which the VSB contracts.

C. Agreement Terms

Any agreement for legal-specific AI software free to VSB members would, in addition to the confidentiality and security requirements above, contain the following provisions:

1. A free tier of service, with the opportunity for members to upgrade at an additional monthly or annual cost.

2. Integration with other software, including, but not limited to, Microsoft Word, Outlook, and Google Workspace.

3. Assistance with tasks such as document drafting, summarization, and analysis.

4. Unlimited storage for documents uploaded by user

5. The ability to link applications for specialized tasks.

6. Reasonable daily usage limits, including limits on the number and size of document uploads – this will be variable depending on the tier of service but the tier available for free to members would allow for a user's reasonable daily usage.

7. Ongoing training and education to members in efficient and responsible use of AI, to include continuing legal education webinars, workshops, and a course to obtain certification in the provider's legal-specific AI software.

III. Public Comments

Fifteen comments were received when the initiative was released for public comment.

Nine comments, from Ryan Brown, Patrick Austin, Lawren Burroughs, Stephen Humphrey, Jennifer Parrish, Burton Rubin, Zoë Dye, Reginald Frazier, August Bequai, and David Neumeyer generally supported the proposal, with Ryan Brown specifically discussing the difficulty for small firms seeking a zero data retention agreement and other commenters noting that much confidential AI software is cost-prohibitive for small firms. One comment, from Akilah Kamaria, identified issues around data security and attorney competence in using AI as important topics that need to be addressed in such an offer. Likewise, Jason Reed's comment

emphasized the need to preserve competence among lawyers who are using AI in their work and reinforced the need for data security and siloing.

One comment, from C. Lynch, advocated for tabling the proposal or cancelling it in light of the risks from AI development generally, as recently raised by several AI founders. This comment also "stringently object[s]" to any use of bar dues for this program. Leigh Anne Bowling also raised concerns about cybersecurity risks and the risks of rogue AI generally, and Mary Costello Daniel argued that while many uses of AI can be implemented appropriately in the legal field, she believes that generative AI is not advanced or nuanced enough to be safely and ethically relied upon by attorneys. Costello Daniel's comment argues that lawyers should not be permitted, much less encouraged, to use generative AI for these purposes.

IV. Action Requested

It is respectfully requested that VSB's Executive Committee recommend to Counsil and Council authorize VSB staff to enter into a contractual agreement with a software provider that, in staff's judgment, best serves the goals discussed above to provide AI software to VSB members as described.

From: publiccomment
To: Van Cuyk, Janet
Cc: Hedrick, Emily
Subject: FW: EXT: Public Comment on Providing Artificial Intelligence Software to Members
Date: Tuesday, September 15, 2026 1:12:45 PM
Attachments: Lozen Advisory public comment VSB.pdf

Please see below and the attached public comment submitted by Akilah E. Kamaria | Source | Founder & CEO at Lozen Advisory, a nonlawyer. She offers her support with caveats.

~ *Kristi*
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

From: Akilah E. Kamaria <akamaria@lozenadvisory.com>
Sent: Friday, September 11, 2026 12:21 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Public Comment on Providing Artificial Intelligence Software to Members

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Dear Virginia State Bar,

Please accept the attached public comment regarding the proposed guidance on lawyers' use of LLM/artificial intelligence software.

I am submitting these comments as an interested party and appreciate the opportunity to provide feedback for the Bar's consideration.

Best regards,

Akilah E. Kamaria
Lozen Advisory
Mobile: 562-338-6708
https://calendly.com/lozenadvisory/meetme
Large language models simulate coherence, not truth.

Akilah E. Kamaria
Lozen Advisory LLC
8401 Mayland DR # 7597
Richmond, VA 23294
September 11, 2026

Janet P. Van Cuyk
Acting Executive Director
Virginia State Bar
1111 East Main Street, Suite 700
Richmond, Virginia 23219-0026

Re: Public Comment on Providing Artificial Intelligence Software to Members

Dear Attorney Van Cuyk,

I am writing in support of the Virginia State Bar's goal of helping attorneys obtain access to legal-specific artificial intelligence tools. However, I believe the proposal treats AI too much like conventional software, and does not yet address several risks that arise when attorneys place confidential client information into a Large Language Model/AI-enabled service.

The proposal contemplates document storage, drafting, summarization, analysis, and connections to applications such as Microsoft Outlook and Google Workspace. This means the selected system could have access to significant amounts of confidential and privileged client information.

Before providing such a system as a member benefit, the VSB should establish requirements addressing data ownership, retention, deletion, portability, subprocessors, model training and evaluation, security incidents, and termination of the vendor relationship.

Continuity is particularly important. What happens to an attorney's client information if the vendor ceases operations, is acquired, changes its underlying AI model, materially changes its terms, or the VSB selects a different provider? Attorneys should not discover after the fact that client records cannot be exported, reconstructed, or reliably deleted.

The VSB should also consider attorney competency separately from vendor capability. Providing access to a legal AI system does not establish that an attorney understands how to use it appropriately. Attorneys have already faced serious consequences for submitting inaccurate AI-generated material to courts. The vendor cannot be expected to carry the attorney's professional responsibility as in Otter.AI Privacy Litigation, No. 25-cv-06911-EKL (N.D. Cal.) where the vendor **retained the legal communications and used them for its own commercial purposes, including improving its machine-learning systems**.

If the VSB proceeds, I recommend that access be accompanied by an AI governance and competency program explaining the attorney's responsibilities for verification, confidentiality, supervision, appropriate use, and preservation of client information.

The question should therefore not be limited to whether the VSB can provide secure legal AI at no cost. It should also be whether the VSB has established the governance structure necessary for thousands of attorneys to use that technology responsibly throughout its lifecycle.

Thank you for the opportunity to submit these comments. Please do not hesitate to contact me for further information.

Sincerely,

Akilah E. Kamaria

Akilah E. Kamaria

From: publiccomment
To: Van Cook, Jason
Cc: publiccomment; Hedrick, Emily
Subject: FW: VSB Seeks Public Comment on Providing Artificial Intelligence Software to Members
Date: Friday, September 19, 2025 1:28:30 PM
Attachments: signature.asc

Please see Mr. Brown's comments on the Bar's proposal to provide AI software to members.

-Kristi
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

-----Original Message-----
From: Ryan A. Brown <rbrown@arlingtonlawgroup.com>
Sent: Thursday, September 17, 2026 12:02 PM
To: publiccomment <PublicComment@vsb.org>
Subject: Re: VSB Seeks Public Comment on Providing Artificial Intelligence Software to Members

To Whom it May Concern:

The biggest challenge we've run into as a small firm with adopting AI is that, in order to get a "zero data retention" subscription to a commercial AI service, you have to sign up for an enterprise plan, starting at $10,000 - $15,000 per year with a minimum 20 users. This is cost prohibitive for a firm with 5 attorneys (let alone a solo practice). But the less expensive options ($50 - $100/user/month with more like a 5-user minimum) do not guarantee that data will be protected and not used for training new models, etc. I don't see how to meet the obligations of RPC 1.16 without a "zero data retention" enterprise plan.

If VSB could offer the option for small firms to get a "zero data retention" enterprise plan at a price point closer to $50 - $100/user for Anthropic's Claude, for example, that would be a game changer for us. I'm less excited about OpenAI's ChatGPT because OpenAI has fewer guardrails on nefarious use of their AI model. Google Geimini also recently announced a Google Gemini for Legal enterprise offering (https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcloud.google.com%2Fgen%2Dapps%2Dpress%2Drelease%3Fhl%3Den&data=05%7C02%7CEHedrick%40vsb.org%7C1ff04ba829e8944284d8008b8f35aa3a%7C3e5d5f3b77724f4f8a7e9021ec1ce42a%7C0%7C0%7C638253493108287455%7CUnknown%7CTWFpbGZsb3dzIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=gqkpuKTiiGiP2FCqN0FTEsfI2NC7hiXFWkzb89fLZ8%3D&reserved=0) and I am waiting to hear back about their offerings.

If the bar needs any help or input on this, I was a computer scientist before I became a lawyer an my masters' degree research was in early AI tools 25 years ago, so I would be happy to serve on a committee or otherwise help figure out a solution that would benefit attorneys and law firms across the Commonwealth.

Thank you.

Sincerely,

Ryan Brown

--
Ryan A. Brown, Esq. (he/his/him)
Arlington Law Group
Admitted in Virginia and DC
1739 Clarendon Blvd., Arlington, Virginia 22209
phone: (703) 842-3025
email: rbrown@arlingtonlawgroup.com
fax: (202) 318-0363

Wills, Trusts & Estate Planning; Tax Planning; Business Law; Real Estate Law

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From: publiccomment
To: Van Cuyk, Janet
Cc: Hedrick, Emily
Subject: FW: EXT: Subsidized AI
Date: Tuesday, September 22, 2026 11:20:29 AM

Please see the comments below from C Lynch.

~ Kristi
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

From: MCL <merits@protonmail.com>
Sent: Friday, September 18, 2026 10:39 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Subsidized AI

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Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Hello,
I appreciate the opportunity to provide public comment to the VSB on the proposed provision to offer free AI software to members. In this case, I do not support such a proposal for several reasons.

One, in light of the recent alarm raised by the 'creators' of LLMs, I think the proposal should be tabled for a period of time (if not cancelled); moving forward with a plan that encourages and facilitiates use of a technology that could cause severe issues not understood by most users is too great a risk not to warrant a pause. As somone who has worked in IT for more than 35 yrs, I understand the risks and think caution is prudent at this time.

Two, when the VSP offers its users a 'free' tool, the expectation is that the tool is safe; yet AI has been shown not to be and when a tool can cause grave harm, it would seem inadvisable from a risk management perspective for the VSB to promote such a tool.

Three, I stringently object to any scenario that would result in the use of my recently increased bar dues to pay for such a 'free' program because I am not interested in subsidising AI or the tech companies.

Thank you for considering my input.
Sincerely,
C Lynch

The Virginia State Bar (VSB) seeks comment on proposed VSB provision of free AI software to members. This initiative aims to assist attorneys in accessing legal-specific AI software to improve

attorney efficiency and result in more of Virginia's unmet legal needs being addressed. The proposal is designed to be revenue- and cost-neutral for the VSB.

Sent with Proton Mail secure email.

From: publiccomment
To: Van Cuyk, Janet
Cc: Hedrick, Emily; publiccomment
Subject: FW: EXT: Providing Artificial Intelligence Software to Members
Date: Tuesday, September 22, 2026 2:55:52 PM

Please see Mr. Austin's comment below to the proposal for free AI software to VSB members.

~ Kristi
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

From: Patrick Austin <paust003@gmail.com>
Sent: Tuesday, September 22, 2026 1:10 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Providing Artificial Intelligence Software to Members

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Hello,

I just wanted to voice my support for providing AI software to Virginia State Bar members. I think this would an incredible benefit that could help many attorneys and law firms in the Commonwealth.

Thank you for your time and consideration.

Best,

Patrick Austin (member of the VSB since 2013)

From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Proposed Amendments to Paragraph 11 2026
Date:	Thursday, October 1, 2026 9:55:31 AM

Janet,

Please see Ms. Burroughs' comments below on the proposal to provide AI software to members.

~ Kristi
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

From: Lawren Burroughs <lawren@burroughs.law>
Sent: Thursday, October 1, 2026 8:06 AM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Amendments to Paragraph 11 2026

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Good morning:

Useful and competent AI resources are currently cost-prohibitive for many solo practitioners and small firms. Providing basic access alongside CLE training would go a long way in helping attorneys use these tools responsibly and offer enhanced representation to clients.

I have extensive experience in this area and would be happy to participate in facilitating CLE training if needed. Additionally, I believe Fastcase is underutilized and should be considered for inclusion in the AI training curriculum.

Best regards,

Lawren D. Burroughs
Attorney & Counselor at Law
Burroughs Law Office, P.C.

Lawren D. Burroughs
Attorney & Counselor at Law,
Burroughs Law Office, P.C.

Virginia Beach, VA

lawren.bio View profile →

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From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Proposed Amendments to Paragraph 11 2026
Date:	Friday, October 2, 2026 11:37:48 AM
Attachments:	image001.png image002.png

Please see comments below.

~ *Kristi*
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/5 (arrival 11:00); 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: Leigh Anne Bowling <labowling@bowlinglawfirm.com>
Sent: Thursday, October 1, 2026 1:41 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Amendments to Paragraph 11 2026

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After attending a recent ALPS CLE seminar in which some very alarming cyber security risks were discussed with respect to the legal field and after keeping up with many news articles re: AI acting in an uncontrolled manner, I don't think now is the time to offer such free software to VA State Bar members. Significant regulatory action needs to take place first with respect to AI. Our clients deserve the highest protection of their personal information, and we also don't want to encourage any potential lazy lawyering with too much dependence on AI assistance.

…just my current position on the matter.

Tx, LA

Leigh Anne Bowling, JD, LLM (Taxation)
Law Office of Leigh Anne Bowling, JD, LLM, PC
Office Mailing Address: 1924 Sandee Crescent
Virginia Beach, VA 23454-2308
Office Physical Location: 1206 Laskin Rd, Suite 201D
Virginia Beach, VA 23451-5263
(o) (757) 227-5426
(f) (757) 227-5427
www.bowlinglawfirm.com (now being updated)





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From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Providing artificial intelligence software for VSB members
Date:	Friday, October 2, 2026 11:38:19 AM

Please see the comments below.

~ *Kristi*
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/5 (arrival 11:00); 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: Stephen L Humphrey <shumphrey@cameronllp.com>
Sent: Thursday, October 1, 2026 1:48 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Providing artificial intelligence software for VSB members

You don't often get email from shumphrey@cameronllp.com. Learn why this is important

Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Hello,

I would like to express strong support for VSB providing a secure, confidential, legal specific AI free tier of service, with opportunities to upgrade.

One significant drawback to the programs that are generally available for free or for a modest monthly fee is concern around confidentiality.

Legal specific AI support has become essential to practicing law today. Providing this service is analogous to bringing in new treatises and other hardbound resource materials.

Thank you for considering my vote of support.

Stephen L. Humphrey
VSB Member #15161
50 Year Member
Alexandria, VA
202-841-3767

From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Proposed Amendments to Paragraph 11 2026
Date:	Friday, October 2, 2026 11:38:54 AM

Please see the comments below.

~ Kristi
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/5 (arrival 11:00); 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: Mary L. C. Daniel <mdaniel@vacourts.gov>
Sent: Thursday, October 1, 2026 3:23 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Amendments to Paragraph 11 2026

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I unconditionally support the State Bar efforts to help membership keep apace of technological advancements in the practice of law, as required by the ethics and economic realities of the profession. Summation, analysis, even document editing is likely adequately developed to allow ethical and safe implementation by trained AI consumers in the legal field.

However, I am not satisfied that *generative* AI, such as document drafting, is sufficiently advanced and nuanced in its current forms to be safely and ethically relied upon by attorneys. I caution against allowing, let alone promoting, generative AI to Bar members.

Mary Costello Daniel
Presiding Judge, Winchester and Frederick County
General District Court

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From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Re: Public Comment on VSB providing AI Software to Members
Date:	Friday, October 2, 2026 11:39:26 AM

Please see the comments below.

~ *Kristi*
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/5 (arrival 11:00); 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: Jennifer Parrish <jlpofcounsel@gmail.com>
Sent: Thursday, October 1, 2026 5:08 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Re: Public Comment on VSB providing AI Software to Members

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Dear VSB:

I am writing to indicate my strong support to the VSB's initiative to provide free AI software to members. Much like the bar's free Fastcase service, this will provide valuable and necessary information and tools to smaller firms and sole practitioners that they would otherwise not be able to afford. It will prevent such firms and solos from having a huge disadvantage over larger firms.

Importantly, the VSB stated that the proposal was designed to be revenue and cost neutral; it thus seems there would be no legitimate reason why the VSB should not pursue this initiative.

Thank you for giving me the opportunity to comment.

Kind regards,
Jennifer

Jennifer Lee Parrish
PARRISH SNEAD FRANKLIN SIMPSON, PLC
910 Princess Anne St., 2nd Floor
P.O. Box 7166
Fredericksburg, Virginia 22404
540.373.3500 (t) | 540.899.6394 (f)

JLPofcounsel@gmail.com
www.ParrishSnead.com

From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Providing Artificial Intelligence Software to Members
Date:	Monday, October 5, 2026 10:17:33 AM

Please see Mr. Rubin's comments on our proposal to provide free AI software to Bar members.

~ *Kristi*
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/5 (arrival 11:00); 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: bjrubin@aol.com <bjrubin@aol.com>
Sent: Friday, October 2, 2026 11:53 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Providing Artificial Intelligence Software to Members

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Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

As a 50+ year member in good standing of the Virginia state Bar, I strongly support providing artificial intelligence software to members. This will closely parallel the benefits achieved by providing legal research software to members, which was initiated many years ago and has been continued ever since. It will help ensure that individual practitioners and particularly those serving underserved communities will be able to meet the standard of service provided by better resourced attorneys.

Burton Jay Rubin

From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Providing Artificial Intelligence Software to Members
Date:	Monday, October 5, 2026 10:28:13 AM

Please see Ms. Dye's comments in re to the VSB proposal to provide free AI Software to members.

~ *Kristi*
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/5 (arrival 11:00); 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: Z D <zoe.dye@myyahoo.com>
Sent: Sunday, October 4, 2026 11:01 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Providing Artificial Intelligence Software to Members

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Dear Ms. Van Cuyk,

The proposal to provide AI software to VSB members is a good idea. It would help small firms and solo practices have a leg up, and boost their businesses. In addition it will hopefully help bolster access to justice as attorneys will hopefully be enabled to take on more business for less cost. Providing free software to members provides a much needed valuable service, which in turn can benefit the public.

On the other hand, there is not a lot of down side to the proposal. The proposal does not clash with any part of the VSB mission. Additionally, firms maintain their ability to choose whether the software is a good fit for them as well as how to integrate it. Providing the software with appropriate training could go a long way to boost the profession into AI adoption.

Kind Regards,

Zoë Dye
(540) 519-3707
zoe.dye@myyahoo.com

From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Proposed Amendments to Paragraph 11 2026
Date:	Wednesday, October 7, 2026 9:33:53 AM

Please see Mr. Frazier's comments to the referenced proposal.

~ Kristi
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: Reginald Frazier <pinetta1@verizon.net>
Sent: Tuesday, October 6, 2026 3:02 PM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Amendments to Paragraph 11 2026

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As a 57 year member of VSB I'd like to see the membership, including myself, receive a free AI software program.
Thank you.
Reginald B. Frazier Sr
VSB 06819
Cell (757)274-4423
604 Berkley Place
VABch, VA 23452-4543

Sent from the all new AOL app for iOS

From: publiccomment
To: Van Cuyk, Janet
Cc: Davis, DaVida; Hedrick, Emily; publiccomment
Subject: FW: EXT: Public Comments on VSB Proposed Changes
Date: Wednesday, October 7, 2026 9:36:55 AM

Please see Mr. Bequai's comments to each of the referenced proposals below.

~ Kristi
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: attyabeq@aol.com <attyabeq@aol.com>
Sent: Tuesday, October 6, 2026 1:04 PM
To: publiccomment <PublicComment@vsb.org>
Cc: Gus Bequai <attyabeq@aol.com>
Subject: EXT: Public Comments on VSB Proposed Changes

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Comments on the above as follows:

1. Proposed Rule change Regarding Elected Officer Term Commencements: I support it.

2. Proposed Amendments to Part Six, Sect. IV, Par. 8 of the Rules of the SC of VA: I support the proposal.

3. Proposed Rule Changes Regarding Dues for Active-Duty Military: the sympathy factor aside, speaking as a former US Army Officer, I oppose it. I am well attuned to the financial situation of both the military side and VSB future needs, and side with the latter.

4. VSB Providing AI Software to Members: support it, with the caveat that they be instructed on how to employ it ethically and share its benefits with their clients. AI abuses by both lawyers and the judiciary are well documented.

5. VSB Delegates to the ABA: with a history of ABA membership, I support the proposal, with the proviso that delegates pay for their own expenses. I have done so in the past, and frankly, the VSB membership stands to gain little by in person attendance a participation in ABA events in the age of the IT Revolution.

