VSB Council Handbook

Updated October 2026

Council Handbook

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* *Updated October 13, 2026*

TAB 1

(1) VIRGINIA STATE BAR MISSION STATEMENT

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

Commentary

The Mission Statement contains the four elements that are found in the sources relating to the existence, power, and authority of the Virginia State Bar. They are (1) to protect the public, (2) to regulate the legal profession, (3) to advance access to legal services, and (4) to assist in improving the legal profession and the judicial system. All Virginia State Bar activities relate to one or more of these four elements.

The authority for the Mission Statement is found in, e.g., Va. Code Section 54.1-3909 (the Supreme Court's authority to promulgate rules and regulations regarding the practice of law), Va. Code Section 54.1-3910 (establishing the Virginia State Bar as an administrative agency of the Court for professional regulation), and Rules of Court Part 6, Section IV, paragraph 9(j) (the "necessary powers").

Amended by Virginia State Bar Council
October 25, 2019

TAB 2

Virginia State Bar Strategic Plan
2025 - 2028

The VSB was created in 1938 by the General Assembly as an administrative agency of the Supreme Court of Virginia. The creation of the agency unified Virginia's lawyers in a mandatory state bar. The VSB is governed by its Council and Executive Committee, whose members are elected or appointed from every judicial circuit in the Commonwealth. The mission of the Virginia State Bar, as an administrative agency of the Supreme Court of Virginia, is to protect the public by regulating the legal profession of Virginia, advancing the availability and quality of legal services provided to the people of Virginia, and assisting in improving the legal profession and the administration of justice.



Strategic Goals

Goal 1 - Financial Stability: Operate from a position of financial health.
- Maximize revenue generation (Increase bar dues, pursue alternative revenue streams, and improve future flexibility).
- Contain expenses.
- Educate members on the need for and benefits from VSB financial stability.

Goal 2 - Member Engagement: Strengthen cohesion among current and future members and advance pathways for service in VSB activities.
- Pursue an inclusive bar, recognizing diverse perspectives.
- Prioritize leadership development.
- Improve engagement highlights.

Goal 3 - Member Services: Serve members and advance solutions designed to navigate a changing legal landscape.
- Implement proactive solutions to assist members with complying with the Rules of Professional Conduct.
- Assist members navigating the intersection of artificial intelligence, technology, and the evolving practice of law.
- Explore adding preferred vendor relationships or product recommendations to aid members.

Goal 4 - Access to Legal Services: Advance access to legal services for all Virginians.
- Reverse negative trends impacting overall lawyer volume and enhance Virginia's status as a preeminent place to practice.
- Address challenges impacting access in Virginia's legal deserts.
- Grow member participation in the Virginia Lawyer Referral Service.

April 2024

TAB 3

(3) GOVERNANCE

BACKGROUND

The Virginia State Bar (VSB) was created in 1938 by the General Assembly as a unified bar and an administrative agency of the Supreme Court of Virginia.[1] The Bar Act of 1938 invested the Supreme Court of Appeals (now the Supreme Court of Virginia) with legislative authority to promulgate rules and regulations "organizing and governing the Virginia State Bar." In October 1938, the Court adopted the Rules for the Integration of the Virginia State Bar, which today are in Part 6 of the Rules of Court. Part 6, Section IV, Organization and Government gives Council general administrative authority for the VSB and the power to adopt bylaws.

- *Code of Virginia*
  §§54. 1- 3909- 54.1-3918
- *Rules of Supreme Court*
  Part 6, §IV Organization and Government
- *Bylaws of VSB and Council*

COUNCIL STRUCTURE

The rules provide that the powers of the Virginia State Bar shall be exercised by a Council elected pursuant to the Rules. Each of the 31 judicial circuits is entitled to elect one or more Council members. The election is by vote of active VSB members licensed to practice in the circuit wherein an election is held. The term of the Council member is three years with a provision that a Council member may be elected for one additional, consecutive three-year term. Council elections are held in April.

In addition to the elected Council members, the Supreme Court of Virginia appoints nine at-large members. The chair of the of Local & Specialty Bar Section, the chair of the Young Lawyers Section, the chair of the Senior Lawyers Conference and the chair of the Diversity Section serve as *ex-officio* members of Council.

The president, president-elect and immediate past president of the bar serve as *ex-officio* members of the Council, with the president serving as presiding officer. The executive director/chief operating officer serves as secretary and treasurer of the VSB.

EXECUTIVE COMMITTEE

Between meetings of the Council, its duties and functions may be performed by the Executive Committee of thirteen members, six of whom are elected annually by and from the Council, with the president, president-elect, immediate past president, chair of the of Local & Specialty Bar Section, the chair of the Young Lawyers Section, the chair of the Senior Lawyers Conference and the chair of the Diversity Section serving as *ex-officio* members.

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[1] Chapter 410 of the 1938 Acts of Assembly, now §54.1-3909 *et seq.* of the *Code of Virginia.*

Code of Virginia
Title 54.1. Professions and Occupations
Subtitle IV. Professions Regulated by the Supreme Court
Chapter 39. Attorneys

Article 1. General Provisions

§ 54.1-3900. Practice of law; student internship program; definition

Persons who hold a license or certificate to practice law under the laws of this Commonwealth and have paid the license tax prescribed by law may practice law in the Commonwealth.

Any person authorized and practicing as counsel or attorney in any state or territory of the United States, or in the District of Columbia, may for the purpose of attending to any case he may occasionally have in association with a practicing attorney of this Commonwealth practice in the courts of this Commonwealth, in which case no license fee shall be chargeable against such nonresident attorney.

Nothing herein shall prohibit the limited practice of law by military legal assistance attorneys who are employed by a military program providing legal services to low-income military clients and their dependents pursuant to rules promulgated by the Supreme Court of Virginia.

Nothing herein shall prohibit a limited practice of law under the supervision of a practicing attorney by (i) third-year law students or (ii) persons who are in the final year of a program of study as authorized in § 54.1-3926, pursuant to rules promulgated by the Supreme Court of Virginia.

Nothing herein shall prohibit an employee of a state agency in the course of his employment from representing the interests of his agency in administrative hearings before any state agency, such representation to be limited to the examination of witnesses at administrative hearings relating to personnel matters and the adoption of agency standards, policies, rules and regulations.

Nothing herein shall prohibit designated nonattorney employees of the Department of Social Services from completing, signing and filing petitions and motions relating to the establishment, modification, or enforcement of support on forms approved by the Supreme Court of Virginia in Department cases in the juvenile and domestic relations district courts.

Nothing herein shall prohibit designated nonattorney employees of a local department of social services from appearing before an intake officer to initiate a case in accordance with subsection A of § 16.1-260 on behalf of the local department of social services.

Nothing herein shall prohibit designated nonattorney employees of a local department of social services from completing, signing, and filing with the clerk of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, petitions for foster care review, petitions for permanency planning hearings, petitions to establish paternity, motions to establish or modify support, motions to amend or review an order, or motions for a rule to show cause.

Nothing herein shall prohibit a nonattorney attendance officer, or a local school division superintendent or his designee when acting as an attendance officer pursuant to § 22.1-258, from completing, signing, and filing with the intake officer of a juvenile and domestic relations district

court, on forms approved by the Supreme Court of Virginia, a petition for a violation of a school attendance order entered by a juvenile and domestic relations district court pursuant to § 16.1-278.5 in response to the filing of a petition alleging the pupil is a child in need of supervision as defined in § 16.1-228.

As used in this chapter "attorney" means attorney-at-law.

Code 1950, § 54-42; 1972, c. 391; 1974, c. 456; 1976, c. 277; 1988, c. 765; 1991, c. 650; 1994, c. 30; 1998, c. 796;2008, cc. 136, 845;2016, c. 704;2020, cc. 105, 106.

§ 54.1-3900.01. Protection of client interests; appointment of receiver for practice of a disabled, impaired, absent, deceased, suspended or disbarred attorney

A. Upon a showing that an attorney is unable to properly discharge responsibilities to clients by reason of the attorney's disability, impairment, absence or death or that a suspended or disbarred attorney has not complied with Part Six, Section IV, Paragraph 13 M of the Rules of the Virginia Supreme Court, and that no responsible party capable of properly discharging the attorney's responsibilities to clients is known to exist, the circuit court of any city or county wherein the attorney resides, or in the case of a deceased attorney resided, or maintained an office, upon the ex parte petition of Bar Counsel may issue an order appointing one or more attorneys to serve as receiver with the powers and duties specified in this section. The court, in its discretion, may require a receiver appointed pursuant to this section to post bond, with or without surety. The court may issue such order if the petition, supported by affidavit of the petitioner and such other evidence as the court may require, shows reasonable cause to believe that by reason of the subject attorney's disability, impairment, absence, or death, the subject attorney is unable to properly discharge his responsibilities to clients; or that the subject attorney's law license has been suspended or revoked and the subject attorney has not complied with Part Six, Section IV, Paragraph 13 M of the Rules of Supreme Court; and that no responsible party capable of properly discharging the subject attorney's responsibilities to clients is known to exist. The Virginia State Bar shall use its best efforts to provide a copy of the petition, affidavits, and notice of the time and place of any hearing to the subject attorney and any known duly appointed personal representative of the subject attorney or the subject attorney's estate.