Thank you for according to us the opportunity to offer our opines on these matters of import to the VSB and our profession.

August Bequai, Esq.

McLean, VA 22102
Tel.: (703) 893-4806
Fax: (703) 388-0648
attyabeq@aol.com

From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Proposal for the VSB to provide free AI program to members
Date:	Friday, October 9, 2026 10:20:17 AM

Please see David Neumeyer's comments regarding the VSB's proposal for Free AI Software to members.

~ *Kristi*
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557

Out of the office notes for October: 10/9 (arrival 9:30); 10/12 (Holiday); 10/13-14 (PTO)

From: David Neumeyer <dbneumeyer@vaa2j.net>
Sent: Friday, October 9, 2026 5:09 AM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposal for the VSB to provide free AI program to members

You don't often get email from dbneumeyer@vaa2j.net. Learn why this is important

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I write in favor of this proposal. There are many AI products, with some marketed for legal uses, and most bar members have little guidance on which to use. The DC Bar, of which I am also a member, provides AI through Clio to members and would be worth consulting.

Thank you.

David Neumeyer

David B. Neumeyer, Esq.
Virginia Access to Justice
PO Box 6432
Lynchburg VA 24505
434-238-2222 mobile
VaA2J.net

From:	publiccomment
To:	Van Cuyk, Janet
Cc:	Hedrick, Emily; publiccomment
Subject:	FW: EXT: Proposed Amendments to Paragraph 11 2026
Date:	Friday, October 9, 2026 11:15:36 AM

Please see below Mr. Reed's comments to our proposal regarding free AI software to members.

~ *Kristi*
VSB / Exec. Asst. to Operations
khall@vsb.org | (804) 775-0557
Out of the office notes for October: 10/12 (Holiday); 10/13-14 (PTO)

From: Reed, Jason D. <JReed@oag.state.va.us>
Sent: Friday, October 9, 2026 10:55 AM
To: publiccomment <PublicComment@vsb.org>
Subject: EXT: Proposed Amendments to Paragraph 11 2026

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Dear Ms. Van Cuyk,

My comments regarding the proposal of providing artificial intelligence software to members are as follows:

Any implementation of AI software, especially to assist in drafting documents, must be accompanied by safeguards to ensure the preservation of competence among our members. Having AI draft documents that are then reviewed and edited by attorneys only helps attorneys who are already know how to competently draft those documents. As mentioned in the 2025 EGAD report, there is already a shortage of attorneys serving many of areas of Virginia. The Bar owes it to the citizens of Virginia to ensure that our implementation of AI is not a short-lived burst of increased productivity that is followed by a drought of competent counsel. The integration of AI into our profession must be done in such a way that allows new attorneys to gain experience and competence in the profession.

A second concern is the problem of siloing. I believe that this is addressed by calls for security, but the importance of ensuring that information is not inadvertently made available to adversaries using the same AI system cannot be overstated. Furthermore, attorneys practicing in obscure areas of law should have assurances that they are not inadvertently relaying strategies to or training their adversaries simply by using the software.

Jason D. Reed
VSB# 73347

Jason D. Reed | Senior Assistant Attorney General I/Team Leader
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TAB 18

Virginia State Bar

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

To: VSB Executive Committee and Council

From: Emily F. Hedrick, Ethics Counsel

Date: October 30, 2026

Re: Proposed amendments to Rule 1.14, Client with Impairment

The Legal Ethics committee has proposed changes to Rule 1.14, Client with Impairment. The proposed amendments incorporate many of the changes recently made to ABA Model Rule 1.14 to provide additional guidance on a lawyer's obligations when a client has diminished capacity.

The only proposed amendment to the rule itself modifies Rule 1.14(a) to refer to "an ordinary" client-lawyer relationship rather than a "normal" client-lawyer relationship to emphasize that the lawyer should maintain an ordinary relationship with all clients to the extent possible, rather than a normative judgment about whether a client-lawyer relationship is "normal." All other amendments are to the comments to the rule.

The proposed amendments add or expand comments to the rule to provide specific guidance on representing a client who has an agent, guardian, or conservator in place, a client who is a minor, and a client with diminished capacity who is a criminal defendant.

The amendments also significantly expand and clarify the lawyer's role in taking protective action, including the factors that should be considered when taking protective action and how the lawyer should assess the need for protective action. For example, proposed Comment 7 suggests that when taking protective action, "the lawyer should be guided by such factors as the wishes and values of the client to the extent known, the client's best interests, and the goals of minimizing intrusion into the client's decision-making autonomy, maximizing client capacities and respecting the client's family and social connections. In litigation involving the capacity of the client, such as a guardianship or conservatorship proceeding, the lawyer should advocate for the client's expressed position regarding what, if any, protective action should be taken."

The revised comments give detailed guidance on the lawyer's obligations when a guardian or conservator may be necessary to protect the client's interests, and also explain that when taking protective action, the lawyer should disclose confidential information only to the extent reasonably necessary to protect the client's interests. Proposed Comment 9 explains that evaluation of whether a guardian ad litem, conservator, or guardian is necessary to protect the

client's interests is a matter entrusted to the professional judgment of the lawyer, but that the lawyer should generally advocate the least restrictive action on behalf of the client.

Public Comments

Two comments were received, both from August Bequai, when the proposal was released for public comment. The committee did not make any changes to the proposal based on the comments received.

Action Requested

It is respectfully requested that VSB's Executive Committee and Council approve the amendments to Rule 1.14 and its comments for consideration by the Court.

1.14 Client With Impairment

(a) When a client's capacity to make adequately considered decisions in connection with a representation is diminished, whether because of minority, mental impairment or some other reason, the lawyer shall, as far as reasonably possible, maintain an ordinary~~a normal~~ client-lawyer relationship with the client.

(b) When the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian ad litem, conservator or guardian.

(c) Information relating to the representation of a client with diminished capacity is protected by Rule 1.6. When taking protective action pursuant to paragraph (b), the lawyer is impliedly authorized under Rule 1.6(a) to reveal information about the client, but only to the extent reasonably necessary to protect the client's interests.

Comment

~~[1] The normal client-lawyer relationship is based on the assumption that the client, when properly advised and assisted, is capable of making decisions about important matters. When the client is a minor or suffers from a diminished mental capacity, however, maintaining the ordinary client-lawyer relationship may not be possible in all respects. In particular, an incapacitated person may have no power to make legally binding decisions. Nevertheless, a client with diminished capacities often has the ability to understand, deliberate upon, and reach conclusions about matters affecting the client's own well-being. For example, children as young as five or six years of age, and certainly those of ten or twelve, are regarded as having opinions that are entitled to weight in legal proceedings concerning their custody. So also, it is recognized that some persons of advanced age can be quite capable of handling routine financial matters while needing special legal protection concerning major transactions.~~

[1~~2~~] The fact that a client has diminished capacity~~suffers a disability~~ does not diminish the lawyer's obligations under the Rules or the importance of ~~to~~ treating the client with attention and respect. Except as provided in this Rule, a client with diminished capacity is owed all the protections under the Rules ordinarily afforded by the client-lawyer relationship. Diminished capacity can be situational in nature and can vary in degree and over time. A client may have diminished capacity with regard to certain issues and not others. A client with diminished capacity often can understand, deliberate upon, and reach conclusions about matters affecting the client's own well-being. For example, some adults with substantially diminished capacity, including those due to intellectual, developmental or cognitive disabilities, mental health conditions or substance abuse disorder, can make legal decisions. In addition, even if unable to make some or all decisions, persons with diminished capacity, including even very young

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minors, may have preferences and values that can guide the lawyer's representation.~~If the person has no guardian or legal representative, the lawyer often must act as de facto guardian. Even if the person does have a legal representative, the lawyer should as far as possible accord the represented person the status of client, particularly in maintaining communication.~~

[~~2~~3] ~~*ABA Model Rule* Comments not adopted.~~ The client may wish to have family members or other persons participate in discussions with the lawyer. The lawyer should seek the client's informed consent to the presence of such persons. See Rule 1.6(a). If the presence of such persons assists in the representation, the lawyer should document that role when such documentation could help avoid a waiver of the attorney-client evidentiary privilege. Nevertheless, the lawyer must keep the client's interests foremost and, except for protective action authorized under paragraph (b), must look to the client, and not family members or other persons, to make decisions on the client's behalf. Whenever possible, the lawyer should afford the client the opportunity to communicate privately with the lawyer without the presence or influence of others.

[~~3~~4] ~~If the client has a legal representative, the lawyer should ordinarily look to the representative for decisions on behalf of the client. If there is no legal representative, the lawyer should seek such an appointment where it would serve the client's best interests. Thus, if a disabled client has substantial property that should be sold for the client's benefit, effective completion of the transaction ordinarily requires appointment of a legal representative. In many circumstances, however, appointment of a legal representative may be expensive or traumatic for the client. Evaluation of these considerations is a matter of professional judgment on the lawyer's part. If the lawyer represents the guardian as distinct from the ward, and is aware that the guardian is acting adversely to the ward's interest, the lawyer may have an obligation to prevent or rectify the guardian's misconduct. *See* Rule 1.2(d).~~ When a family member or another seeks a lawyer's services on behalf of an individual who may have diminished capacity, the lawyer should identify who the client is and seek to establish an ordinary lawyer-client relationship with that client. When a family member or another seeks the lawyer's assistance in drafting a legal document to be executed by an individual who may have diminished capacity, the lawyer should be alert to the possibility of undue influence or fraud.

Direction of Representation by Agents, Guardians, or Conservators

[4] When the client has granted an agent authority to make decisions, including an agent acting under a power of attorney, the lawyer nevertheless should take direction from the client and maintain communication with the client to the extent feasible unless the client has otherwise directed or is unable to provide direction. A lawyer may consult with and represent a person who seeks to challenge the actions of an agent or terminate or modify the agent's appointment. When representing a client in such situations, the lawyer must take direction from the client and advocate for the client's objectives.

When a court has appointed a guardian or conservator to act on behalf of a lawyer's client or

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prospective client, a lawyer should ordinarily look to guardian or conservator for those decisions on behalf of the client or prospective client over which the guardian or conservator has authority. However, a lawyer may consult with and represent a person subject to guardianship or conservatorship who seeks representation to challenge or modify the terms of that arrangement, or who seeks representation with regard to any other matter over which the person retains decision-making authority. When representing a client in such situations, the lawyer must take direction from the client and advocate for the client's objectives.

If a lawyer represents the guardian, conservator, or agent of a person with diminished capacity, and is aware that the guardian, conservator, or agent is acting adversely to the person's interest, the lawyer may have an obligation to prevent or rectify the misconduct.

Minors

[5] A lawyer representing a minor should be mindful that the minor may have diminished capacity due to age and stage of development. As with adult clients with diminished capacity, the lawyer for a minor with diminished capacity should as far as reasonably possible maintain an ordinary client-lawyer relationship. Accordingly, a lawyer for a minor capable of providing direction ordinarily should advocate for the minor's objectives of the representation. See Rule 1.2(a). In assessing the minor's capacity to make adequately considered decisions, including with regard to providing direction on a legal matter, a lawyer should consider a variety of factors such as the minor's developmental stage, cognitive ability, emotional development, ability to communicate, ability to understand consequences, and consistency of decisions, the informed opinions of professionals and others with knowledge of the child's abilities and limitations.

Criminal Defendants

[6] When a client in a criminal matter appears to have diminished capacity, the lawyer's ethical duty to render competent representation and to protect the client's constitutional rights may require the lawyer to seek a competency evaluation or other mental health evaluation to determine whether the client is capable of deciding whether to testify or to plead guilty or to determine whether the client can meaningfully participate in preparation for trial, sentencing, or another adjudicatory process. For state public defenders and court-appointed counsel, further guidance is located in the Virginia Indigent Defense Commission Standards of Practice.

~~[5 - 7] *ABA Model Rule* Comments not adopted.~~

Taking Protective Action

[7] If a lawyer reasonably believes that a client is at risk of substantial physical, financial or other harm unless action is taken, and that an ordinary client-lawyer relationship cannot be maintained as provided in paragraph (a), paragraph (b) permits the lawyer to take protective measures the lawyer deems necessary. Such measures could include: consulting with family members; using a reconsideration period to permit clarification or improvement of circumstances; using voluntary surrogate decision-making tools such as durable powers of attorney; or consulting with support

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groups, healthcare professionals, other professional services, adult-protective agencies, or other persons or entities that have the ability to protect the client. In taking any protective action, the lawyer should be guided by such factors as the wishes and values of the client to the extent known, the client's best interests, and the goals of minimizing intrusion into the client's decision-making autonomy, maximizing client capacities and respecting the client's family and social connections. In litigation involving the capacity of the client, such as a guardianship or conservatorship proceeding, the lawyer should advocate for the client's expressed position regarding what, if any, protective action should be taken.

[8] A lawyer's reasonable belief that the client has diminished capacity to make adequately considered decisions may be based on the lawyer's own observations. In forming a reasonable belief, a lawyer should ordinarily not rely exclusively on a medical diagnosis, but rather should consider the client's functional abilities and whether the limitations in the client's abilities could be alleviated using accommodations or supports. In forming a reasonable belief, a lawyer who is aware of a healthcare professional's evaluation of the client's current abilities and limitations should take such evaluation into consideration. However, the lawyer should recognize that the evaluation may have been done for a different purpose, and that the evaluator may have evaluated the client based on standards that differ from the relevant legal standard and at a time when client's abilities differed from the present. In appropriate circumstances, the lawyer may seek guidance from a healthcare professional with relevant expertise or with knowledge of the client's abilities or limitations. If obtaining such guidance requires revealing confidential information about the client and the client does not or cannot give informed consent, it is permissible only if it is a reasonably necessary protective action under paragraph (b).

[9] If a lawyer reasonably believes that the client meets the criteria set forth in paragraph (b) of this Rule, the lawyer may consider whether appointment of a guardian ad litem, conservator or guardian is necessary to protect the client's interests. For example, if the client has substantial property that should be sold for the client's benefit, effective completion of the transaction may require appointment of a guardian or conservator, which may be temporary or limited in nature, or a court order in lieu of such an appointment. In addition, rules of procedure in litigation sometimes provide that minors or persons with diminished capacity must have their interests represented by a guardian ad litem or next friend if they do not have a general guardian. In many circumstances, however, appointment of such a legal representative may be more intrusive, expensive or traumatic for the client than circumstances require. Evaluation of such circumstances is a matter entrusted to the professional judgment of the lawyer. In considering alternatives, however, the lawyer should generally advocate the least restrictive action on behalf of the client and be aware of any law that so requires. The lawyer should also communicate with the client regarding such protective action to the extent feasible unless doing so is not necessary for the client to make informed choices about the representation and would be detrimental to the client or the lawyer's ability to protect the client's interests. See Rule 1.4.

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[10] If another person has petitioned a court for an appointment of a conservator or a guardian or another restriction on the client's legal capacity, the lawyer may not advocate for such an appointment or restriction if the client opposes it. If the lawyer represents a client who is a respondent in a proceeding for guardianship or conservatorship, the lawyer must advocate for the client's objectives if known or ascertainable.

Disclosure of the Client's Diminished Capacity

[11] Disclosure of the client's diminished capacity could adversely affect the client's interests, including constitutional or other legal rights. For example, raising the question of diminished capacity could, in some circumstances, lead to proceedings for involuntary civil commitment. When taking protective action pursuant to paragraph (b), the lawyer may reveal information protected by Rule 1.6 without the client's informed consent, but only to the extent reasonably necessary to protect the client's interests. Nevertheless, given the risks of disclosure, paragraph (c) limits what the lawyer may disclose in consulting with other persons or entities or seeking the appointment of a legal representative. At the very least, the lawyer should determine whether it is likely that the person or entity consulted with will act adversely to the client's interests before discussing matters related to the client.

~~*Disclosure of the Client's Condition*~~

~~[8] Court Rules generally provide that minors or persons suffering mental disability shall be represented by a guardian or next friend if they do not have a guardian. However, disclosure of the client's disability can adversely affect the client's interests. For example, raising the question of disability could, in some circumstances, lead to proceedings for involuntary commitment. The lawyer's position in such cases is an unavoidably difficult one. The lawyer may seek guidance from an appropriate diagnostician.~~

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From: attyabeq@aol.com
To: publiccomment
Subject: EXT: Rule 1.14 Public Comment
Date: Tuesday, June 9, 2026 12:56:57 PM

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I see no need for the proposed rule. It will only serve to confuse maters, and raise more questiuons than it addresses. Thank you.

August Bequai, Esq.
1628 Linway Park Dr.
McLean, VA 22101
(T) (703) 893-4806
(c) (571) 277-5996
attyabeq@aol.com

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From: attyabeq@aol.com
To: publiccomment
Subject: EXT: Proposed Ethics Legal Opinion 1902 & Proposed Amendment to Rule 1.14
Date: Friday, July 3, 2026 12:19:53 PM

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Fully support both. In the Age of AI, the VSB needs to set an example for the profession- (lawyers and judges alike)- who abuse a valuable tool to get around doing their due diligence.

August Bequai, Esq.
McLean, VA 22101
Tel.: (703) 893-4806
Fax: (703) 388-0648
attyabeq@aol.com

TAB 19

Virginia State Bar

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

To: VSB Executive Committee and Council

From: Emily F. Hedrick, Ethics Counsel

Date: October 30, 2026

Re: Legal Ethics Opinion 1902 – Duties When Opposing Counsel Fails to Review and Correct Generative Artificial Intelligence (AI) Outputs; Diligence; Competence; Duty to Report

---

Proposed LEO 1902 discusses the obligations of a lawyer when their opposing counsel in litigation has filed a document that contains fake case citations, false quotations, or misstatements of fact due to reliance on text generated by artificial intelligence. The first portion of the proposed opinion focuses on the obligation to identify these issues in an opponent's court filings and raise them to the court. The second portion of the opinion discusses whether a lawyer has a duty to report their opposing counsel to the state bar for discipline, including a review of prior opinions applying Rule 8.3(a).

Rules 1.1 and 1.3 require a lawyer to exercise reasonable diligence and thoroughness when reading an opposing party's filings. Rather than establishing bright line rules for when a lawyer must alert the court or the bar that their opposing counsel failed to adequately review the accuracy of AI outputs before submission, the opinion encourages the application of the lawyer's professional judgment taking into account the seriousness of the errors and other relevant circumstances. The opinion notes the risk that even a single hallucinated citation could be incorporated into a court's decision if neither lawyer points out the error and the court does not detect it on its own.

Public Comments

Ten comments were received when the proposed opinion was released for public comment. Four of the comments did not directly discuss any aspect of the proposed legal ethics opinion, but discussed AI more generally. Three comments supported the proposed opinion. Two commenters opposed the opinion, with one primarily requesting a change to the definition of "hallucination" in the first footnote. One commenter neither explicitly supported nor opposed the opinion.

Based on the comments, the committee slightly revised the opinion, adding the word "nonsensical" to footnote 1 in response to Daniel Shin's comment and removing the phrase "or who should have discovered" in the first paragraph in response to Randall Wintory's comment.

Action Requested

It is respectfully requested that VSB's Executive Committee and Council approve Legal Ethics Opinion 1902 for consideration by the Court.

LEGAL ETHICS OPINION 1902: DUTIES WHEN OPPOSING COUNSEL FAILS TO REVIEW AND CORRECT GENERATIVE ARTIFICIAL INTELLIGENCE (AI) OUTPUTS; DILIGENCE; COMPETENCE; DUTY TO REPORT.

The advent of generative AI tools has led to a disturbing trend: lawyers have been caught filing pleadings tainted by fake case citations, false quotations, and misstatements of facts, alleged to be "hallucinated"[1] by AI. Despite widespread media coverage of such blunders, attorneys continue to submit filings developed with the assistance of AI without verifying their accuracy.[2] The ethics guidance about AI use has understandably focused on the obligations of the *users* of AI technology.[3] Additionally, however, artificial intelligence misuse in the court system implicates ethical duties for attorneys who have discovered that their opposing counsel failed to correct AI outputs. This opinion analyzes a Virginia lawyer's duties under two questions:

1. Does an attorney violate their duties of diligence and competence by failing to identify misstatements of law or fact in an opponent's filing and advise the court?
2. Does an attorney have a duty to report opposing counsel to the state bar for disciplinary proceedings if the attorney has reliable information that opposing counsel has filed a pleading including AI-hallucinated misstatements of law or fact?