B. Any receiver so appointed shall be bound by the attorney-client privilege and confidentiality under the Virginia Rules of Professional Conduct with respect to client matters and shall not disclose any privileged or confidential client information without client consent, or as required by court order, or to respond to a Virginia State Bar disciplinary investigation or an investigation by the Virginia State Bar Clients' Protection Fund involving the subject attorney.

C. Any receiver so appointed shall, unless otherwise ordered by the court, (i) prepare and file with the Virginia State Bar an inventory of all case files under the subject attorney's control; (ii) notify in writing all of the subject attorney's clients of the appointment and take whatever action the receiver deems appropriate to protect the interests of the clients until such time as the clients have had an opportunity to obtain successor counsel, and in the case of a deceased attorney, notify in writing the personal representative, if any, of the deceased attorney's estate and the commissioner of accounts of the circuit court in which the deceased attorney's estate is being administered that the receiver may have a claim against the deceased attorney's estate for fees and costs of the receivership; (iii) identify and take control of all bank accounts, including without limitation trust and operating accounts, over which the subject attorney had signatory authority in connection with his law practice; (iv) prepare and submit an accounting of receipts

and disbursements and account balances of all funds under the receiver's control for submission to the court within four months of the appointment and annually thereafter until the receivership is terminated by the court; (v) attempt to collect any accounts receivable related to the subject attorney's law practice; (vi) identify and attempt to recover any assets wrongfully diverted from the subject attorney's law practice, or assets acquired with funds wrongfully diverted from the subject attorney's law practice; (vii) terminate the subject attorney's law practice; (viii) reduce to cash all of the assets of the subject attorney's law practice, and in the case of a deceased attorney notify in writing the personal representative, if any, of the deceased attorney's estate, and the commissioner of accounts of the circuit court in which the deceased attorney's estate is being administered of any proposed liquidations of assets; (ix) determine the nature and amount of all claims of creditors, including clients, of the subject attorney's law practice; and (x) prepare and file with the court a report of such assets and claims proposing a distribution to such creditors and, in the case of a deceased attorney, notify in writing the personal representative, if any, of the deceased attorney's estate and the commissioner of accounts of the circuit court in which the deceased attorney's estate is being administered of the proposed distribution of the receivership funds. Upon the court's approval of the receiver's report, at a hearing after such notice as the court may require to creditors, the personal representative of the subject attorney's estate and the commissioner of accounts of the circuit court in which the deceased attorney's estate is being administered, the receiver shall distribute the funds in the receiver's control, including funds produced by the liquidation of the subject attorney's law practice, first to clients whose funds were or ought to have been held in trust by the subject attorney, then to the receiver for fees, costs and expenses awarded pursuant to subsection E below, and thereafter to the general creditors of the subject attorney's law practice, including clients whose funds were not required to have been held in trust by the subject attorney, and then to the subject attorney or the subject attorney's personal representative.

D. The court may determine whether any assets under the receiver's control should be returned to the subject attorney or the subject attorney's personal representative during the receivership.

E. Any receiver so appointed shall be entitled, upon proper application to the court in which the appointment was made, to recover an award of reasonable fees, costs and expenses. If there are not sufficient nontrust funds to pay the award, then the shortfall shall be paid by the Virginia State Bar, to the extent that the Virginia State Bar has funds available. The Virginia State Bar shall have a claim against the subject attorney or the attorney's estate for the amount paid.

F. This statute is declared to be remedial. Its purpose is to protect the interests of clients adversely affected by attorneys who have either engaged in misconduct or because of disability, impairment, absence, or death are unable to provide legal services for their clients. It is to be liberally administered in order to protect those interests and thereby the public's interest in the quality of legal services provided by Virginia attorneys.

1988, c. 425, § 54-42.01; 1997, c. 239;2005, cc. 184, 212.

§ 54.1-3900.02. Disclosure of services provided by the Department of Veterans Services

Attorneys who hold accreditation from the U.S. Department of Veterans Affairs to assist veterans with VA-related claims and appeals processes shall provide a written disclosure informing all clients of the free services provided by the Department of Veterans Services for service members, veterans, and their families.