What Do the Duties of Diligence and Competence Require Regarding Notifying the Court of an Opposing Counsel's AI-generated Misstatements?

Rule 1.3(a) requires a lawyer to act with reasonable diligence in representing a client. Rule 1.1 requires thoroughness reasonably necessary for the representation. Comment [1] to Rule 1.3 directs an attorney to "act with commitment and dedication to the interests of the client and with zeal in advocacy upon the client's behalf."

What is appropriate diligence and thoroughness may vary based on the facts and circumstances of the matter. Rules 1.3 and 1.1 demand "***reasonable*** diligence" and "thoroughness ***reasonably*** necessary for the representation." Thus, the degree of scrutiny an attorney must apply to an opponent's filings depends on what is reasonable under those circumstances.

Generally, a diligent lawyer will read the opposing party's filings closely and evaluate the validity of the asserted factual and legal claims.

Whether AI was used in an opponent's filing is largely irrelevant to this duty. Rather, the Committee asserts that diligent client representation and healthy functioning of our adversarial system of justice have always demanded that attorneys review the filings of their opponents. It is

[1] 'Hallucination' refers to confabulation by artificial intelligence where AI outputs include false, nonsensical, or misleading information presented as fact.
[2] *See* Damien Charlotin, *AI Hallucination Cases*, https://www.damiencharlotin.com/hallucinations/.
[3] *See*, *e.g.*, Am. Bar Ass'n Formal Op. 512; Alaska Bar Ass'n Ethics Opinion 2025-1; D.C. Ethics Op. 388; Fla. Bar Ethics Op. 24-1; Ky. Bar Ass'n Ethics Op. KBA E-457; Miss. Bar Ethics Op. 267; Mo. Informal Op. 2024-11; N.M. Formal Ethics Op. 2024-004; N.C. 2024 Formal Ethics Op. 1; Or. State Bar Formal Op. No 2025-25; Tex. Op. 705; Va. Legal Ethics Op. 1901; and W. Va. Legal Ethics Op. 24-01.

inherent to the role of an advocate to understand and appreciate an opponent's position and to identify whatever material deficiencies may exist in an opponent's filing. A lawyer who identifies material misstatements of law or fact, false quotations, or erroneous citations in an adversary's pleading should bring these issues to the attention of the court or other tribunal. In limited instances, it may be compatible with a lawyer's duties of competence and diligence to ignore isolated or minor errors in an opponent's filing if they are immaterial.[4] But in situations where the AI hallucinations in an opponent's court filing are abundant or particularly material, they are appropriately identified and revealed to the tribunal.

Before resorting to notifying the court, a lawyer may consider reaching out to opposing counsel directly about the identified AI hallucinations and offering opposing counsel the opportunity to take corrective action.

It is perhaps an obvious point, but there is generally no obligation to report an opponent to the court for filing a pleading that contains valid factual and legal assertions even if that pleading has telltale signs that it was drafted by artificial intelligence. However, certain courts may require that a party file a certification whenever AI was used in the research, drafting, or other preparation of a court filing, or affirmatively certify that AI was not used. An attorney who is aware that an opponent has failed to submit such required certification or has submitted an inaccurate certification should consider advising the court of the opponent's oversight.

When Does Discovery of AI-generated Misstatements Trigger an Obligation to File a Bar Complaint?

If a lawyer believes another lawyer has violated the Rules of Professional Conduct, they are generally permitted to file a bar complaint though not necessarily *required* to do so. Under Rule 8.3(a), it is mandatory for a lawyer to report another lawyer to the appropriate professional authority if that lawyer has reliable information that the other lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question about the other lawyer's honesty, trustworthiness, or fitness to practice law. Rule 3.4(i) prohibits a lawyer from threatening a bar complaint solely to obtain an advantage in a civil matter. Rule 3.4(j) prohibits, among other things, taking an action on behalf of a client when the lawyer knows or when it is obvious that such action would serve merely to harass or maliciously injure another.

Comment [3] to Rule 8.3 states, in part, "This Rule limits the reporting obligation to those offenses that a self-regulating profession must vigorously endeavor to prevent. A measure of judgment is, therefore, required in complying with the provisions of this Rule."

[4] Even a single hallucinated case can be problematic. There is risk for example that a hallucinated citation in a brief would become incorporated into a court's decision if the court neither is made aware of nor independently discovers the non-existent case.

Previous Virginia legal ethics opinions have interpreted the obligation to report other lawyers' professional misconduct under DR 1-103(A)[5] of the Virginia Code of Professional Responsibility, the predecessor to Rule 8.3(a) of the Virginia Rules of Professional Conduct. These legal ethics opinions apply a two-prong test: (1) a lawyer must have information indicating[6] that another lawyer's conduct has violated a rule, and (2) the violation raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness to practice law in other respects. *E.g.*, Va. Legal Ethics Op. 1840, Va. Legal Ethics Op. 1646, Va. Legal Ethics Op. 1582, Va. Legal Ethics Op. 1528, and Va. Legal Ethics Op. 1004.

Failure to verify AI outputs before filing may potentially violate several Rules of Professional Conduct, including but not limited to Rule 1.1, Rule 1.3, Rule 3.1, Rule 3.3, and Rule 8.4(c). Failure to validate the information provided in a filing implicates competency and diligence under Rules 1.1 and 1.3. An AI hallucination may inadvertently trigger a Rule 3.1 violation for advocating a frivolous legal position. Rule 3.3 requires that a lawyer not knowingly make a false statement of fact or law to the tribunal and requires remedial measures when a lawyer learns they have offered false material evidence. "Knowingly" denotes actual knowledge but can be inferred from circumstances. Under Rule 8.4(c) it is professional misconduct for a lawyer to engage in conduct involving misrepresentation which reflects adversely on the lawyer's fitness to practice law. Which rules are violated will vary based on the circumstances of opposing counsel's misconduct.

Whether another lawyer's misconduct raises a substantial question about that lawyer's honesty, trustworthiness, or fitness to practice law in other respects is a determination to be made by the reporting lawyer after consideration of the facts and analysis of the offending lawyer's characteristics. *See* Va. Legal Ethics Op. 1635, Va. Legal Ethics Op. 1582, and Va. Legal Ethics Op. 1308. Relevant factors include, but are not limited to, the recency of the conduct, the seriousness of the conduct, the likelihood that the behavior will be repeated, the likelihood that it will affect the attorney's competence, and any mitigating or aggravating circumstances. Va. Legal Ethics Op. 1635, Va. Legal Ethics Op. 1528, Va. Legal Ethics Op. 1522, and Va. Legal Ethics Op. 1004. Certain violations may be so severe that reasonable people could not differ as to whether the violation must be reported. Va. Legal Ethics Op. 1004.

Once a lawyer has satisfied both prongs, they should generally report the other lawyer's misconduct without any unnecessary delay. *See* Va. Legal Ethics Op. 1646, Va. Legal Ethics Op. 1635, Va. Legal Ethics Op. 1545, and Va. Legal Ethics Op. 1338. A lawyer is justified in delaying a complaint, however, if filing it would constitute intentionally prejudicing or damaging the client during the course of the professional relationship. *See* Va. Legal Ethics Op. 1338.

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[5] "A lawyer having information indicating that another lawyer has committed a violation of the Disciplinary Rules that raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness to practice law in other respects, shall report such information to the appropriate professional authority, except as provided in DR 4-101."
[6] The language of Rule 8.3(a) requires "reliable information" of a violation, but DR 1-103(A) required "information indicating" a violation.

Where information about an ethics violation is a client confidence, a lawyer may report the other lawyer's misconduct only if the client consents after consultation. Rule 1.6(c)(2); *see* Va. Legal Ethics Op. 1468, Va. Legal Ethics Op. 497, and Va. Legal Ethics Op. 217. Ethics opinions have cautioned lawyers otherwise obligated to report misconduct that they must be mindful of the prohibition against presenting or threatening to present disciplinary charges solely to obtain an advantage in a civil matter. *See*, *e.g.*, Va. Legal Ethics Op. 1635, Va. Legal Ethics Op. 1545, and Va. Legal Ethics Op. 1528. Although an attorney's motivation for filing a bar complaint may be suspect while a civil matter remains unresolved, the attorney is not required to wait until the civil matter is resolved if the reporting lawyer's motive is to discharge their mandatory reporting obligation and not solely to use or threaten a bar complaint as leverage. *See* Va. Legal Ethics Op. 1646.

The appropriate authority to whom to report a bar complaint may include both the Virginia State Bar and an out-of-state bar of which an attorney is a member. Rule 8.5(a); *e.g.*, Va. Legal Ethics Op. 1093.

CONCLUSION

A lawyer diligently and competently representing a litigant is likely to identify misstatements of fact or law present in an opposing party's court filings. Whether to notify the court or disciplinary authority of an opponent lawyer's apparently AI-hallucinated errors requires the attorney to use professional judgment, taking into account the seriousness of the errors and other relevant circumstances.

The Rules prohibit filing a bar complaint solely to obtain an advantage in civil litigation (Rule 3.4(i)), merely to harass opposing counsel (Rule 3.4(j)), where it would require unauthorized disclosure of confidential information (Rule 1.6(c)(2)); or where it would prejudice or damage a client (Rule 1.3(c)).

DRAFT

From: Michael Showalter
To: publiccomment
Subject: EXT: Public Comment on Proposed LEO 1902
Date: Monday, June 22, 2026 8:05:53 AM
Attachments: Comment Endorsing Legal Ethics Opinion 1902.pdf

You don't often get email from michael@showalterpllc.com. Learn why this is important

Caution: This email originated from outside the VSB. Do not click links or open attachments unless you recognize and have verified the sender.

Dear Ms. Van Cuyk,

I write to submit the attached public comment endorsing Proposed Legal Ethics Opinion 1902. The comment supports the Opinion's foundational framework and respectfully recommends that the final Opinion make explicit one principle implicit in its analytical structure: that AI-related errors are not subject to a heightened ethical standard relative to the same errors arising from human sources.

I am grateful for the Bar's thoughtful work on this question. Please let me know if it would be helpful to discuss any aspect of the comment further.

Respectfully,

Michael J. Showalter
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"There are roughly 20 lawyers on this 13-page motion. Seriously? Michael Showalter could use his robots to write this solo in 30 minutes —and without the problems."
Michael Fragoso, National Review (5/29/26)

COMMENT ON PROPOSED LEGAL ETHICS OPINION 1902

Submitted to the Virginia State Bar pursuant to the public-comment process

TO: Janet Van Cuyk, Acting Executive Director, Virginia State Bar
FROM: Michael J. Showalter, Showalter PLLC
DATE: June 22, 2026
RE: Comment Endorsing Proposed Legal Ethics Opinion 1902

Dear Ms. Van Cuyk:

I am a 2016 Yale Law graduate and the founder of Showalter PLLC, a solo appellate and complex-litigation practice based in Arlington, Virginia that I launched in March 2026 to pass along to clients the cost savings AI makes possible.[1] I believe that AI presents the legal profession with an opportunity to dramatically increase access to justice for meritorious litigants who previously would have been priced out of legal services. My AI usage, for instance, has enabled me to provide services to cost-sensitive clients at one tenth to one third what a traditional elite firm would have charged, with no drop-off in quality. With an AI-savvy senior lawyer at the helm, AI already today serves as an exceptional team of associates, paralegals, and librarians.

I endorse Proposed Legal Ethics Opinion 1902, which addresses a lawyer's obligations when discovering that opposing counsel has submitted a filing with serious errors. The Opinion appropriately highlights the "disturbing trend" of filings containing hallucinated citations and material misstatements. The Opinion then explains that a diligent lawyer "will read the opposing party's filings closely." Leaving an opponent's material misstatement unrebutted is, of course, poor advocacy. But "[w]hether AI was used in an opponent's filing," the Opinion emphasizes, "is largely irrelevant to this duty."

Indeed, sloppy lawyering did not suddenly enter the world in 2022. AI simply enables sloppy lawyers to shotgun their sloppiness. The Bar's response should target sloppiness, not AI. If we misidentify AI as the culprit, we could suppress tools that will enable us to crush litigation expense and aid deserving Americans—meritorious plaintiffs and meritorious defendants both—who would otherwise be forced to acquiesce to unjust outcomes for the sake of their pocketbook.

I believe there is a simple solution to hallucinations and other misstatements: remove them. And that is true wherever the error came from. The ad hominem fallacy is when a speaker avoids an argument's substance by attacking its human source; I use the term "ad machinam fallacy" for the same mistake when the source is a machine. An argument's soundness is determined by the strength of its reasoning, not where it came from. The same logic applies to errors and misstatements—what matters is not the error's source but whether the lawyer exercised the diligence to identify and eliminate it.

Treating AI-related errors and AI-free errors with parity means that the consequences for repented AI-related errors generally should end with a rebuttal from opposing counsel and an admonition from the Court. Two years before ChatGPT was released, Professor Douglas E. Abrams catalogued dozens of federal and state court opinions from the 2010s calling out specific

[1] I am a member of the District of Columbia Bar (Bar No. 1618184), and I have registered as a foreign attorney with the Virginia State Bar pursuant to Part 1A of the Rules of the Supreme Court of Virginia.

lawyers for sloppiness and poor advocacy. Courts described lawyers' written work as "slipshod," "shoddy," "sloppy," "careless," "strikingly inadequate," "worthless," "lax draftsmanship," "marred by unprofessional errors," showing "lack of effort," "glaring errors," "rampant deficiencies," and "somewhat appalling." One court reported a lawyer's failure to "read the record closely or proofread his own briefs" or to meet "minimal standards of grammar." Across the approximately 50 cases Abrams cited, as best I can tell, one lawyer was sanctioned $200—the rest faced no court sanction or bar discipline.

I respectfully submit one recommendation: that the final Opinion make explicit the principle implicit in its analytical framework—that AI-related errors are not subject to a heightened ethical standard relative to the same errors arising from human sources. As discussed, careful AI usage dramatically lowers the cost of producing high-quality legal work, which dramatically increases access to justice, which has long been a foundational commitment of the Virginia State Bar. Lower production costs mean representation becomes available at price points that have, until now, foreclosed counsel for deserving litigants. The Bar's longstanding interest in encouraging the responsible adoption of cost-reducing technologies, which expands access to competent representation, should inform how the final Opinion is articulated.

* * *

I am grateful for the Virginia State Bar's thoughtful work on this question. The Proposed Opinion's foundational framework is sound, and the recommendation above is offered in support of that framework. I am available to discuss any of the foregoing in greater detail and would welcome the opportunity to submit additional materials if helpful to the Bar's consideration.

Respectfully submitted,

Michael J. Showalter
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Arlington, Virginia
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Daniel Shin, Esq.
Center for Legal & Court Technology
William & Mary Law School
P.O. Box 8795, Williamsburg, VA 23187

July 10, 2026

Janet Van Cuyk
Acting Executive Director
Virginia State Bar
1111 East Main Street, Suite 700
Richmond, VA 23219-0026

Re: LEO 1902

Ms. Janet Van Cuyk,

My name is Daniel Shin, and I am a Cybersecurity Researcher at William & Mary Law School and a Coastal Virginia Node Commonwealth Cyber Initiative Research Scientist. I am a member of the State Bar. This document is submitted in my personal capacity and does not reflect the views and opinions of William & Mary.

I submit my comments regarding the proposed advisory *Legal Ethics Opinion 1902: Duties When Opposing Counsel Fails to Review and Correct Generative Artificial Intelligence (AI) Outputs* (LEO 1902), which provides guidance on (1) the attorney's professional ethical duties with respect to identifying misstatements of law or fact in an opposing counsel's filing and advise to the court and (2) the attorney's obligation to report opposing counsel to the State Bar if the attorney has reliable information that opposing counsel has filed a pleading that includes AI-hallucinated misstatements of law or fact. For the reasons stated below, I recommend the Virginia State Bar's Standing Committee on Legal Ethics **not** to adopt the proposed advisory, as it relies on an incomplete definition of AI hallucination within the context of Large Language Model (LLM) use.

I. AI Hallucination: False Facts

Under footnote one, LEO 1902 defines hallucination as the "confabulation by artificial intelligence where AI outputs include false or misleading information presented as fact."[1] This

[1] *Draft Opinion for Public Comment: Legal Ethics Opinion 1902: Duties When Opposing Counsel Fails to Review and Correct Generative Artificial Intelligence (AI) Outputs; Diligence; Competence; Duty to Report*, The Virginia State Bar's Standing Committee on Legal Ethics, https://vsb.org/common/Uploaded%20files/docs/20260527-leo-1902-proposed.pdf.

definition focuses on the LLM's tendency to produce information that is realistically appearing but actually false. Although there are varying definitions of the term "hallucination" in the context of generative artificial intelligence, LEO 1902's definition aligns with some of the AI industry's perspectives on AI hallucination.

For instance, OpenAI (one of the pioneering AI companies that developed ChatGPT) defines hallucinations as "plausible but false statements generated by language models."[2] While this definition addresses one of the major issues with AI hallucinations (i.e., we should be wary of AI-generated outputs due to potential falsity), it captures only one dimension of the term.

II. AI Hallucination: False Facts *or Nonsensical Information*

Anthropic (another leading LLM service provider) provides a more complete definition of AI hallucination, which the company characterizes it as the generation of text "that is factually incorrect *or inconsistent with the given context*" (emphasis added).[3] IBM also provides a similar complete AI hallucination definition, which it refers to as "a phenomenon where . . . often a generative AI chatbot or computer vision tool, perceives patterns or objects that are nonexistent or imperceptible to human observers, *creating outputs that are nonsensical or* altogether inaccurate" (emphasis added).[4]

While it is true that AI hallucination refers to instances of an LLM producing outputs that are false, the term also characterizes situations where the output is nonsensical or detached from reality. A version of this complete definition has been stated in an article published in the IEEE Spectrum magazine, where it notes that "[h]allucination . . . refers to mistakes in the generated text that are semantically or syntactically plausible but are in fact incorrect *or nonsensical*" (emphasis added).[5] Even many articles of the Natural Language Generation community within the Computer Science literature have widely adopted this variation of the hallucination definition as "the generation of text that is *nonsensical* or deviates from the original source content" (emphasis added).[6]

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[2] *Why language models hallucinate*, OPENAI (Sept. 5, 2025), https://openai.com/index/why-language-models-hallucinate/.
[3] *Reduce hallucinations*, CLAUDE PLATFORM DOCS, https://platform.claude.com/docs/en/test-and-evaluate/strengthen-guardrails/reduce-hallucinations (last visited July 9, 2026).
[4] *What are AI hallucinations?*, IBM, https://www.ibm.com/think/topics/ai-hallucinations (last visited July 9, 2026).
[5] Craig S. Smith, *Hallucinations Could Blunt ChatGPT's Success OpenAI says the problem's solvable, Yann LeCun says we'll see*, IEEE SPECTRUM (Mar. 13, 2023), https://spectrum.ieee.org/ai-hallucination. IEEE Spectrum is a magazine published by the Institute of Electrical and Electronics Engineers, the world's largest technical professional organization. *IEEE History*, IEEE, https://www.ieee.org/about/ieee-history (last visited July 9, 2026).
[6] Fang Liu et. al., *Beyond Functional Correctness: Exploring Hallucinations in LLM-Generated Code*, IEEE TRANSACTIONS SOFTWARE ENG'G (Mar. 2026),

Based on the varying LLM hallucination definitions from industry and academia sources, I recommend the Virginia State Bar's Standing Committee on Legal Ethics to adopt the following definition of "hallucination": LLM synthesizing text that is erroneous, nonsensical, or detached from reality that may appear to be legitimate at first sight.

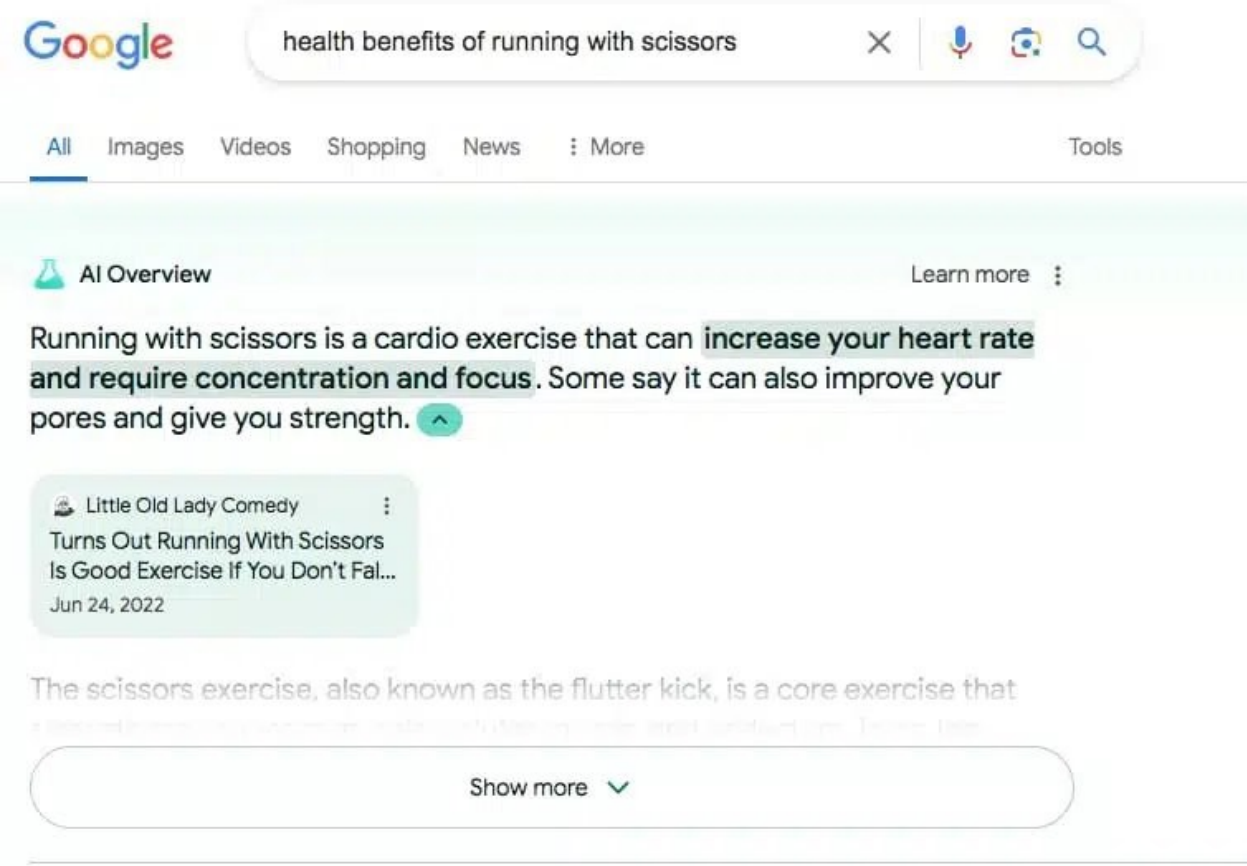


Figure 1: A screenshot of a Google AI Overview search result of the query "health benefits of running with scissors"[7]

Figure 1 shows an example of Google's AI displaying nonsensical yet *technically* non-false information based on the user query.[8] While the primary cause of Figure 1's hallucination

https://doi.org/10.48550/arXiv.2404.00971. For a comprehensive primer on hallucination from the Computer Science perspective, *see* Ziwei Ji et. al., *Survey of Hallucination in Natural Language Generation*, ACM COMPUTING SURVEYS (Mar. 3, 2023), https://doi.org/10.1145/3571730.

[7] Danny Goodwin, *Google AI Overviews under fire for giving dangerous and wrong answers*, SEARCH ENGINE LAND (May 24, 2024), https://searchengineland.com/google-ai-overview-fails-442575.

[8] The more optimal response should have been to warn the user that there are no practical health benefits of running with scissors due to the inherent physical danger of the activity. That being said, Google AI Overview's hallucinated response, *arguably*, did not provide categorically false information as it even noted the activity required "concentration and focus".

was likely the playful nature of the user query, hallucinations (both false facts and nonsensical) can also occur if (1) the user queries a domain of knowledge that the model lacks sufficient training, (2) the Retrieval-Augmented Generation (RAG) database does not provide sufficient, relevant information to the user's query to the LLM, or (3) the LLM simply fails to generate a proper response due to the probabilistic and volatile nature of the generative AI model.

III. Nonsensical Yet True Statement of Law or Fact

Based on the partial working definition of "hallucination", the proposed LEO 1902 focuses on legal ethical scenarios where an opposing counsel filing contained a misstatement of law or fact. However, it is foreseeable that an attorney who failed to check an AI-generated filing may have inadvertently submitted information and legal arguments that are technically true but also nonsensical in nature within the context of the filing.

As LLM development continues to improve on preventing the production of false or misleading information as fact, the model's *reasoning* abilities are a separate matter. It is possible for an LLM to provide verifiable information and yet fail considerably at engaging in coherent reasoning tying in different information components. LEO 1902 only focuses on false or misleading information *presented as* fact, but it does not consider false or misleading *reasoning* that could have been produced by AI hallucination.

It is entirely foreseeable that a hurried and non-diligent attorney would file hallucinated materials to a court containing no false or misleading information, yet nonsensical materials that are not "warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law . . . ."[9] In essence, LEO 1902 does not consider the legal ethical duties when an opposing counsel's filings contain a true statement of law or fact, and yet it is irrelevant to the proceedings at hand. This is largely due to the *incomplete* definition of "hallucination" that LEO 1902 is relying on for applying to the Virginia Rules of Professional Conduct.

IV. Concluding Remarks and Recommendation

This comment wishes to contribute to the work of the Standing Committee on Legal Ethics by highlighting the incomplete "hallucination" definition used in the draft opinion of LEO 1902 and the potential gaps in legal ethics analysis. I would recommend the Virginia State Bar's Standing Committee on Legal Ethics **not** to adopt the current draft of LEO 1902. Rather, I hope that the Standing Committee adopts this comment submission's definition of "hallucination" and provides additional legal ethical guidance in light of the more complete definition of this term.

---

[9] Va. Code Ann. § 8.01-271.1(B)(ii). (Legislative Information System 2026).

Sincerely,

/s/ Daniel Shin
Daniel Shin

From: Sella-Villa, David
To: publiccomment
Subject: EXT: Comment on Draft Opinion 1902
Date: Friday, July 10, 2026 8:24:45 AM

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Hello,

My name is David Sella-Villa. I am a Virginia licensed attorney and a Assistant Professor and the University of South Carolina Joseph F. Rice School of Law. I research AI and professional ethics.

I would like to suggest addition of language pertaining to Rule 1.8(b) in Opinion 1902. The paragraph on page 3 which begins with "Failure to verify AI outputs …" seems like an opportune place. Rule 1.8(b) could be added to the list of rules mentioned in the first sentence. A statement about 1.8(b) could be added to the same paragraph. It might read as follows:

"Under Rule 1.8(b) a lawyer cannot use a client's confidential information to the advantage of the lawyer or the disadvantage of the client. A court filing that contains both client confidential information and an AI hallucination constitutes a use of information that clearly disadvantages the client. Failure to detect the AI hallucination suggests that the lawyer's use of confidential information with an AI was intended for the lawyer's own advantage, at the expense of their client's interests."

Thank you for your consideration. If I can provide any additional information, please feel free to contact me anytime.

Sincerely,

David

—

David Sella-Villa
Assistant Professor

803-777-6743

sellavid@mailbox.sc.edu
Joseph F. Rice School of Law
University of South Carolina

I will sometimes send emails outside core working hours. I respect your working pattern and I do not expect you to respond outside your working hours.

From: rhartsoe@hartsoemorgan.com
To: publiccomment
Cc: rhartsoe@hartsoemorgan.com
Subject: EXT: FW: Bar seeks comment on ethics opinion over AI-generated errors
Date: Thursday, June 4, 2026 1:37:26 PM

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From: rhartsoe@hartsoemorgan.com <rhartsoe@hartsoemorgan.com>
Sent: Thursday, June 4, 2026 1:34 PM
To: publiccomment@vsb.org.
Cc: rhartsoe@hartsoemorgan.com
Subject: Bar seeks comment on ethics opinion over AI-generated errors

Hello,

I am a Hearing Officer in administrative hearings. In such functions, *pro se* litigants have provided pleadings which are obviously AI generated with AI "ghosts." I provide such observation to allow all involved the opportunity to discuss all AI issues involved in litigation.

Regards,
Robert J. Hartsoe, Esquire

From: Dipti R.
To: publiccomment
Subject: EXT: Getting more involved in AI decisions and related matters with the VSB
Date: Monday, June 1, 2026 12:06:39 PM

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TO: Janet Van Cuyk
Acting Executive Director of the Virginia State Bar

Thank you for circulating the comment on Proposed Legal Ethics Opinion 1902 ("Duties When Opposing Counsel Fails to Review and Correct Generative Artificial Intelligence (AI) Outputs"). While the opinion makes sense and I do not have additional suggestions for the guidance, I have seen the use of AI explode in the legal field and would like to get involved with the VA State Bar with regards to the use of technology in the field, and overall more involved. I was wondering if you had any insight or could point me in the right direction?

Thanks,
Dipti Ramnarain

From: Barry Waldman
To: publiccomment
Subject: EXT: LEO 1902 Public Comment
Date: Thursday, July 2, 2026 9:05:41 AM
Attachments: Outlook-1xok5zcn.png
Outlook-3j5vytkx.png

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I believe the LEO presses too hard toward the filing of a complaint against opposing Counsel. The general rule is more in line with whether or not the other attorney is intentionally acting to deceive the tribunal, or acting such that they should know it substantially impacts their honesty, trustworthiness or demonstrates that they are unfit to be a member of the bar. I believe this hurdle to be a bit higher than the LEO implies. Initial errors with AI, even if fairly substantial would seemingly be an unfortunate, yet natural consequence of technology change. It may, frankly, be too early to provide guidance to opposing counsel, especially guidance that leans toward making a complaint that may be more of error than repeated failure or intent.

I think we change the nature of Rule 8.3 - comment 3, cited, is the better guideline - is this something - AI ignorance or error - that is probably underpinned by a lack of honesty or fitness to practice? The LEO while repeating this obvious balance, seemingly encourages reporting. Accordingly, I do not believe it to be a positive to place higher scrutiny/pressure on Counsel to report their colleagues as the Law and society navigates the still early use of AI.

Thank you
-Barry

Barry J. Waldman, Esq.
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From: Wintory, Randall (VDOT)
To: publiccomment
Subject: EXT: LEO 1902 Public Comment
Date: Thursday, July 2, 2026 10:03:02 AM
Attachments: image001.png

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Ms. Van Cuyk:

I support the proposed opinion but have comments. In the first paragraph on page one, fourth sentence, it states

> "Additionally, however, artificial intelligence misuse in the court system implicates ethical duties for attorneys who have discovered—*or who should have discovered*—that their opposing counsel failed to correct AI outputs." (emphasis added)

In other words, this suggests that the ethical standard for an attorney's duties of diligence and competence is "knows or should have known." If that is the standard, then an attorney may violate his or her ethical duties if he or she should have known but failed to identify an opposing party's misstatements of law or fact. However, the analysis on page two of the proposed opinion only addresses the actual knowledge prong of the standard – that an attorney who knows of a material misstatement should bring the issue to the court's attention. There is nothing in the proposed opinion about whether it is a violation of the ethics rules when an attorney *should have known* about material misstatements of law or fact but failed to identify and report them. Would the failure to report a material misstatement to the judge expose the attorney to sanctions, a bar complaint, suspension or loss of his or her license?

Please revise the proposed opinion to address the ethical duties under the second prong of the standard, i.e., when an attorney should have known there was a material misstatement in an opposing party's papers.

Thank you very much.

Randall Wintory
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From: Karin Kissiah
To: publiccomment
Cc: karin@newsouthlaw.net
Subject: EXT: LEO 1902 Public Comment
Date: Wednesday, July 15, 2026 8:14:22 AM

You don't often get email from karinkissiah@gmail.com. Learn why this is important

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To the Members of the Legal Ethics Committee:

Thank you for the opportunity to comment on the proposed amendment. I appreciate the Committee's thoughtful consideration of the ethical issues presented by generative artificial intelligence.

There is no question that lawyers have a duty to review everything filed under their names. Whether a brief is drafted by a first-year associate, a law clerk, or an AI platform, the attorney signing the filing is ultimately responsible for ensuring that the facts are accurate, the legal authorities are valid, and the arguments are supported by law. Competence has always required that.

What concerns me, however, is that I believe the profession is framing this issue too narrowly.

The conversation surrounding AI often assumes that lawyers are using these tools because they are looking for shortcuts. While that may be true in some cases, I suspect that for many attorneys AI is not a shortcut. It is a coping mechanism.

The practice of law has become increasingly difficult. Solo practitioners and small-firm lawyers are expected to do more with less while competing in an increasingly crowded market. The business of practicing law is unpredictable. There are good months and lean months. Clients expect immediate responses, courts expect perfection, and the administrative burden of running a practice continues to grow. Many lawyers are carrying crushing caseloads while simultaneously trying to keep their practices financially afloat.

The pressures are even more acute in court-appointed and indigent defense practice. Lawyers representing indigent clients routinely shoulder overwhelming caseloads while being compensated at rates that often fail to reflect the time and skill the work requires. They are expected to litigate serious felony cases, maintain frequent client contact, investigate complex facts, retain experts, review enormous volumes of discovery, and appear in multiple courts, all under significant financial constraints. For many of these attorneys, AI is not viewed as a luxury or a means of cutting corners. It is viewed as one of the few available tools that might help them keep up with demands that have outpaced the resources the system provides. Before imposing additional ethical obligations or disciplinary exposure arising from AI use, the profession should also ask whether it has adequately equipped lawyers to meet those obligations in the first place.

For years, the profession has acknowledged that lawyers struggle with depression, anxiety, burnout, and substance abuse. The Virginia State Bar has appropriately invested in programs such as Lawyers Helping Lawyers because it recognizes that lawyer well-being is directly connected to competent representation and the protection of the public.

I believe the rapid adoption of AI should be viewed through that same lens.

When many lawyers turn to AI, they are not trying to avoid doing the work. They are trying to survive the work.

That reality does not excuse filing hallucinated cases or inaccurate legal authority. Attorneys must verify what they file, and there should be consequences when they fail to do so. But if our response is simply to create additional avenues for discipline, we risk punishing the manifestation of a much larger problem while ignoring its root cause.

Rather than focusing primarily on enforcement, I encourage the Bar to place equal emphasis on education. Many lawyers simply have not been taught how to use these tools responsibly. They are experimenting in isolation, often without guidance about verification, confidentiality, prompt engineering, or the limitations of AI-generated research. The technology is evolving far more quickly than most attorneys' understanding of it.

Accordingly, I would encourage the Virginia State Bar to consider requiring at least one hour of mandatory MCLE devoted to artificial intelligence or emerging legal technology during each reporting cycle. A practical, technology-focused CLE would better equip attorneys to use these tools competently, understand their limitations, protect client confidences, and avoid precisely the problems that prompted this proposed amendment.

The profession has long recognized that supporting lawyers ultimately protects clients. AI presents another opportunity to embrace that principle. If we want competent lawyers, we should invest in giving them the education and resources to practice competently while also acknowledging the professional and economic pressures that are driving many attorneys toward these technologies in the first place.

Respectfully,

Karin Kissiah
Attorney at Law

From: Stephen Gregory
To: publiccomment
Subject: EXT: LEO 1902
Date: Monday, June 8, 2026 11:23:28 AM

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I've been practicing law since the days of shelves of CJS and AmJur and I think the use of Artificial Intelligence reflects laziness on the part of the attorney. With all of the reliable electronic legal research tools available--including through the bar--the use of an *unreliable* source cannot and should not be tolerated. To me, if an attorney submits an AI-generated or AI-assisted document to the court or to opposing counsel, any failure to catch hallucinations should be considered dishonest conduct on the part of the attorney whose name is on it.

One issue that I see, however, is that it may be difficult to discern if an error is an AI hallucination or just carelessness on the part of counsel. Misinterpreting or misapplying an opinion may be due to ignorance or a desire to urge a different interpretation, neither of which should necessarily be an ethical violation. Still, subtle hallucinations end up shifting the burden (and the billable time) to opposing counsel to scrutinize every aspect of the document for such subtleties.

I liken the use of AI to dictation; back in the day, attorneys would dictate (either in person or via machine) letters, documents, etc., to their support staff. Staff would then prepare the document and return it to counsel for review and correction--then back to staff for retyping in final form. Frankly, it was faster (and less prone to error) for me to do it myself.

This troglodyte believes AI should be considered ipso facto an ethical violation if used in the preparation of any document submitted or to be submitted to the court. It simply imposes too great a time obligation on counsel--whether on the use end or the receiving end. It especially burdens the court if such a document is submitted with AI hallucinations.

I think LEO 1902 should be strengthened to discourage the use of AI. There are enough other resources that it shouldn't be needed.

Stephen C. Gregory
VSB 19943
703-850-1945

From: attyabeq@aol.com
To: publiccomment
Subject: EXT: Proposed Ethics Legal Opinion 1902 & Proposed Amendment to Rule 1.14
Date: Friday, July 3, 2026 12:19:53 PM

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Fully support both. In the Age of AI, the VSB needs to set an example for the profession- (lawyers and judges alike)- who abuse a valuable tool to get around doing their due diligence.

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TAB 20

Virginia State Bar

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Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

To: VSB Executive Committee and Council

From: Mallory J. Ralston, Director, Bar Programs & Engagement

Date: October 29-30, 2026

Re: VSB Section Bylaws Amendments

I. Action Requested

The following VSB Sections respectfully request the VSB Executive Committee to recommend and Council to (1) repeal the existing governing bylaws and (2) adopt the proposed changes, effective October 31, 2026:

- Local Government Law Section (last amended in 1995)
- Environmental Law Section (last amended March 2025)
- Young Lawyers Section (last amended February 2026)

II. Authority

The Bylaws of the Virginia State Bar and Council, Part II, Article XI invests in Council the power to "create and abolish sections as it may consider necessary to accomplish the purposes and serve the interest of the Virginia State Bar and of the sections and shall prescribe the powers and duties of the sections." Additionally, this Article requires Council to "approve" the bylaws of any section.

Approval of the proposed bylaws amendments would repeal current versions of the respective sections' bylaws and adopt the revised version effective October 31, 2026.

III. Background Information for VSB Section Bylaws Amendments

The 20 sections of the VSB were established between 1955 and 1996. At the time of creation, each section developed independent bylaws. Many of the current bylaws contain outdated references, inconsistent language, and anomalous provisions.

In late 2024, each section's Board of Governors received a bylaws template for guidance and instructions for updating and standardizing their bylaws, to the fullest extent possible, while

allowing section-specific provisions when needed for volunteer positions, subcommittees, or other elements that support the specific operations of the section. The bylaws template is provided for your consideration as **Attachment A.**

The following updates were included in the template and recommended in the instructions to each Board of Governors:

1) ***Change***: Remove the office of Treasurer.
   Rationale: Most sections do not have an active treasurer but utilize their VSB staff liaison to collect and report financial information and data.

2) ***Change***: Limit board members' service to two, three-year terms, for a total of six consecutive years on the board. – with the following caveats:
   a. If a board member serves in an officer position (secretary, chair-elect, or chair) and continues a hierarchical progression through these positions, the board member may continue as a board member for the duration of their service in the leadership positions. Any such individual could serve an additional three years for a total of nine consecutive years on the Board of Governors.
   b. Once board members complete their maximum number of consecutive years on the board, they may be elected to the board again after one full term (three years) has lapsed.

   Rationale: These provisions were recommended to encourage broader board participation and leadership development.

The Boards were also encouraged to review and update language in their bylaws (e.g., one of the section's bylaws still included the word "telegram").

IV. Proposed Amendments

Several Sections are in the process of reviewing their current bylaws. In their review, they are either (i) making line amendments to their current bylaws or (ii) using the bylaws template and modifying as necessary to meet their section's needs. Once the respective Boards of Governors adopt proposed revisions the full section membership votes to approve the changes prior to presenting for approval to Council.