2023, c. 307.

§ 54.1-3901. Practice of patent law

A. For the purposes of this section "an attorney recognized to practice before the United States Patent and Trademark Office in patent cases" is defined as anyone who is authorized to practice law in any state or territory of the United States, or the District of Columbia, and who is also entitled under the rules of that Office to represent another in patent cases. The "practice of patent law" is defined as the performance of all necessary professional services with respect to patent matters concerning which being recognized to practice before that Office for the performance of such services is required and includes legal services related to or connected with the practice of patent law.

B. Any attorney who is admitted as an active member of the Virginia State Bar, limited to patent, trademark, copyright and unfair competition cases only, as of July 1, 2000, may continue such active membership subject to compliance with minimum requirements of Mandatory Continuing Legal Education Rules of the Supreme Court of Virginia.

C. This section shall not authorize a person recognized to practice before the United States Patent and Trademark Office in patent cases to appear in any court or tribunal other than the tribunals of that Office, unless the person is an active member of the Virginia State Bar, generally or an active member of the Virginia State Bar limited to patent, trademark, copyright and unfair competition cases only as of July 1, 2000. This section shall not be construed to limit the admission to practice law as an active member of the Virginia State Bar generally of any person otherwise qualified for general admission.

D. No attorney who is not an active member of the Virginia State Bar, whether or not authorized to practice before that Office in patent cases, shall be deemed to be admitted to practice patent law within the meaning of subdivision B 1 of § 54.1-3902 or duly licensed or otherwise legally authorized to practice law within the meaning of § 13.1-544.

1962, c. 389, § 54-42.1; 1968, c. 10; 1974, c. 597; 1981, c. 103; 1982, c. 633; 1988, c. 765; 2000, c. 355.

§ 54.1-3902. Professional corporations; professional limited liability companies; and registered limited liability partnerships

A. No professional corporation organized or qualifying under the provisions of Chapter 7 (§ 13.1-542.1 et seq.) of Title 13.1, professional limited liability company organized or qualifying under the provisions of Chapter 13 (§ 13.1-1100 et seq.) of Title 13.1, or registered limited liability partnership registered under the provisions of Article 9.1 (§ 50-73.132 et seq.) of Chapter 2.2 of Title 50 shall render the professional services of attorneys in this Commonwealth unless the professional corporation, professional limited liability company, or registered limited liability partnership is registered under this section.

B. A professional corporation organized or qualifying under the provisions of Chapter 7 (§ 13.1-542.1 et seq.) of Title 13.1, a professional limited liability company organized or qualifying under the provisions of Chapter 13 (§ 13.1-1100 et seq.) of Title 13.1, or a registered limited liability partnership registered under the provisions of Article 9.1 (§ 50-73.132 et seq.) of Chapter 2.2 of Title 50 shall be issued a professional corporation, a professional limited liability company, or a registered limited liability partnership registration certificate by the Virginia State Bar upon application and payment of a registration fee of $100, provided that:

1. Each member, manager, partner, employee, or agent of the professional corporation, the professional limited liability company, or the registered limited liability partnership who will practice law in Virginia is an active member of the Virginia State Bar, or otherwise legally authorized to practice law in Virginia, except that nothing herein shall prohibit a nonlicensed individual from serving as secretary, treasurer, office manager, or business manager of any such corporation, limited liability company, or registered limited liability partnership; and

2. The name of the professional corporation, the professional limited liability company, or the registered limited liability partnership and the conduct of its practice conform with the ethical standards which the shareholders, members, managers, partners, employees, and agents are required to observe in the practice of law or patent law as defined in § 54.1-3901 in this Commonwealth and that, in the case of a corporation, the corporate name complies with subsection A of § 13.1-630;in the case of a limited liability company, the limited liability company name complies with subsection A of § 13.1-1012;and, in the case of a registered limited liability partnership, the registered limited liability partnership name complies with § 50-73.133.

C. Professional corporation, professional limited liability company, and registered limited liability partnership registration certificates shall be renewed biennially for a fee of $50.

1962, c. 389, § 54-42.1; 1968, c. 10; 1973, c. 484, § 54-42.2; 1974, c. 597; 1981, cc. 103, 516; 1982, c. 633; 1988, c. 765; 1992, c. 574; 1995, c. 116;2000, c. 355;2006, cc. 198, 230;2022, c. 234.