The table in **Attachment A** contains a summary of the substantive changes to the Local Government Law Section's bylaws for review and approval by the Executive Committee and Council.

Additionally, the specific amendments proposed by the Environmental Law and Young Lawyers Sections are listed below, as these groups have already completed full bylaws revisions within the last 18 months and wish to make only a few amendments.

1. **Environmental Law Section** *(See Attachment D)*
   - Change the name of the Section from "Environmental Law Section" to "Energy and Environmental Law Section"
   - Under Article III, Section 5, add a stipulation and remove a stipulation for Declaration of Vacancy: If any member of the Board (i) fails to attend three successive meetings of the Board, without notice or sufficient cause reported to the Secretary or to VSB staff; (ii) is removed from the Board by majority vote; ~~(ii) dies~~

~~before the completion of his or her term~~, (iii) resigns from the Board; or (iv) is not-in-good-standing with the VSB due to disciplinary reasons, the membership of said person on the Board and any office held by such person must be declared vacant by the Chair of the Section and filled as provided for in Section 6 of this Article.

2. **Young Lawyers Section** *(See Attachment E)*
   - Under Article III, Section 4: Election of Board Members, replace the struck through text with the paragraph below which proposes these changes:
     - Board Members may be elected by a majority of the eligible and voting members of the Section present and voting at the Section's Annual Meeting…
     - Board Members may serve up to six (6) years on the Board instead of four (4), and the terms do not have to be successive.

~~Election of Board Members - Board Members shall be elected by the Board of Governors at the last Board meeting preceding the Annual Meeting or as vacancies occur. All new members of the Board of Governors shall be elected for an initial term of two (2) years commencing on the first day of July following the Annual Meeting at which they were elected and ending on the 30th day of June in the second year of their term. Members of the Board may be elected for successive one (1) year terms commencing on the first day of July following the Annual Meeting at which they are re-elected and ending on the 30th day of June of the following year, provided that no person shall serve more than four (4) years on the Board.~~

Board Members shall be elected by a majority of the eligible voting members of the Section present and voting at the Section's Annual Meeting or by the Board of Governors at the last Board meeting preceding the Annual Meeting or as vacancies occur. All new members of the Board of Governors shall be elected for an initial term of two (2) years commencing on the first day of July following the Annual Meeting at which they were elected and ending on the 30th day of June in the second year of their term. Members of the Board may thereafter be re-elected for up to four (4) additional one (1) year terms commencing on the first day of July following the Annual Meeting at which they are re-elected and ending on the 30th day of June of the following year, provided that no person shall serve more than six (6) years on the Board.

V: Action Requested

It is respectfully requested that Council approve the following actions:

1. Repeal the current bylaws of the Local Government Law, Environmental Law, and Young Lawyers Sections, and

2. Adopt the proposed bylaws, effective October 31, 2026, for the Local Government Law, Energy and Environmental Law, and Young Lawyers Sections.

Attachment A: Substantive changes to the Local Government Law Section's bylaws.

Attachment B: Template bylaws provided to all sections' Boards of Governors for consideration.

Attachment C: Former and proposed (draft) bylaws for the Local Government Law Section.

Attachment D: Redline copy showing proposed amendments for the Environmental Law Section bylaws.

Attachment E: Redline copy showing proposed amendments for the Young Lawyers Section bylaws.

ATTACHMENT A

Section	Local Government Law Section
ARTICLE I. Name and Purpose	
Name	None.
Purpose	None.
ARTICLE II. Membership and Dues	
Eligibility	Created this section separate from Dues. Establishes voting and non-voting member statuses. Removes the requirement to enroll with the Secretary (*managed through dues renewal process*) Removes stipulation that Judicial members of the Section may not vote or hold office.
Dues	Removes reference to dues paid to the Treasurer of the Virginia State Bar. Removes reference to specific dues amount. Adds dues waiver for Emeritus members of the VSB and law students. Adds dues waiver during the last quarter of the fiscal year.
ARTICLE III. Board of Governors	
Number and Eligibility	Allows officers to remain on the Board after two consecutive terms if they serve as an officer. Added that the Board may appoint additional non-voting, non-member representatives to participate in Board discussions. Such non-members must be reviewed and reappointed each year.
Term	Removed reference to the appointment of the initial Board. Added extension for officers and eligibility for election after the consecutive-terms maximum, so long as a three-year period lapses.
Nomination and Election	Adopted template recommendation for composition of Nominating Committee and timeline of duties, including that no more than two members of the Nominating Committee may be members of the Board *(previously three).*
Declaration of Vacancy	Added this section per template recommendation.
Vacancies	None.

Section	Local Government Law Section
Ex Officio Members	None.
Committees	Added the requirement that committees be appointed/reappointed annually.
Duties and Powers	Added that only VSB staff may authorize financial commitments or enter into contracts on behalf of the VSB.
Special Appointments	Added the allowance for the Chair to designate special appointments which are reviewed annually.
ARTICLE IV. Officers	
Officers	Added Immediate Past Chair as an Officer position.
Chair	None.
Vice-Chair	None.
Secretary	Added the provision that VSB staff are the custodians of section records.
Presiding Member	Added the allowance for another member of the Board or section may be selected to preside over a meeting in the Chair's and Vice-Chair's absence.
ARTICLE V. Meetings of the Section	
	Added that meetings may be conducted in-person, virtual or hybrid as designated by the Chair and communicated to the membership.
Annual Meeting of Section	Removed requirement for annual meeting of the Section to be held during the annual meeting of the VSB.
Special Meetings of Section	None.
Quorum and Voting of Section	Added that the meetings are open unless closed by a motion passed by a majority of the members present and voting.
ARTICLE VI. Meetings of the Board of Governors	
	Added that meetings may be conducted in-person, virtual or hybrid as designated by the Chair.
Regular Meetings of the Board	Increased required number of Board meetings from two to three per fiscal year.

Section	Local Government Law Section
Special Meetings of the Board	None.
Quorum and Voting of the Board	Added that any individual receiving compensation in any form for the work of the section is prohibited from voting on Board business. Added that all voting at meetings of the Board are open unless closed by a motion passed by a majority of the members present. Specifies that voting by proxy is accepted.
Absentee Voting	Added this section according to template.
Submitted Propositions	Added this section according to template.
ARTICLE VII. Miscellaneous	
Fiscal Year	None.
Bills	Adopted the requirement that requests for payments must be approved by the Chair and/or the VSB section liaison prior to forwarding the VSB Finance Department.
Compensation	Added the requirement that the Board incorporate a process to review and approve any compensation to non-Board members for work annually and that individual must invoice for payment and provide an annual report on costs and duties at the end of the fiscal year.
Action of Section	Updated the review and approval process for new programs and resolution adoption to include “VSB Executive Director” in place of “Council”
ARTICLE VIII. Rules of Procedure	
Rules of Procedure	None.
ARTICLE IX. Effectiveness and Amendment of Bylaws	
Amendment	Removed VSB Executive Committee approval from this process and retained only VSB Council.
Bylaws Effective	Removed VSB Executive Committee approval from this process and retained only VSB Council.

ATTACHMENT B

BYLAWS OF THE SECTION OF THE VIRGINIA STATE BAR

Approved by Council DATE

ARTICLE I
Name and Purpose

1. Name - The name of this section is be the SECTION Section (Section) of the Virginia State Bar (VSB).

2. Purpose - This Section was established in XXXX to Fill in from previous bylaws.

ARTICLE II
Membership and Dues

1. Eligibility - Any member of the VSB is eligible for membership; any lawyer eligible to practice before the highest court of any state of the United States or the District of Columbia who is not a member of the VSB is eligible for non-voting membership; and any full-time law student enrolled in a law school in any state of the United States or the District of Columbia is eligible for non-voting membership. Members of each category continue to be eligible for membership if they retain their membership criteria and pay the annual dues as specified in Section 2 of this Article.

2. Dues - To further the work of this Section and except as provided herein, all members must annually pay dues to the VSB. Individuals who are Emeritus or Judicial class members of the VSB or are full-time law students are exempt from the requirement to pay dues. New members defined as individuals who join the Section during the last quarter of the fiscal year (April 1-June 30) do not have to pay dues until the start of the next fiscal year. Dues amounts will be set by the Section's Board of Governors (Board) by March 1 preceding the assessed fiscal year.

ARTICLE III
Board of Governors

1. Number and Eligibility - There will be a Board of no more than XX Section members, inclusive of the officers as provided for in Article IV.

Officers whose terms have expired, may continue on the Board until their term as an officer expires. Any such officer must be counted in the total Board members. In no instance will an officer remain on the Board more than three years after the expiration of the final three-year term. Members of the Board must be nominated and elected as provided in Section 3 of this Article. Section members are ineligible for Board membership if the member completed a prior three-year term and three years have not elapsed since completion of that term. The Board may appoint additional non-voting, non-member representatives to participate in Board discussions. Such non-members must be reviewed and re-appointed each year.

2. Term - Members of the Board must be elected at this Section's Annual Meeting which must be held before or during the VSB Annual Meeting, for a term of three years, beginning July 1 following the Annual Meeting at which they have been elected and ending June 30 three years later. Board members may serve no more than two consecutive three-year terms except for officers as stated in Article II, Section 1. A member is eligible for reappointment to the Board after the lapse of at least one three-year

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term following the expiration of the previous term. At the expiration of the initial term of any member appointed for less than a three-year term, such member is eligible for immediate reappointment to the Board for two additional consecutive three-year terms.

3. Nomination and Election - At least sixty days before the Section's Annual Meeting, the Chair must appoint a nominating committee of at least five Section members, with no more than two members of the Board. The nominating committee must meet at least thirty days before the Section's Annual Meeting (i) to review any vacancies on the Board resulting from resignations or expiring terms and (ii) to recommend a slate for appointment to the Board and for election as officers including Secretary, Vice-Chair, and Chair. Three members of the nominating committee constitutes a quorum. If less than a quorum is present, the Chair of this Section must appoint additional members to the nominating committee sufficient to constitute a quorum. The Nominating Committee must submit a report to the Board with its proposed slate prior to the Section's Annual Meeting. The proposed slate must be voted upon by the Section membership at the Section's Annual Meeting. Additional nominations may be made from the floor of the Section's Annual Meeting by any voting member. Quorum is a majority of Section members present at the Section's Annual Meeting.

4. Declaration of Vacancy - If any member of the Board (i) fails to attend two successive meetings of the Board, without notice or sufficient cause reported to the Secretary or the VSB staff; (ii) resigns from the Board; or (iii) is not-in-good-standing with the VSB due to disciplinary reasons, the membership of said person on the Board and any office held by such person must be declared vacant by the Chair of the Section and filled as provided for in Section 5 of this Article.

5. Vacancies - The Board, during the interim between the Section's Annual Meetings, may fill board member or officer vacancies on the Board. Members of the Board so selected will serve the full unexpired term and officers appointed to fill a vacancy will serve until the next succeeding June 30.

6. Committees - The Chair of the Board may appoint committees or subcommittees from Section members to perform such duties and exercise such powers as the Board directs, subject to the limitations of these bylaws and the bylaws of the VSB. Such subcommittees should be reaffirmed and reappointed each year.

7. Duties and Powers - The Board has general supervision and control of the affairs of this Section, subject to the provisions of the Rules of the Supreme Court of Virginia and the bylaws of the VSB. The Board may not authorize commitments or contracts which entail the payment of more money during any fiscal year than the amount which had previously been appropriated to this Section for the fiscal year. Only VSB staff may authorize financial commitments or enter into contracts on behalf of the VSB.

8. Special Appointments – The Chair may designate volunteers for specific functions that support the work of the Section. Appointments must be reviewed annually.

ARTICLE IV
Officers

1. Officers - The officers of this Section are: (i) the Chair, (ii) the Vice-Chair, (iii) the Immediate Past Chair, and (iv) the Secretary. All officers must be elected according to Article III, Section 3 for the term beginning July 1 after such election and ending on June 30 of the next succeeding year.

2. Chair - The Chair presides at all meetings of this Section and of the Board. At the conclusion of the year, the Chair must prepare a summary of the Section's proceedings and work during the immediate past year for publication in the Annual Report of the VSB. The Chair must perform such other duties and

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acts as pertain to this office.

3. Vice-Chair - The Vice-Chair must further perform all duties assigned him by the Chair of the Board. Upon the death, resignation, or during the absence of the Chair, the Vice-Chair must perform the duties of the Chair. The Vice-Chair must perform the duties of the Chair only until the Chair is able to fulfill the duties of the office.

4. Secretary – In cooperation with VSB staff, the Secretary must keep an accurate record of the proceedings thereof, and perform such duties assigned him by the Chair of the Board. The VSB staff section liaison is the custodian of all reports, minutes, documents, and other property of this Section. Any original documents subject to FOIA requirements shall reside with the VSB.

5. Presiding Member - In the absence of the Chair or the Vice-Chair at any regular or special meeting of this Section or the Board, any member of the Board chosen by a majority of the Board members present and voting may preside at such meeting.

ARTICLE V
Meetings of the Section

1. Annual Meeting of Section - The Section's Annual Meeting must be held before or during the VSB Annual Meeting. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated by the Secretary in advance of the meeting.

2. Special Meetings of Section - Special meetings of this Section may be called by the Chair, upon approval by a majority of the Board. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated to the membership in advance of the meeting.

3. Quorum and Voting of Section - Such members of this Section as may be present at any meeting constitutes a quorum for the transaction of business. All binding actions of the Section must be approved by a majority vote of the members present. All meetings of this Section will be open, unless specifically changed by a motion passed by a majority of those present.

ARTICLE VI
Meetings of the Board of Governors

1. Regular Meetings of Board - Regular meetings of the Section's Board must be held at least three times each fiscal year as scheduled by the Chair. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated in advance of the meeting.

2. Special Meetings of Board - Special meetings may be held at the request of the majority of the Board or at the call of the Chair. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated in advance of the meeting,

3. Quorum and Voting of Board - A majority of the Board constitutes a quorum, and all binding action of the Board must be approved by a majority vote of the Board members present either physically or virtually or voting by proxy. Any individual receiving compensation in any form for the work of the Section is prohibited from voting on Board business. All voting at meetings of the Board will be open, unless specifically changed by a motion passed by a majority of those present.

4. Absentee Voting - Members of the Board, when present at a meeting of the Board, in person or virtually, must be permitted to vote. Absent members may vote by proxy if (i) their absence is for sufficient cause and (ii) their vote is communicated to the Secretary, in writing, in advance of the meeting where the

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vote will be taken. Any proxy vote will have the same effect as if cast by the member in person.

5. Submitted Propositions - The Chair of this Section sets the agenda for all meetings. Any member of the Section or the Board may submit an agenda item or proposition to the Chair for inclusion on the agenda.

ARTICLE VII
Miscellaneous

1. Fiscal Year - The fiscal year of this Section is the same as that of the VSB.

2. Bills - All costs incurred by this Section, before being forwarded to the VSB finance office for payment, must be approved by the Chair and/or the VSB staff section liaison.

3. Compensation – At no point will any Board member receive compensation from the VSB for duties affiliated with the activities of the Section. The Board must annually approve requests for compensation based on a submitted proposal for scope of work and cost of said work if necessary to perform the duties of the Section. Any individual receiving such compensation may not be a member of the Board. The individual receiving compensation is required to provide an invoice for payment which in includes an accounting of duties and hours worked and an annual report by the end of the fiscal year totaling cost and duties. Any person receiving compensation who fails to submit the annual report will be ineligible to serve in that role in the subsequent fiscal year.

4, Action of Section - Before any new program of this Section becomes the action of the VSB, it must be approved by the VSB Executive Director. Any resolution adopted by this Section must be reported by the Chair to the VSB Executive Director for the VSB's action thereon prior to distribution.

ARTICLE VIII
Rules of Procedure

Except as otherwise provided in these bylaws, Robert's Rules of Order govern the procedure at meetings of this Section and its Board.

ARTICLE IX
Effectiveness and Amendment of Bylaws

1. Amendment - Any bylaw amendments must be approved by a majority of the Board, the Section members, and the VSB Council.

2. Bylaws Effective - These bylaws, and any amendments, become effective upon approval by the VSB Council.

TEMPLATE

BYLAWS OF THE SECTION ON LOCAL GOVERNMENT LAW OF THE VIRGINIA STATE BAR

Approved by Council, February 1985
Amended by Council, October 1991
Amended by Council, October 1995

ARTICLE I

Name and Purpose

Section 1. Name. The name of this Section shall be the Section on Local Government Law of the Virginia State Bar [approved by Council, October 1988].

Section 2. Purpose. The purpose of this Section is to provide assistance and support to public and private practitioners of local government law, including those concerned with the law relating to general and special purpose units of government, through the sponsorship of programs and seminars and the provision of a forum wherein section members can share research source materials and experiences.

ARTICLE II

Membership

Section 1. Dues. Each member of this Section shall pay to the Treasurer of the Virginia State Bar such annual dues as shall be assessed by the Board of Governors.

[$20.00 as approved January 2009], Any member of the Virginia State Bar, upon request to the Secretary of this Section, shall be enrolled as a member of this Section. Judicial membership shall be open to any active or retired judge of the United States or Commonwealth of Virginia. There shall be no dues or other assessments required of judicial members. Judicial members may not vote or hold office. [Amended by Council, October 1995]. Members so enrolled shall so constitute the membership of this Section.

Section 2. Meetings. The annual meeting of this Section shall be held during the annual meeting of the Virginia State Bar, in the same city or place, with such program and order of business as may be arranged by the Board of Governors. Special meetings of this Section may be called by the Chairman upon approval of a majority of the Board of Governors, at such time and place as the Board of Governors may determine. The Secretary shall give notice to the members of the time and place of all meetings. The members of this Section present at any meeting shall constitute a quorum for the transaction of business, and all binding actions of this Section shall be by a majority vote of the members present.

ARTICLE III

Board of Governors

Section 1. Number and Eligibility. There shall be a Board of Governors of this Section which shall consist of eleven (11) members, unless a twelfth member is required pursuant to Article IV, Section 1 of these bylaws. In addition, if the term of office of the Section's Chair

expires simultaneously with the Chair's term as a member of the Board of Governors, then the Chair shall thereafter serve as an ex officio member of the Board for one year. [Amended by Council, October 1991] The initial Board of Governors shall be appointed by the President of the Virginia State Bar, and shall serve until the first annual meeting of this Section, at which time the Board of Governors shall be elected by the membership.

Section 2. Term. The appointed Board of Governors shall serve as the nominating committee at the initial annual membership meeting. Three (3) members of the Board of Governors shall be nominated and elected to serve for one (1) year; four (4) members for two (2) years; and four (4) members for three (3) years. "Year" designates a term beginning July 1 after the annual meeting and ending June 30 of the succeeding year. Thereafter, upon expiration of each of these initial terms, members of the Board of Governors shall be nominated and elected at each annual meeting, by a vote of a majority of the members of this Section present and voting, [Amended by Council, October 1991] for terms of three (3) years, beginning July 1 following the annual meeting at which they have been elected and ending June 30 three years later. Nominations at the initial annual meeting of the membership may be made from the floor at this Section meeting. No member of the Board of Governors shall be elected to serve more than two consecutive terms of three years. [Amended by Council, October 1991]

Section 3. Nomination. After the initial annual meeting and not less than sixty (60) days before each subsequent meeting, the Chair shall appoint a nominating committee of at least five (5) members, not more than three of whom may be members of the Board of Governors. The Chair shall give due consideration to both the public bar and the private bar in designating such members. [Amended by Council, October 1991] The nominating committee shall meet at the place of the annual meeting at a time designated by the Chair of this Section and shall make and report to the Section nominations for any positions on the Board of Governors held by members whose terms expire on the 30th day of June following the annual meeting, or for any positions which are then vacant. Three members of the nominating committee shall constitute a quorum, and, if less than a quorum is present, the Chair of this Section shall appoint new members sufficient to constitute a quorum. Other nominations may be made from the floor of this Section meeting.

Section 4. Election. All elections shall be by viva voce unless otherwise ordered by resolution duly adopted by this Section at the annual meeting at which the election is held.