§ 54.1-3903. Oath; qualification; proof of licensure or authorization

Before an attorney may practice in any court in the Commonwealth, he shall take the oath of fidelity to the Commonwealth, stating that he will honestly demean himself in the practice of law and execute his office of attorney-at-law to the best of his ability. An attorney who has qualified before the Supreme Court of Virginia shall be qualified to practice in all courts of the Commonwealth. An attorney who has qualified before a court other than the Supreme Court shall be qualified to practice only in the court which administered his oath.

Each court in which an attorney intends to practice may require the attorney to produce satisfactory evidence of his licensure or authorization.

Code 1950, § 54-43; 1972, c. 131; 1988, c. 765.

§ 54.1-3904. Penalty for practicing without authority

Any person who practices law without being authorized or licensed shall be guilty of a Class 1 misdemeanor. A collection agency may refer debts to an attorney for collection with the creditor's approval of the referral and the fee arrangement and shall not be deemed to be engaged in the unauthorized practice of law. An attorney is permitted by the creditor's authorization to enter into such representation agreements.

Code 1950, § 54-44; 1988, c. 765; 1994, c. 441.

§ 54.1-3905. Furnishing advice and services for compensation in connection with certain debt-pooling plans deemed practicing law

The furnishing of advice or services for compensation to a debtor in connection with a debt-pooling plan pursuant to which the debtor deposits funds for the purpose of distributing them among his creditors, except as authorized for persons licensed pursuant to § 6.2-2005, shall be deemed to be practicing law. Any person or agency not so authorized or who is not a member of the Virginia State Bar who furnishes or offers to furnish such advice or services for compensation

shall be in violation of this section. However, it shall not constitute the practice of law merely to make or undertake to make payments to creditors on behalf of debtors, provided any person or agency that does so does not also negotiate with creditors, undertake to negotiate with creditors, or hold itself out as undertaking to negotiate with creditors on behalf of one or more debtors. Any person who violates this section shall be guilty of a Class 1 misdemeanor.

1956, c. 584, § 54-44.1; 1975, c. 645; 1988, c. 765; 1994, c. 567;2004, c. 790.

§ 54.1-3906. Liability to client

Every attorney shall be liable to his client for any damage sustained by the client through the neglect of his duty as such attorney.

Code 1950, § 54-46; 1988, c. 765; 2011, c. 703.

§ 54.1-3907. Reasonable care of attorney in selection of index

Any attorney who in the examination of records in the office of the clerk of any court in this Commonwealth relies upon the correctness of any index found in such office, whether it is the original index prepared by the clerk or by persons other than the clerk, shall be deemed to have used reasonable care in the selection of the index.

1960, c. 441, § 54-44.2; 1988, c. 765.

§ 54.1-3908. Liability for words used in proceedings concerning conduct

No person shall be held liable in any civil action for words written or spoken in any complaint regarding, proceeding concerning, or investigation of, the professional conduct of any member of the Virginia State Bar, unless it is shown that such statements were false and were made willfully and maliciously.

Code 1950, § 54-47; 1988, c. 765; 1992, c. 574; 1996, c. 399.

Article 2. Bar Organization and Government

§ 54.1-3909. Rules and regulations defining practice of law and prescribing procedures for practice of law by law students, codes of ethics, use of limited liability companies, and disciplinary procedure

The Supreme Court may promulgate rules and regulations:

Defining the practice of law.

Prescribing procedures for the limited practice of law by third-year law students.

Prescribing a code of ethics governing the professional conduct of attorneys including the practice of law or patent law through professional law corporations, limited liability companies, and partnerships, and a code of judicial ethics.

Prescribing procedures for disciplining, suspending, and disbarring attorneys.

Code 1950, § 54-48; 1973, c. 484; 1974, c. 456; 1988, c. 765; 1992, c. 574.

§ 54.1-3910. Organization and government of Virginia State Bar

The Supreme Court may promulgate rules and regulations organizing and governing the Virginia State Bar. The Virginia State Bar shall act as an administrative agency of the Court for the

purpose of investigating and reporting violations of rules and regulations adopted by the Court under this article. All advisory opinions issued by the Virginia State Bar's Standing Committees on Legal Ethics, Lawyer Advertising and Solicitation, and Unauthorized Practice of Law shall be incorporated into the Code of Virginia pursuant to § 30-154. All persons engaged in the practice of law in the Commonwealth shall be active members in good standing of the Virginia State Bar.

Code 1950, § 54-49; 1974, c. 536; 1991, c. 564; 2002, c. 306.