Section 5. Duties and Powers. The Board of Governors shall have general supervision and control of the affairs of this Section, subject to the provisions of the Rules for Integration of the Virginia State Bar and the bylaws of the latter. It shall especially authorize all commitments or contracts which shall entail the payment of money and shall authorize the expenditures of all monies appropriated for the use or benefit of this Section. It shall not authorize commitments or contracts which shall entail the payment of more money during any

fiscal year than the total amount which shall have been previously appropriated to this Section for such fiscal year.

Section 6. Meetings. Regular meetings of the Board of Governors of this Section shall be held upon the call of the Chairman, as necessary, at least twice during each fiscal year of this Section. The exact time and place of each meeting shall be designated by the Chairman and the Secretary shall give notice to each member of the Board of such meetings. Special meetings of the Board of Governors shall be held at the request of the majority of the Board of Governors or at the call of the Chairman, and the Secretary shall give notice to the members of the Board. A majority of the Board shall constitute a quorum, and all binding actions of the Board shall be by majority vote.

Section 7. Vacancies. The Board of Governors, during the interim between annual meetings of this Section, may fill vacancies in its membership. Members of the Board of Governors and officers so selected shall serve until the next succeeding June 30 or until their successors have been elected and qualified.

Section 8. Committees. The Board of Governors may designate committees and the Chairman shall appoint the membership from Section members, to perform such duties and exercise such powers as the Board of Governors shall direct, subject to limitations of these bylaws and the bylaws of the Virginia State Bar.

ARTICLE IV

Officers

Section 1. Nomination and Election. At each annual meeting of this Section, a Chair, Vice-Chair, and Secretary shall be elected from among the members of the Board of Governors, by a vote of a majority of the members of the Section present and voting, to hold office for a term beginning on the 1st day of July following the annual meeting and on June 30 of the next succeeding year, or until their successors have been elected and qualified. The nominating committee designated by the chair pursuant to Article III, Section 3 of these bylaws shall make and report to the Section at each annual meeting nominations for these three offices. Other nominations may be made from the floor of the Section meeting. If the term of the Board member elected to serve as the Chair is to expire on June 30 immediately following the annual Section meeting, then the Board member's term of office shall automatically be extended for one year during which time the Board of Governors shall consist of twelve (12) members. [Amended by Council, October 1991]

Section 2. Chair. The Chairman shall preside at all meetings of this Section and of the Board of Governors. He shall formulate and present at each annual meeting of the Virginia State Bar a report of the work of this Section for the immediate past year. The Chair shall perform such other duties and acts as usually pertain to the office.

Section 3. Vice-Chair. Upon the death, resignation, or during the absence or disability of the Chair, or upon his refusal to act, the Vice-Chair shall perform the duties of the Chair for the remainder of the Chair's term except in the case of the Chair's disability, in which event he shall perform the duties of the Chair only so long as the disability continues.

Section 4. Secretary. The Secretary shall be the custodian of all books, papers, documents, and other property of this Section, except money. The secretary shall give notice of all meetings of this Section and of the Board of Governors and keep a true record of the proceedings. The secretary shall assist the Chair in preparing a summary or digest of the proceedings of this Section at its annual meeting for publication in the Annual Report of the Virginia State Bar, after approval by the Executive Committee or the Council of the Virginia State Bar, or a committee designated by either.

Section 5. Vacancies. The Board of Governors shall fill any vacancy that may occur in the office of Chair, Vice-Chair, or Secretary.

ARTICLE V

Miscellaneous

Section 1. Fiscal Year. The fiscal year of this Section shall be the same as that of the Virginia State Bar.

Section 2. Expenses. All expenses incurred by this Section, before being forwarded to the Treasurer of the Virginia State Bar for payment, shall be approved by the Chair or the

Secretary, or, if the Board of Governors shall so direct, by both of them.

Section 3. Compensation. No salary or compensation shall be paid to any officer or member of the Board of Governors.

Section 4. Action of Section. Before any action of this Section becomes the action of the Virginia State Bar, it must be approved by the Council of the Virginia State Bar. Any resolution adopted or action taken by this Section may, on request of this Section, be reported by the Chair of this Section to any meeting of the Council of the Virginia State Bar for the bar's action thereon.

Section 5. Printing. All printing for this Section or for the Board of Governors or by committees of this Section shall be done under the supervision of the headquarters office of the Virginia State Bar.

ARTICLE VI

Procedure

Section 1. Except as otherwise provided in these bylaws, Robert's Rules of Order shall govern the procedure at meetings of this Section and its Board of Governors.

ARTICLE VII

Effectiveness & Amendment of Bylaws

Section 1. Bylaws Effective. These bylaws shall become effective after approval by the Council upon recommendation of the Executive Committee of the Virginia State Bar and by this Section.

Section 2. Amendment. These bylaws may be amended at any annual meeting of this Section by a vote of a majority of the members of this Section present and voting, provided such amendment shall first have been approved by a majority of the Board of Governors and provided, further, that no amendment so, adopted shall become effective until approved by the Council upon recommendation of the Executive Committee of the Virginia State Bar.

BYLAWS OF THE
LOCAL GOVERNMENT LAW SECTION
OF THE VIRGINIA STATE BAR

Approved by Council DATE

ARTICLE I
Name and Purpose

1. Name - The name of this Section is the LOCAL GOVERNMENT LAW Section ("Section") of the Virginia State Bar (VSB).

2. Purpose - This Section was established in 1985 to provide assistance and support to public and private practitioners of local government law, including those concerned with the law relating to general and special purpose units of government, through the sponsorship of programs and seminars and the provision of a forum wherein section members can share research source materials and experiences.

ARTICLE II
Membership and Dues

1. Eligibility - Any member of the VSB is eligible for membership; any lawyer eligible to practice before the highest court of any state of the United States or the District of Columbia who is not a member of the VSB is eligible for non-voting membership; and any full-time law student enrolled in a law school in any state of the United States or the District of Columbia is eligible for non-voting membership. Members of each category continue to be eligible for membership if they retain their membership criteria and pay the annual dues as specified in Section 2 of this Article.

2. Dues - To further the work of this Section and except as provided herein, all members must annually pay dues to the VSB. Individuals who are Emeritus or Judicial class members of the VSB or are full-time law students are exempt from the requirement to pay dues. New members defined as individuals who join the Section during the last quarter of the fiscal year (April 1-June 30) do not have to pay dues until the start of the next fiscal

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year. Dues amounts will be set by the Section's Board of Governors (Board) during the December budget process.

ARTICLE III
Board of Governors

1. Number and Eligibility - There will be a Board of no more than 11 Section members, inclusive of the officers as provided for in Article IV.

Officers whose terms have expired, may continue on the Board until their term as an officer expires. Any such officer must be counted in the total Board members. In no instance will an officer remain on the Board more than three years after the expiration of the final three-year term. Members of the Board must be nominated and elected as provided in Section 3 of this Article. Section members are ineligible for Board membership if the member completed two prior consecutive three-year Board terms and three years have not elapsed since completion of the final Board term. The Board may appoint additional non-voting, non-member representatives to participate in Board discussions. Such non-members must be reviewed and re-appointed each year.

2. Term - Members of the Board must be elected at this Section's Annual Meeting which must be held before or during the VSB Annual Meeting, for a term of three years, beginning July 1 following the Annual Meeting at which they have been elected and ending June 30 three years later. Board members may serve no more than two consecutive three-year terms except for officers as stated in Article III, Section 1. A member is eligible for reappointment to the Board after the lapse of at least one three-year term following the expiration of the previous term. At the expiration of the initial term of any member appointed for less than a three-year term, such member is eligible for immediate reappointment to the Board for two additional consecutive three-year terms.

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3. Nomination and Election - At least sixty days before the Section's Annual Meeting, the Chair must appoint a nominating committee of at least five Section members, with no more than two members of the Board. The Chair shall give due consideration to both the public bar and the private bar in designating such members. The nominating committee must meet at least thirty days before the Section's Annual Meeting (i) to review any vacancies on the Board resulting from resignations or expiring terms and (ii) to recommend a slate for appointment to the Board and for election as officers including Secretary, Vice-Chair, and Chair. Three members of the nominating committee constitutes a quorum. If less than a quorum is present, the Chair of this Section must appoint additional members to the nominating committee sufficient to constitute a quorum. The Nominating Committee must submit a report to the Board with its proposed slate prior to the Section's Annual Meeting. The proposed slate must be voted upon by the Section membership at the Section's Annual Meeting. Additional nominations may be made from the floor of the Section's Annual Meeting by any voting member. Quorum is a majority of Section members present at the Section's Annual Meeting.

4. Declaration of Vacancy - If any member of the Board (i) fails to attend two successive meetings of the Board, without notice or sufficient cause reported to the Secretary or the VSB staff; (ii) resigns from the Board; or (iii) is not-in-good-standing with the VSB due to disciplinary reasons, the membership of said person on the Board and any office held by such person must be declared vacant by the Chair of the Section and filled as provided for in Section 5 of this Article.

5. Vacancies - The Board, during the interim between the Section's Annual Meetings, may fill board member or officer vacancies on the Board. Members of the Board so selected will serve the full unexpired term and officers appointed to fill a vacancy will serve until the next succeeding June 30.

6. Committees - The Chair of the Board may appoint committees or subcommittees from Section members to perform such duties and exercise such powers as the Board

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directs, subject to the limitations of these bylaws and the bylaws of the VSB. Such subcommittees should be reaffirmed and reappointed each year.

7. Duties and Powers - The Board has general supervision and control of the affairs of this Section, subject to the provisions of the Rules of the Supreme Court of Virginia and the bylaws of the VSB. The Board may not authorize commitments or contracts which entail the payment of more money during any fiscal year than the amount which had previously been appropriated to this Section for the fiscal year. Only VSB staff may authorize financial commitments or enter into contracts on behalf of the VSB.

8. Special Appointments – The Chair may designate volunteers for specific functions that support the work of the Section. Appointments must be reviewed annually.

ARTICLE IV
Officers

1. Officers - The officers of this Section are: (i) the Chair, (ii) the Vice-Chair, (iii) the Immediate Past Chair, and (iv) the Secretary. All officers must be elected according to Article III, Section 3 for the term beginning July 1 after such election and ending on June 30 of the next succeeding year.

2. Chair - The Chair presides at all meetings of this Section and of the Board. At the conclusion of the year, the Chair must prepare a summary of the Section's proceedings and work during the immediate past year for publication in the Annual Report of the VSB. The Chair must perform such other duties and acts as pertain to this office.

3. Vice-Chair - The Vice-Chair must further perform all duties assigned him by the Chair of the Board. Upon the death, resignation, or during the absence of the Chair, the Vice-Chair must perform the duties of the Chair. The Vice-Chair must perform the duties of the Chair only until the Chair is able to fulfill the duties of the office.

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4. Secretary – In cooperation with VSB staff, the Secretary must keep an accurate record of the proceedings thereof, and perform such duties assigned him by the Chair of the Board. The VSB staff section liaison is the custodian of all reports, minutes, documents, and other property of this Section. Any original documents subject to FOIA requirements shall reside with the VSB.

5. Presiding Member - In the absence of the Chair or the Vice-Chair at any regular or special meeting of this Section or the Board, any member of the Board chosen by a majority of the Board members present and voting may preside at such meeting.

ARTICLE V
Meetings of the Section

1. Annual Meeting of Section - The Section's Annual Meeting must be held before or during the VSB Annual Meeting. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated by the Secretary in advance of the meeting.

2. Special Meetings of Section - Special meetings of this Section may be called by the Chair, upon approval by a majority of the Board. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated to the membership in advance of the meeting.

3. Quorum and Voting of Section - Such members of this Section as may be present at any meeting constitutes a quorum for the transaction of business. All binding actions of the Section must be approved by a majority vote of the members present. All meetings of this Section will be open, unless specifically changed by a motion passed by a majority of those present.

ARTICLE VI
Meetings of the Board of Governors

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1. Regular Meetings of Board - Regular meetings of the Section's Board must be held at least three times each fiscal year as scheduled by the Chair. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated in advance of the meeting.

2. Special Meetings of Board - Special meetings may be held at the request of the majority of the Board or at the call of the Chair. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated in advance of the meeting,

3. Quorum and Voting of Board - A majority of the Board constitutes a quorum, and all binding action of the Board must be approved by a majority vote of the Board members present either physically or virtually or voting by proxy. Any individual receiving compensation in any form for the work of the Section is prohibited from voting on Board business. All voting at meetings of the Board will be open, unless specifically changed by a motion passed by a majority of those present.

4. Absentee Voting - Members of the Board, when present at a meeting of the Board, in person or virtually, must be permitted to vote. Absent members may vote by proxy if (i) their absence is for sufficient cause and (ii) their vote is communicated to the Secretary, in writing, in advance of the meeting where the vote will be taken. Any proxy vote will have the same effect as if cast by the member in person.

5. Submitted Propositions - The Chair of this Section sets the agenda for all meetings. Any member of the Section or the Board may submit an agenda item or proposition to the Chair for inclusion on the agenda.

ARTICLE VII

Miscellaneous

1. Fiscal Year - The fiscal year of this Section is the same as that of the VSB.

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2. Bills - All costs incurred by this Section, before being forwarded to the VSB finance office for payment, must be approved by the Chair and/or the VSB staff section liaison.

3. Compensation – At no point will any Board member receive compensation from the VSB for duties affiliated with the activities of the Section. The Board must annually approve requests for compensation based on a submitted proposal for scope of work and cost of said work if necessary to perform the duties of the Section. Any individual receiving such compensation may not be a member of the Board. The individual receiving compensation is required to provide an invoice for payment which includes an accounting of duties and hours worked and an annual report by the end of the fiscal year totaling cost and duties. Any person receiving compensation who fails to submit the annual report will be ineligible to serve in that role in the subsequent fiscal year.

4. Action of Section - Before any new program of this Section becomes the action of the VSB, it must be approved by the VSB Executive Director. Any resolution adopted by this Section must be reported by the Chair to the VSB Executive Director for the VSB's action thereon prior to distribution.

ARTICLE VIII

Rules of Procedure

Except as otherwise provided in these bylaws, Robert's Rules of Order govern the procedure at meetings of this Section and its Board.

ARTICLE IX

Effectiveness and Amendment of Bylaws

1. Amendment - Any bylaw amendments must be approved by a majority of the Board, the Section members, and the VSB Council.

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2. Bylaws Effective - These bylaws, and any amendments, become effective upon approval by the VSB Council.

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BYLAWS OF THE ENERGY AND ENVIRONMENTAL LAW SECTION OF THE VIRGINIA STATE BAR

Approved by Virginia State Bar Council October 1978
Amended by Virginia State Bar Council October 2006
Amended by Virginia State Bar Council March~~,~~ 2025
Amended by Virginia State Bar Council October 2026

ARTICLE I

Name and Purpose

Section 1. ***Name*** - The name of this Section shall be the Energy and Environmental Law Section (the "Section") of the Virginia State Bar ("VSB").

Section 2. ***Purpose*** - The purpose of this Section is to concern itself with all aspects of state and federal environmental, energy, and natural resources law in the Commonwealth of Virginia, to sponsor projects and programs of special interest and relevance to the members of this Section and the VSB in environmental, energy, and natural resources law, and to inform the public of their rights and obligations in such areas of law.

ARTICLE II

Membership and Dues

Section 1. ***Categories*** - There shall be three categories of Section membership: Active, Associate, and Law Student. Only Active members may vote or hold office.

Section 2. ***Eligibility*** - Any member of the VSB is eligible for Active membership in the Section; any lawyer eligible to practice before the highest court of any state of the United States or the District of Columbia who is not a member of the VSB is eligible for Associate membership in the Section; and any full-time law student enrolled in a law

school in any state of the United States or the District of Columbia is eligible for Law Student membership in the Section. Members of each category continue to be eligible for membership if they retain their membership criteria and pay the annual dues as specified in Section 3 of this Article.

Section 3. ***Dues*** - To further the work of this Section and except as provided herein, all Active and Associate members must annually pay dues to the VSB. Individuals who are Emeritus or Judicial class members of the VSB or are full-time law students are exempt from the requirement to pay dues. Individuals who join the Section during the last quarter of the fiscal year (April 1-June 30) do not have to pay dues until the start of the next fiscal year. Dues amounts will be set by the Section's Board of Governors during the December budget process.

ARTICLE III

Board of Governors

Section 1. ***Number and Eligibility*** - There shall be a Board of Governors (the "Board") of this Section, which shall consist of no more than thirteen Active members, inclusive of the officers as provided for in Article IV. The Executive Director of the Virginia State Bar and the Immediate Past Chair of this Section, if his term on the Board shall be ended, shall each be a member of the Board ex officio.

Section 2. ***Term duration*** – Board members appointed on or before July 1, 2024, shall serve the remainder of the four-year terms for which they were appointed. Every person appointed or reappointed to the Board thereafter shall be subject to a term of three years. Members of the Board must be elected at this Section's Annual Meeting. Each

term shall begin on July 1 following the Annual Meeting at which the Board member was elected, and end June 30 three years later (or four years later, in the case of Board members appointed on or before July 1, 2024).

Section 3. ***Term limits.*** Every member of the Board shall be limited to two terms (regardless of whether the term is a three-year term or a four-year term). A member is eligible for reappointment to the Board after the lapse of at least one three-year term following the expiration of the previous term. Whenever a Board member is appointed to fill a vacancy and the remainder of the member's term is less than half of a term, such a partially completed term shall not be counted toward the member's term limit.

Section 4. ***Nomination and Election*** - At least sixty days before the Section's Annual Meeting, the Chair must appoint a nominating committee of at least five Active members of the Section, with no more than two members of the Board. The nominating committee must meet at least thirty days before the Section's Annual Meeting (i) to review any vacancies on the Board resulting from resignations or expiring terms and (ii) to recommend a slate for appointment to the Board and for election as officers including Secretary, Vice-Chair, and Chair. Three members of the nominating committee constitutes a quorum. If less than a quorum is present, the Chair of this Section must appoint additional members to the nominating committee sufficient to constitute a quorum. The Nominating Committee must submit a report to the Board with its proposed slate prior to the Section's Annual Meeting. The proposed slate must be voted upon by the Active members of the Section present and voting at the Section's Annual Meeting. Additional nominations may be made from the floor of the Section's Annual Meeting by

any Active member. The Active members of this Section present at the Section's Annual Meeting shall constitute a quorum for the transaction of business.

Section 5. ***Declaration of Vacancy*** - If any member of the Board (i) fails to attend three successive meetings of the Board, without notice or sufficient cause reported to the Secretary or to VSB staff; (ii) is removed from the Board by majority vote; ~~(ii) dies before the completion of his or her term,~~ (~~i~~iii) resigns from the Board; or (i~~i~~v) is not-in-good-standing with the VSB due to disciplinary reasons, the membership of said person on the Board and any office held by such person must be declared vacant by the Chair of the Section and filled as provided for in Section 6 of this Article.

Section 6. ***Vacancies*** - The Board, during the interim between the Section's Annual Meetings, may fill Board member or officer vacancies. Members of the Board so selected shall serve the full unexpired term, and officers appointed to fill a vacancy shall serve until the next succeeding June 30.

Section 7. ***Committees*** - The Chair of the Board may appoint committees or subcommittees from Section members to perform such duties and exercise such powers as the Board directs, subject to the limitations of these Bylaws and the Bylaws of the VSB. Such committees or subcommittees should be reaffirmed and reappointed each year.

Section 8. **Duties and Powers** - The Board has general supervision and control of the affairs of this Section, subject to the provisions of the Rules of the Supreme Court of Virginia and the Bylaws of the VSB. The Board may not authorize commitments or contracts which entail the payment of more money during any fiscal year than the amount which had previously been appropriated to this Section for the fiscal year. Only VSB staff may authorize financial commitments or enter into contracts on behalf of the VSB.

Section 9. **Special Appointments** – The Chair may designate volunteers for specific functions that support the work of the Section. Appointments must be reviewed annually.

ARTICLE IV

Officers

Section 1. ***Officers*** - The officers of this Section are: (i) the Chair, (ii) the Vice Chair, (iii) the Immediate Past Chair, and (iv) the Secretary. The Chair, Vice Chair, and Secretary must be elected according to Article III, Section 4 for the term beginning July 1 after such election and ending on June 30 of the next succeeding year.

Section 2. ***Chair*** - The Chair presides at all meetings of this Section and of the Board. At the conclusion of the year, the Chair must prepare a summary of the Section's proceedings and work during the immediate past year for publication in the Annual Report of the VSB. The Chair must perform such other duties and acts as pertain to this office.

Section 3. ***Vice Chair*** - The Vice Chair must further perform all duties assigned by the Chair of the Board. Upon the death, resignation, or during the absence of the Chair, the Vice Chair must perform the duties of the Chair. The Vice Chair must perform the duties of the Chair only until the Chair is able to fulfill the duties of the office.

Section 4. ***Secretary*** - In cooperation with VSB staff, the Secretary shall give notice of all meetings of this Section and of the Board, must keep an accurate record of the proceedings thereof, and perform such duties assigned by the Chair of the Board. The VSB staff section liaison is the custodian of all reports, minutes, documents, and other property of this Section. Any public records subject to the requirements of the

Virginia Freedom of Information Act (Va. Code §§ 2.2-3700 et seq.) shall reside with the VSB.

Section 5. ***Presiding Member*** - In the absence of the Chair or the Vice Chair at any regular or special meeting of this Section or the Board, any member of the Board chosen by a majority of the Board members present and voting may preside at such meeting.

ARTICLE V

Meetings of the Section

Section 1. ***Annual Meeting of Section*** - The Section's Annual Meeting must be held before or during the VSB Annual Meeting. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated by the Secretary in advance of the meeting.

Section 2. ***Special Meetings of Section*** - Special meetings of this Section may be called by the Chair, upon approval by a majority of the Board. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated to the membership in advance of the meeting.

Section 3. ***Quorum and Voting of Section*** - The Active members of this Section present at any meeting duly convened in accordance with these Bylaws shall constitute a quorum for the transaction of business. All binding actions of this Section shall be passed by a majority of the Active members present and voting. All meetings of this Section will be open, unless specifically changed by a motion passed by a majority of the Active members present and voting.

ARTICLE VI

Meetings of the Board of Governors

Section 1. ***Regular Meetings of Board*** – Regular meetings of the Board of Governors of this Section must be held at least once each calendar quarter. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated in advance of the meeting.

Section 2. ***Special Meetings of Board*** - Special meetings may be held at the request of the majority of the Board or at the call of the Chair. Meetings may be conducted in-person, virtual, or hybrid as designated by the Chair and communicated in advance of the meeting.

Section 3. ***Quorum and Voting of Board*** - A majority of the Board constitutes a quorum, and all binding action of the Board must be approved by a majority of the Board members present and voting or voting by proxy. Any individual receiving compensation in any form for the work of the Section is prohibited from voting on Board business. All voting at meetings of the Board will be open, unless specifically changed by a motion passed by a majority of those present.

Section 4. ***Absentee Voting*** - Members of the Board, when present at a meeting of the Board, in person or virtually, must be permitted to vote. Absent members may vote by proxy if (i) their absence is for sufficient cause and (ii) their vote is communicated to the Secretary, in writing, in advance of the meeting where the vote will be taken. Any proxy vote will have the same effect as if cast by the member in person.

Section 5. ***Submitted Propositions*** - The Chair of this Section sets the agenda for all meetings. Any member of the Section or the Board may submit an agenda item or proposition to the Chair for inclusion on the agenda.

ARTICLE VII

Miscellaneous

Section 1. ***Fiscal Year*** - The fiscal year of this Section is the same as that of the VSB.

Section 2. ***Bills*** - All costs incurred by this Section, before being forwarded to the VSB finance office for payment, must be approved by the Chair and/or the VSB staff section liaison.

Section 3. ***Compensation*** - At no point will any Board member receive compensation from the VSB for duties affiliated with the activities of the Section. The Board must annually approve requests for compensation based on a submitted proposal for scope of work and cost of said work if necessary to perform the duties of the Section. Any individual receiving such compensation may not be a member of the Board. The individual receiving compensation is required to provide an invoice for payment which includes an accounting of duties and hours worked and an annual report by the end of the fiscal year totaling cost and duties. Any person receiving compensation who fails to submit the annual report will be ineligible to serve in that role in the subsequent fiscal year.

Section 4. ***Action of Section*** - Before any new program of this Section becomes the action of the VSB, it must be approved by the VSB Executive Director. Any resolution

adopted by this Section must be reported by the Chair to the VSB Executive Director for the VSB's action thereon prior to distribution.

ARTICLE VIII

Rules of Procedure

Except as otherwise provided in these Bylaws, Robert's Rules of Order shall govern the procedure at meetings of this Section and its Board.

ARTICLE IX

Effectiveness and Amendment of Bylaws

Section 1. ***Amendment*** - Any Bylaw amendments must be approved by the Board, a majority of the Active members of the Section voting on the motion, and the VSB Council.

Section 2. ***Bylaws Effective*** - These Bylaws, and any amendments, become effective upon approval by the VSB Council.

VIRGINIA STATE BAR

YOUNG LAWYERS SECTION BYLAWS

(Amended by Council 28 February 2026)

ARTICLE I

Name and Jurisdiction

Section 1. Name - The name of this organization shall be the "Virginia State Bar Young Lawyers Section."

Section 2. Purpose – This Section was established in 2025 to serve as a vehicle through which the younger members of the Virginia State Bar can exert a more direct influence upon the activities of the Virginia State Bar to engage in activities designed to respond to discernible needs among the younger members of the Bar in particular and the members of the legal profession in general; to promote, uphold, and elevate the standards of honor, integrity, and competence in the legal profession; and to assist the Council of the Virginia State Bar in discharging its duty to improve the legal system and the responsiveness of the profession to the members of the public, for whose benefit the profession exists.

ARTICLE II

Membership

1. Eligibility - Any member of the VSB is eligible for membership; any lawyer eligible to practice before the highest court of any state of the United States or the District of Columbia who is not a member of the VSB is eligible for non-voting membership; and any full-time law student enrolled in a law school in any state of the United States or the District of Columbia is eligible for non-voting membership. Members of each category continue to be eligible for membership if they retain their membership criteria and pay the annual dues as specified in Section 2 of this Article.

2. Dues - To further the work of this Section and except as provided herein, all members must annually pay dues to the VSB. Individuals who are Emeritus or Judicial class members of the VSB or are full-time law students are exempt from the requirement to pay dues. New members defined as individuals who join the Section during the last quarter of the fiscal year (April 1-June 30) do not have to pay dues until the start of the next fiscal year. Dues amounts will be set by the Section's Board of Governors (Board) during the December budget process.

ARTICLE III

Officers and Board

Section 1. Officers - The officers of this Section shall be: Chair, Vice Chair, an Immediate Past Chair, and a Secretary.

Section 2. Board of Governors - There shall be a Board of Governors consisting of fifteen (15) active members.

Section 3. Election of Officers - The initial Board shall elect from its membership the initial Chair of the Section and Secretary of the Board. Thereafter, at the last meeting of the Board of Governors preceding the Annual Meeting, the Board shall elect from its membership a Secretary and Vice Chair who shall each serve for a one-year term beginning on July 1 following said Annual Meeting. In considering candidates for Officers, the Board shall consider each candidate's demonstrated record of service, dedication and commitment to the Section. The Vice Chair shall succeed to the office of Chair the following year or upon the Chair's resignation, removal, or inability to serve for any reason. In the event of the unavailability of a previously elected Vice Chair to commence his or her term as Chair, the vacancy in the office of Chair shall be filled by special election of the Board. [As amended June 2004].

The Chair, Vice Chair, Immediate Past Chair, and Secretary shall be ex officio members of the Board.

No person shall be eligible for election as Chair, Vice Chair or Secretary unless such person shall have first served as a duly elected or appointed member of the Board of Governors of this Section. No person shall be eligible for election as Secretary if such person would cease to be eligible for membership on the Board of Governors before commencement of such person's term as Secretary

Section 4. Election of Board Members - ~~Board Members shall be elected by the Board of Governors at the last Board meeting preceding the Annual Meeting or as vacancies occur. All new members of the Board of Governors shall be elected for an initial term of two (2) years commencing on the first day of July following the Annual Meeting at which they were elected and ending on the 30th day of June in the second year of their term. Members of the Board may be elected for successive one (1) year terms commencing on the first day of July following the Annual Meeting at which they are re-elected and ending on the 30th day of June of the following year, provided that no person shall serve more than four (4) years on the Board~~. Board Members shall be elected by a majority of the eligible voting members of the Section present and voting at the Section's Annual Meeting or by the Board of Governors at the last Board meeting preceding the Annual Meeting or as vacancies occur. All new members of the Board of Governors shall be elected for an initial term of two (2) years commencing on the first day of July following the Annual Meeting at which they were elected and ending on the 30th day of June in the second year of their term. Members of the Board may thereafter be re-elected for up to four (4) additional one (1) year terms commencing on the first day of July following the Annual Meeting at which they are

re-elected and ending on the 30th day of June of the following year, provided that no person shall serve more than six (6) years on the Board.

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Board Members must be dues-paying members of the Section in order to be eligible to serve and to continue serving on the Board. Annual dues must be paid no later than July 31st of each year in order for a Board Member to remain in good standing. Any dues not received by September 1 shall be considered late, and failure to remit dues by that date shall render the Board Member's seat vacant.

Whenever a member of the Board is elected to serve as an Officer and assumes such office, his or her seat on the Board shall be vacated. At such time as any member's seat is vacated by virtue of his or her election to office or his or her resignation, death, removal for cause or disqualification for membership in the Section, the Board shall elect a successor to such vacated position.

Section 5. Removal for Cause - If any member of the Board of Governors shall fail to attend two successive regular meetings of the Board or more than two regular meetings during any Bar year, and upon a finding by the Board that such absences were without sufficient reason; or if any member of the Board of Governors should be declared no longer a member in good standing of the Virginia State Bar or a dues paying member of the Virginia Young Lawyers Section; or upon a finding by the Board that removal of any Member is in the best interests of the Section, the seat held by such member shall be automatically vacated and filled in accordance with Article III, Section 4. [As amended June 2016].

ARTICLE IV

Nominations of Officers and Board Members

Section 1. Nominations - At least (90) days before the Annual Meeting, the Chair shall appoint a Nominating Committee of at least three members of the Board of Governors and at least two members of the Section who are not members of the Board of Governors. The Nominating Committee shall meet as designated by the Chair of the Section and shall nominate at least one person for each seat held by a Governor whose term expires on the 30th day of June following the Annual Meeting and shall also make and report to the Section nominations for Vice Chair.

At least fourteen (14) days prior to the last meeting of the Board of Governors preceding the Annual Meeting, the Nominating Committee shall provide to the Board of Governors a list of all candidates nominated for Vice Chair and for the Board of Governors. At the last meeting of the Board prior to the Annual Meeting, the Board shall vote upon the candidates nominated for Chairs nominated for Vice Chair and for the Board of Governors and shall provide its recommendations to the Nominating Committee prior to the Annual Meeting. The Nominating Committee shall then provide its recommendations to the Section at the Annual Meeting.

In deciding upon its recommendations to the Nominating Committee regarding candidates for Vice Chair and for the Board of Governors, the Board shall consider each candidate's demonstrated record of service dedication and commitment to the Section.

Quorum shall consist of three members appointed to the committee, and if less than a quorum is present, the Chair of the Section shall appoint new members of the Section to the Nominating Committee sufficient to constitute a quorum. [As amended October 2023].

Other nominations for Vice Chair or for members of the Board of Governors may be made from the floor at the Annual Meeting by members of the Section. [As amended June 1993, June 2004 and June 2016].

ARTICLE V

Duties of Officers

Section 1. Chair - The Chair shall preside at all meetings of the Section and of the Board of Governors and of the Executive Committee. The Chair shall formulate and present at each Annual Meeting of the Virginia State Bar a report of the work of the Section for the then past year. The Chair shall have the authority and responsibility to perform all duties and acts as are necessary to manage the affairs of the Board and the Section. The Chair shall have the authority and discretion to assign roles, duties, and responsibilities to Board Members.

The Chair shall be an ex officio member of the Executive Committee and Council of the Virginia State Bar, representing the Young Lawyers Section. [As amended June 2016].

Section 2. Vice Chair - Upon the death, resignation, or during the disability of the Chair, or upon the refusal or inability to act, the Vice Chair shall perform the duties of the Chair for the remainder of the Chairperson's term except in case of the Chairperson's absence or disability, then only during so much of the term as the absence or disability continues.

The Vice Chair shall serve as coordinator and administrator of committee activities and shall collect and organize committee reports at least semiannually from each committee of the Section. In addition, the Vice Chair shall be a member of the Executive Committee of the Section and shall preside in the absence of the Chair over meetings of the Section, the Board of Governors, or the Executive Committee. The Vice Chair shall assist the Chair in the performance of his or her duties, shall attend generally to the business of the Section, and shall prepare the budget for the Section for the year in which he is to serve as Chair.

Section 3. Secretary - The Secretary shall be the custodian of all books, papers, documents, and other property of the Section. The Secretary shall keep a true record

of the proceedings of all meetings of the Section and of the Board of Governors, whether assembled or acting under submission. With the Chair, the Secretary shall prepare a summary of the annual proceedings of the Section for publication in the Annual Report of the Virginia State Bar, after approval by the Executive Committee, or the Council, or a committee designated by either the Executive Committee or Council to give such approval. The Secretary, in conjunction with the Chair and the Vice Chair, shall attend generally to the business of the Section and shall be a member of the Executive Committee of the Section. Any original documents subject to FOIA requirements shall reside with the VSB.

Section 4. Immediate Past Chair - The Immediate Past Chair shall be a member of the Executive Committee of the Section, shall serve as chairperson of the Budget Committee, and shall attend generally to the business of the Section.

ARTICLE VI

Duties and Powers of the Board, the Executive Committee, and Committees

Section 1. General - The Board of Governors shall have general supervision and control of the affairs of the Section subject to the provisions of the Rules of Integration and Bylaws of the Virginia State Bar. It shall authorize the expenditures of all monies appropriated for the use or benefit of the Section. It shall not authorize commitments or contracts which shall entail the payment of more money during any fiscal year than the amount which shall have been previously appropriated for the Section for such fiscal year, or such other monies as shall be obtained from any source for use of the Section.

Section 2. Committees - The Board of Governors may authorize the Chair to appoint committees from Section members to perform such duties and exercise such powers as the Board of Governors shall direct, subject to the limitations of these Bylaws and the Bylaws of the Virginia State Bar.

Committees shall be evaluated by the Board on an annual basis with a standing option to discontinue any committee which has completed its designated assignment or is no longer deemed necessary to accomplish the purposes of the Section.

The Chair shall appoint at least one member of the Board to serve as liaison to each committee appointed by the Board. Committee members shall be appointed by the chairpersons and shall be members of the Section.

It shall be the duty of the chairperson of each committee appointed by the Board, in conjunction with the Board liaison to the committee, to direct the activities of the committee; to prepare an annual written report of the membership and activities of the committee prior to June of each year; to prepare a budget and supervise the expenditure of any funds utilized by the committee; and to make recommendations to the Board with regard to future committee activities, succeeding chairpersons, and committee membership.

It shall be the duty of the liaison to each committee to assist the chairperson in the understanding and accomplishment of committee goals, to advise the Board upon request of the scope and status of committee activities and finances, to assist the Vice Chair in obtaining such reports as are requested, and to maintain an open line of communication between the Board and the committee.

Section 3. Executive Committee - The Executive Committee shall consist of the Chair, Vice Chair, Secretary, and Immediate Past Chair of the Section, and shall meet at the call of the Chair between meetings of the Board of Governors. The Executive Committee shall be empowered to perform such duties and functions as are prescribed for the Board of Governors, except such functions and duties as the Board may reserve to itself or may delegate to other committees.

ARTICLE VII

Meetings

Section 1. Annual Meeting - The Annual Meeting of the Section shall be held at the Annual Meeting of the Virginia State Bar, in the same city or place as such Annual Meeting of the Virginia State Bar, with such program and order of business as may be arranged by the Board of Governors.

Section 2. Special Meetings - Special meetings of this Section may be called by the Chair upon approval of a majority of the Board of Governors, at such time and place as the Chair may determine.

Section 3. Actions of the Section – Action of the Section shall be by a majority vote of the members present. For the purposes of this section, members present shall include those individuals physically assembled and those individuals participating remotely. Between meetings of the Section, action of the Board of Governors shall be binding on the Section without ratification thereby. [As amended October 2023].

Section 4. Regular Board Meetings - Regular meetings of the Board of Governors of this Section shall be held on the call of the Chair at least once in each quarter of the fiscal year of this Section, the exact time and place of the meeting to be designated by the Chair.

Section 5. Special Board Meetings - Special meetings of the Board of Governors shall be held as set by the Board of Governors at any meeting thereof; at the request of a majority of the Board of Governors, or at the call of the Chair.

Section 6. Quorum - Two members of the Section present at any duly called meeting shall constitute a quorum for the transaction of business. Unless otherwise specified, action by a majority vote of the members present shall be binding on the YLS. [As amended October 2023].

Section 7. Actions of the Board of Governors - Action of the Board of Governors shall be by a majority vote of the members of the Board of Governors present at any

called meeting. For purposes of this section, members present shall include those individuals physically assembled and those individuals participating remotely. Members of the Board of Governors, when personally present at a meeting of the Board, shall vote in person. Board Members may vote by electronic means, including but not limited to email or other secure electronic communication platforms designated by the Board. [As amended October 2025].

Section 8. Submission of Propositions for Action - The Chair of the Section may, and upon the request of any member of the Board of Governors shall, submit or cause to be submitted in writing to each of the members of the Board of Governors any proposition upon which the Board may be authorized to act, and the members of the Board may vote upon such proposition or propositions so submitted, by communicating their vote thereon in writing or with their respective signatures, to the Secretary who shall record upon the minutes each proposition so submitted, when, how, at whose request same is submitted, and the vote of each member of the Board thereon, and keep on file such written and signed votes. Such votes must be communicated on or before a date established by the Chair. The votes of a majority of the members of the Board so recorded shall constitute the action of the Board.

Section 9. Voting to be Open - All voting at meetings of the Section and the Board of Governors, except as set forth in Article IV, Section 1, shall be open, unless specifically changed by a motion passed by a majority vote of those present.

Section 10. Procedure for Conduct of Meetings - Except as otherwise provided in these Bylaws, Robert's Rules of Order shall govern the procedure at meetings of this Section and its Board of Governors.

ARTICLE VIII

Miscellaneous Provisions

Section 1. Fiscal Year - The fiscal year of the Section shall be the same as that of the Virginia State Bar.

Section 2. Payment of Bills - All bills incurred by the Section, before being forwarded to the finance officer of the Virginia State Bar for payment, shall be approved by the Chair or his or her designated representative or, if the Board of Governors shall so direct, by both of them.

Section 3. Salary and Compensation - No salary or compensation shall be paid to any officer or member of the Board of Governors for their services, except for such necessary travel or other expenses as are allowed by the Virginia State Bar or provided by special grant programs undertaken by the Bar.

Section 4. Actions to be Reported to Bar Council - Any resolution adopted or action taken by this Section may, on request of the Section or the Board, be reported

by the Chair of the Section to any meeting of the Council of the Virginia State Bar for the Bar's action thereon.

Section 5. Printing - All printing for the Section, or for the Board of Governors, or by committees of this Section shall be done under the supervision of the headquarters of the Virginia State Bar.

ARTICLE IX

Amendment

These Bylaws may be amended at any Annual Meeting of the Section by a majority vote of the members of the Section present and voting, provided such proposed amendment shall first have been approved by a majority of the Board of Governors and provided, further, that no amendment so adopted shall become effective until approved by the Council upon recommendation of the Executive Committee of the Virginia State Bar.

ARTICLE X

Effective Date

These Bylaws shall become effective upon approval thereof by the Council upon recommendation of the Executive Committee of the Virginia State Bar and by this Section.

TAB 21

Virginia State Bar

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

To: VSB Executive Committee

From: Mallory J. Ralston, Director, Bar Programs & Engagement

Date: October 29, 2026

Re: Request for Solicitation or Receipt of Funds or Grants

I. Action Requested

Pursuant to the **Policy on Solicitations or Receipt of Funds and Grants** which states:

> *The Virginia State Bar, including its committees and sections, should refrain from soliciting or receiving funds from any source to underwrite special projects, programs or purchases. The Virginia State Bar, including its sections, is required to comply with state guidelines and restrictions applicable to the solicitation of funds and grants.*[1] *VSB committees do not have separate budgets and are not permitted to raise funds.*
>
> *With the exception of sponsorships authorized for events planned by the VSB Bar Programs and Engagement Department in conjunction with the Annual Meeting of the Virginia State Bar, all committee and section projects, programs and purchases must be funded through the general operating budget of the Virginia State Bar, or the budgets of its sections, as may be appropriate, with the approval of the Executive Committee and Council.*
>
> *If a section of the Virginia State Bar has a unique need which would require solicitation or receipt of funds for a project, program or purchase not authorized in its budget, it must seek special approval from the Executive Committee of the Virginia State Bar in advance of the solicitation using the attached VSB Request Form for Solicitation.*

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1 Section 4-2.01(a)(1) of the Appropriations Act provides that "[n]o state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds…." Blanket approval to solicit and accept grants and donations that may become available from individuals, law firms, non-profits or other corporations for the purpose of hosting a specific event or project must be received from each Virginia governor.

If a section has a unique need which would require a grant, it must seek the executive director's approval prior to submitting a grant application. All grant applications and any paperwork related to receipt of grant funds must be signed by the executive director or deputy executive director, and a copy of the grant application and any approval must be provided to the VSB finance/procurement director.

Approved by VSB Executive Committee April 28, 1994
September 22, 2016
September 17, 2025

the VSB Executive Committee is charged with evaluating requests from VSB entities to solicit (or receive) funds or apply for grants.

The following pages include a Solicitation Request for funds to provide alcoholic beverages at a networking reception on November 19, following a two-hour CLE program, hosted by the Real Property and Local Government Law Sections. The Sections appreciate the VSB Executive Committee's consideration of this request.

VIRGINIA STATE BAR REQUEST FORM FOR SOLICITATION OR RECEIPT OF GRANTS AND OTHER FUNDS

Real Property and Local Government Law Sections – Networking Reception

Bar policy requires approval by the executive director **BEFORE** solicitation or acceptance of any grant or receipt of funds, and approval by the Executive Committee **BEFORE** solicitation or acceptance of funds from any entity.

Are you applying for a grant? _____yes _X__no
Are you soliciting or receiving funds from individuals? ____yes ___X__no
Are you soliciting or receiving funds from organizations? __X__yes _____no

1. **Describe the project or event you want funded by money solicited or received from another entity or from grant funds. Include anticipated accomplishments, goals, time frame, any sponsors or co-sponsors, the target audience, beneficiaries, etc.**

   The Real Property and Local Government Law Sections will co-host a CLE program on November 19. The sections would like to host a reception for in-person attendees, following the CLE program, to provide time for networking between members of the two sections. Section dues money cannot be spent on alcohol, so the Boards of Governors of these two sections would like to ask a few law firms to sponsor a bar during the reception.

2. **If this is a grant, what organization will be providing the funds if the grant application is approved? Please attach a copy of the grant application you intend to file.**

   N/A

3. **What is the budget for this project or event?**

   The two sections will split the cost of this event evenly, estimating spending about $700 each. Aside from alcohol at the reception, other expenses include A/V for the CLE program, food and non-alcoholic beverages at the reception, and reimbursement of speaker travel. The sections are only soliciting funds for the purpose of covering the cost of alcohol.

4. **How much money will be provided by the granting organization? Will the bar be obligated in any way (dollars or staff support)?**

It is estimated that $750.00 will be solicited for the cost of the bar. The Virginia State Bar will not be obligated to pay for alcohol.

5. **Why do you want to use grant funds or funds solicited or received from individuals or another organization? Why is this project not included in the VSB operating budget?**

   VSB Section funds cannot be used to pay for alcohol.

6. **Who will manage/oversee the project or event? Grant management includes making sure expenses are allowed within the approved grant and within the guidelines of the Virginia State Bar; reviewing and approving invoices for payment and filing periodic reports as required by the grantor in a timely manner.**

   VSB staff liaisons Mallory Ralston and Emily Stephens are managing the logistics for this event.

7. **Has this project been implemented before?**

   Yes, by other VSB sections.

8. **Is there any other bar association that has a similar project?**

   Yes, it is not unusual for groups to host networking receptions following educational programming.

9. **Have there been previous requests for solicitation or grant funds for a similar project? If so, what was the Executive Committee or executive director action on any previous requests?**

   Yes, the request to solicit funds for this purpose is common since VSB money cannot be spent on alcohol.

10. **If this is a solicitation for funds or approval request for receipt of funds from individuals or organizations, please provide the following:**

    a. **Who/how many persons or entities will be solicited or who and how many persons or entities are offering or donating funds.**

       Approximately three law firms will be presented with the opportunity to sponsor the bar for this reception. The sections will cease solicitation once the requested

amount has been met. If additional funds are provided, they will not be absorbed by the VSB, rather put towards the food and n/a beverages at reception.

b. Whether the person or entity has been solicited before by the VSB or has previously donated or offered funds to the VSB.

These sections do not regularly solicit funds, but it is likely that the firms of the officers of these two Boards of Governors may be solicited, some of whom were solicited for the Real Property Section's Annual Membership Meeting in June 2026.

c. Whether this is a one-time solicitation request.

This is likely to be a recurring request if the event is a success.

d. Amount/contribution requested.

$750.00

Submitted by: **Mallory Ralston, Director of Bar Programs & Engagement**

Date: 10/29/2026

Approved by: _____

Date: _____

TAB 22

Virginia State Bar

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

To: VSB Executive Committee

From: Mallory J. Ralston, Director, Bar Programs & Engagement

Date: October 29-30, 2026

Re: VSB Section Program Impact Statements for Unanticipated Revenue

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I. Action Requested

The following VSB Sections respectfully request the VSB Executive Committee to approve the proposed allocation of unanticipated revenue generated by section member dues or donations:

- Local and Specialty Bar Section - $5,556.00 additional revenue
- Senior Lawyers Section - $18,700.75 additional revenue
- Young Lawyers Section - $13,489.50 additional revenue

II. Background Information for VSB Section Unanticipated Revenue

On April 16, 2025, the Supreme Court of Virginia ordered the Virginia State Bar to convert the four then-VSB Conferences (Conference of Local and Specialty Bar Associations, Diversity Conference, Young Lawyers Conference, Senior Lawyers Conference) to VSB Sections by June 30, 2025.

The four Sections were permitted to retain their approved budgets, prepared in December 2024, for the VSB fiscal year beginning July 1, 2025, and ending June 30, 2026. As Conferences, the funds for each group's budgets were provided annually by the VSB Operating Account, which is comprised primarily of VSB mandatory membership dues, unlike other VSB Sections, whose funds are generated through voluntary section membership dues.

In April-May 2025, each group determined whether it would charge voluntary section membership dues, and how much the dues amount would be, for the June 2025 VSB Member Dues Renewal process. Three of the Sections, (Diversity Section, the Young Lawyers Section, and the Senior Lawyers Section) established dues rates and offered a two-year enrollment to members who paid between July 1, 2025 – June 30, 2026. Any section dues revenue generated during FY26 would roll forward into FY27 as the sections moved away from their traditional budget composition. The Local and Specialty Bar Section determined it was best to proceed

without charging a membership dues fee, as their membership consists of associations rather than individuals.

Additionally, in September 2025, at the direction of the Virginia State Bar, the four Sections submitted proposals to the VSB Budget & Finance Committee to consider which, if any, of its programs could continue to be funded by the VSB Operating Account, and which programs would need to be funded by other revenue sources, like voluntary section membership dues, grants, or sponsorships.

With the knowledge of which programs would continue to be funded by the VSB Operating Account, each of the four Sections submitted a budget proposal in December 2025, for the VSB fiscal year beginning July 1, 2026, and ending June 30, 2027. This proposal included anticipated revenue for section member dues, largely based on the number of members who enrolled during the 2025 VSB Member Dues Renewal process.

The LSBS received permission from the VSB Executive Committee in February 2026 to solicit a $2.00 donation from VSB members during the 2026 VSB Member Dues Renewal process in lieu of charging a voluntary membership fee for the Section.

During the 2026 VSB Member Dues Renewal process, three of the Sections (Local and Specialty Bar Section, Senior Lawyers Section, and Young Lawyers Section) generated significantly more revenue than they anticipated on their FY27 budget proposals.

The VSB Finance Department requested that each of these three Sections submit Program Impact Statements, to be presented to the VSB Executive Committee, to determine how they would like the additional, unanticipated revenue to be allocated to their already-approved FY27 budgets.

III. Proposals

Attachment A contains the Program Impact Statement submitted by the Local and Specialty Bar Section. The Section would like to establish a new line item in their FY27 and future budget statements for "Special Programs and Events" which would collect any revenue annually generated through their approved donation solicitation.

The Section generated $5,556.00 during the June 2026 VSB Member Dues Renewal process, which was not anticipated or allocated when the Section prepared and submitted its FY27 budget proposal in December 2025.

The line item for "Special Programs and Events" would allow the LSBS flexibility and time to develop new programming, for which the Section will submit the appropriate Program Impact Statement(s) detailing how and how much of those funds will be used.

Attachment B contains the Program Impact Statement submitted by the Senior Lawyers Section. The Section would like to allocate the additional, unanticipated section membership dues revenue, in the amount of $18,700.75, to an existing line item for "Special Programs and Events", which currently holds $500.00.

The line item for "Special Programs and Events" allows the SLS flexibility and time to develop new programming, for which the Section will submit the appropriate Program Impact Statement(s) detailing how and how much of those funds will be used.

Attachment C contains the Program Impact Statement submitted by the Young Lawyers Section. The Section would like to allocate the additional, unanticipated section membership dues revenue, in the amount of $13,489.50, to four existing line items:

- $7,000.00 to the 2026 Bench-Bar Dinner (over budget)
- $2,489.50 to Special Projects & Programs
- $2,000.00 to Annual Meeting Travel & Subsistence
- $2,000.00 to Annual Meeting Programs (CLE)

Reasons for these specific allocations are detailed in the attached statement.

IV: Action Requested

It is respectfully requested that the Executive Committee approve the proposed allocation of unanticipated revenue generated by section member dues or donations:

- Local and Specialty Bar Section - $5,556.00 additional revenue
- Senior Lawyers Section - $18,700.75 additional revenue
- Young Lawyers Section - $13,489.50 additional revenue

F. Impact Statement for New Programs/Projects

This statement should be: completed, with the assistance of your liaison, whenever a new project is proposed.

1. Name of person or group proposing program/project: VSB Local and Specialty Bar Section

2. Name of VSB staff person working with your group: Nancy Donner

3. Name of program/project:

   a) Creation of Special Programs and Events budget line item
   b) Creation of $2.00 solicitation as annual occurrence during Dues Renewal

4. Proposed starting date:

   a) Upon approval by Council
   b) Approved in April 2026 by Executive Committee and Implemented when VSB Membership Dues opened online.

5. What is the goal of this program/project?

   a) Creating this budget line item would serve as a place to store excess funds the LSBS received during Dues Renewal .As new programs/events get proposed by the Section, we will submit additional Impact Statements to allocate these excess funds.
   b) Since LSBS' membership is comprised of bar associations, rather than individual attorneys, and there are no annual section dues for members, the goal is to raise money for additional LSBS programming. This has been the only viable way the section has been able to have funds, as they do not charge section membership dues.

6. Has any similar program/project been undertaken in the past by the VSB?

   Yes **(No)**

   If yes, what is the status of that program/project?

7. Is any other VSB committee or section currently working on a similar program/project?

   (Yes) No

   If yes, please name:

   a) Young Lawyers Section and Senior Lawyers Section plan to submit a similar project.

8. Does any other group in Virginia currently have or plan to have a similar program/project?

   Yes No I am unaware if another group in Virginia has a similar program/project

   If yes, please name:

9. On a separate sheet, please estimate the costs in VSB funds of the proposed program/project. Include all out-of-pocket (new) expenses (such as copying, telephone, postage and supplies). Estimate apportionments of all fixed (current) expenses (such as rent, staff salaries, computer time and office equipment).

   a) There is $5,556.00 in excess funds to be allocated in the proposed budget line item.

   b) There is no cost for the $2 solicitation

10. Please estimate the costs in staff time (include by name the person who would be primarily responsible for implementing the program/project and all support staff needed; please estimate the total number of hours for each person co be devoted to this project/program within the next fiscal year):

   a) The LSBS Board of Governors and their liaison will assist in developing and implementing new programs/projects.
   b) The Staff liaison will work with the Membership department to ensure the $2 solicitation will be included on the Dues Renewal form.

11. Please estimate the time in which this program/project will be completed and any *special supply needs:*

   a) The budget line-item proposal would be completed shortly after approval by VSB Council.
   b) The donation tab was opened when VSB members were allowed to start paying dues online. The donation tab can be continued to be used by those who are not in compliance with July 31st deadline.

12. Are the necessary funds in the current section budget?

   a) **(Yes)** No
   b) Yes **(No)**

If not, how will it be funded?

b)The donation program requires no funds.

When complete, please file one copy with your liaison and one copy with Crystal Hendrick in the Fiscal Office.

By Chair/President Date

/s/ M. Rachel Wolfe 10/14/26

By Staff Liaison Date

F. Impact Statement for New Programs/Projects

This statement should be: completed, with the assistance of your liaison, whenever a new project is proposed.

1. Name of person or group proposing program/project: VSB Senior Lawyers Section

2. Name of VSB staff person working with your group: Nancy Donner

3. Name of program/project:

   Adding surplus funds to the existing line item: **Special Programs and Events**

4. Proposed starting date:
   a) Upon approval by Council
5. What is the goal of this program/project?

   This line item will serve as a place to store reserve funds the Senior Lawyers Section received during Dues Renewal. As new programs/events get proposed by the Section, we will submit additional Impact Statements to allocate these reserve funds.

6. Has any similar program/project been undertaken in the past by the VSB?

   Yes (**No)**

If yes, what is the status of that program/project?

7. Is any other VSB committee or section currently working on a similar program/project?

   (Yes) No

   If yes, please name:
   Young Lawyers Section and Local and Specialty Bar Section plan to submit a similar project.

8. Does any other group in Virginia currently have or plan to have a similar program/project?

   Yes No I am unaware if another group in Virginia has a similar program/project

   If yes, please name:

9. On a separate sheet, please estimate the costs in VSB funds of the proposed program/project. Include all out-of-pocket (new) expenses (such as copying, telephone, postage and supplies). Estimate apportionments of all fixed (current) expenses (such as rent, staff salaries, computer time and office equipment).

   There is $18,700 in reserve funds to be added in the **Special Programs and Events** line item. There is $500 currently in the line item.

10. Please estimate the costs in staff time (include by name the person who would be primarily responsible for implementing the program/project and all support staff needed; please estimate the total number of hours for each person co be devoted to this project/program within the next fiscal year):

    The Senior Lawyers Section Board of Governors and their liaison will assist in developing and implementing new programs/projects.

11. Please estimate the time in which this program/project will be completed and any *special supply needs:*

    The budget line-item proposal would be completed shortly after approval by VSB Council.

12. Are the necessary funds in the current section budget?

    (Yes) No

If not, how will it be funded?

When complete, please file one copy with your liaison and one copy with Crystal Hendrick in **the Fiscal Office.**

By Chair/President Date October 14, 2026



By Staff Liaison Date

ATTACHMENT C

Impact Statement for New Programs/Projects

This statement should be completed, with the assistance of your liaison, whenever a new project is proposed.

1. Name of person or group proposing program/project: Christy Compagnone

2. Name of VSB staff person working with your group: Pamela Flynn

3. Name of program/project:
   2026 Bench-Bar Dinner, 2027 Annual Meeting, and other special projects & programs.

4. Proposed starting date: October 2026

5. What is the goal of this program/project?

   The Young Lawyers Section (YLS) seeks to support professional development, public service, and engagement within Virginia's legal community. The **2026 Bench-Bar Dinner** recognizes newly appointed and elevated judges and promotes meaningful connections between the bench and bar. Additional special projects & programs will support continuing legal education, networking, professional development, and other initiatives benefiting YLS members and the public.

   The additional funding will also allow the YLS to expand professional development opportunities, encourage greater participation in section leadership and activities, and strengthen engagement among young lawyers throughout Virginia. Anticipated initiatives include:

   Annual Meeting – Board Participation and Travel: Support travel and lodging expenses associated with YLS Board of Governors participation in official Annual Meeting activities, consistent with VSB reimbursement policies.

   Continuing Legal Education Programming: Support additional CLE programs and educational opportunities that enhance members' professional development.

   Annual Meeting – YLS Member Engagement: Support a proposed YLS gathering or dinner to promote networking, professional connections, and member engagement.

6. Has any similar program/project been undertaken in the past by the VSB?

   ☒ Yes ☐ No

   If yes, what is the status of that program/project?

   The **2026 Bench-Bar Dinner** is currently in the planning/implementation phase and will occur on Tuesday, October 20, 2026 at the Kimpton The Forum Hotel in Charlottesville, VA. The projected attendance is 145 guests.

7. Is any other VSB committee or section currently working on a similar program/project?

   ☐ Yes ☒ No

   If yes, please name:

8. Does any other group in Virginia currently have or plan to have a similar program/project?

   ☐ Yes ☒ No

   If yes, please name:

9. On a separate sheet, please estimate the costs in VSB funds of the proposed program/project. Include all out-of-pocket (new) expenses (such as copying, telephone, postage and supplies). Estimate apportionments of all fixed (current) expenses (such as rent, staff salaries, computer time and office equipment).

   The YLS's original approved FY27 budget totals $12,578. Based on preliminary calculations provided by the Finance Department, an additional $13,489.50 may be available for FY27 expenditures, subject to final verification.

   For the **2026 Bench-Bar Dinner**:

   Estimated Revenue Streams:

Existing BBD Budget:	$7,500
Sponsorship revenue:	$4,500
Registration revenue:	$3,850
	$15,850
Estimated Expenses:	$22,083.41
Projected shortfall	$6,233.41

   The YLS proposes allocating an additional $13,489.50 in FY27 revenue as follows:

2026 Bench-Bar Dinner	$7,000.00
Special Projects & Programs	$2,489.50
Annual Meeting – Travel & Subsistence	$2,000.00
Annual Meeting Programs (CLE)	$2,000.00
Total	**$13,489.50**

   Please note: Estimated expenses are subject to change as final arrangements are coordinated with the hotel. Last-minute cancellations, additional registrations, substitutions, and adjustments to sponsored tables may affect the final event costs.

   These allocations will allow the YLS to address current financial needs while expanding programming and participation opportunities for its members. All expenditures will remain subject to VSB financial policies and procedures and final verification of available revenue.

10. Please estimate the costs in staff time (include by name the person who would be primarily responsible for implementing the program/project and all support staff needed; please estimate the total number of hours for each person to be devoted to this program/project within the next fiscal year):

    Staff Liaison Pamela Flynn has devoted approximately 113 hours to the 2026 Bench-Bar Dinner to date. An additional 20 hours are anticipated for remaining event preparation and post-event responsibilities.

11. Please estimate the time in which this program/project will be completed and any *special supply needs:*

    The **2026 Bench-Bar Dinner** will occur on Tuesday, October 20, 2026. Additional programs and activities will be developed and implemented throughout the remainder of FY27. Specific supply and logistical needs will be determined as individual programs are planned.

12. Are the necessary funds in the current section budget? Please see the answer to question #9.

    ☒ Yes ☒ No

    If not, how will it be funded?

    The YLS proposes to utilize $13,489.50 in additional FY27 revenue, consisting of $12,777.50 in allowable additional dues revenue and $712.00 in additional miscellaneous revenue. The proposed

allocations are $7,000 for the 2026 Bench-Bar Dinner; $2,489.50 for Special Projects & Programs; $2,000 for Annual Meeting Travel & Subsistence; and $2,000 for Annual Meeting CLE programming. These allocations are subject to final financial verification and approval.

When complete, please file one copy with your liaison and they will send a copy to Crystal Hendrick in the Finance Office.

By Chair/President  Date 10/15/26

By Staff Liaison Pamela G. Flynn Date October 15, 2026