§ 54.1-3910.1. Enforcement, etc., of costs

Orders of the Disciplinary Board regarding unpaid costs assessed by the Clerk of the Disciplinary System pursuant to Part Six, Section IV, Paragraph 13 of the Rules of the Supreme Court may be recorded, enforced, and satisfied as orders or decrees of a circuit court upon certification of such order by the Disciplinary Board.

2001, c. 225.

§ 54.1-3911. Transmission of certain information to the House and Senate Committees for Courts of Justice

The Virginia State Bar is authorized to transmit to the House and Senate Committees for Courts of Justice, upon request of the Chairman of either Committee, any evidence that it has in its possession with reference to any pending disciplinary proceeding involving a licensed attorney whose name has been placed before the Committee for consideration for election as a judge of a court of this Commonwealth and the record of any previous disciplinary action taken against the attorney.

1985, c. 264, § 54-49.1; 1988, c. 765.

§ 54.1-3912. Fees

The Supreme Court may promulgate rules and regulations fixing a schedule of fees to be paid by members of the Virginia State Bar for the purpose of administering this article and providing for the collection and disbursement of such fees; but the annual fees to be paid by any attorney shall not exceed $350.

Code 1950, § 54-50; 1956, c. 256; 1964, c. 332; 1970, c. 605; 1975, c. 218; 1982, c. 602; 1986, c. 205; 1988, c. 765; 1993, c. 38; 1995, c. 15;2026, c. 584.

§ 54.1-3913. State Bar Fund; receipts; disbursements

The State Bar Fund is continued as a special fund in the state treasury. All fees collected from the members of the Virginia State Bar as provided in § 54.1-3912 shall be paid into the state treasury immediately upon collection and credited to the State Bar Fund. All moneys paid into the Fund are hereby appropriated to the Virginia State Bar for the purpose of administering the provisions of this article. All disbursements from the Fund shall be made by the State Treasurer upon warrants of the Comptroller issued upon vouchers signed by an authorized officer of the Virginia State Bar in accordance with rules and regulations promulgated by the Supreme Court.

Code 1950, § 54-52; 1964, c. 531; 1974, c. 608; 1979, c. 440; 1988, c. 765.

§ 54.1-3913.1. Clients' Protection Fund

The Clients' Protection Fund is continued as a special fund of the Virginia State Bar. The Fund shall consist of moneys transferred to it from the State Bar Fund and the Virginia State Bar's Administration and Finance Account. Disbursements to the Clients' Protection Fund from the

State Bar Fund shall be made only upon approval of the disbursements through the annual budgetary process of the Virginia State Bar. Notwithstanding the provisions of § 54.1-3912, the Supreme Court may adopt rules assessing members of the Virginia State Bar an annual fee of up to $25 to be deposited in the State Bar Fund and transferred to the Clients' Protection Fund.

1996, c. 346;2007, c. 807.

§ 54.1-3914. Forfeiture of license for failing to pay fees; restoration of license

Any attorney licensed to practice in this Commonwealth who fails for two successive years to pay the annual fees provided for by § 54.1-3912, shall thereby forfeit his license to practice law in this Commonwealth.

On or before July 31 of each year, the Executive Director of the Virginia State Bar shall notify every attorney whose fees for the two preceding years have not been paid. The notice shall be deemed to have been given if deposited by registered or certified mail addressed to such attorney at his address as shown on the Executive Director's official records. If payment is not received by the Executive Director within six months from the date of such notice, he shall remove the name of the attorney from his list of persons qualified to practice law in Virginia, and shall notify the clerk of the Supreme Court of Virginia that the name of the attorney has been removed. The name of any attorney so removed shall be restored only upon application of such person to the Executive Director accompanied by a sum equal to the aggregate of all fees which are due, plus a penalty of $100. Upon receipt of the fees and penalty, the Executive Director shall restore the name of such person to his list of persons qualified to practice law in Virginia and shall notify the clerk of the Supreme Court of Virginia that such name has been restored.

1960, c. 459, § 54-50.1; 1984, c. 359; 1988, c. 765.

§ 54.1-3915. Restrictions as to rules and regulations

Notwithstanding the foregoing provisions of this article, the Supreme Court shall not promulgate rules or regulations prescribing a code of ethics governing the professional conduct of attorneys which are inconsistent with any statute; nor shall it promulgate any rule or regulation or method of procedure which eliminates the jurisdiction of the courts to deal with the discipline of attorneys. In no case shall an attorney who demands to be tried by a court of competent jurisdiction for the violation of any rule or regulation adopted under this article be tried in any other manner.

Code 1950, § 54-51; 1974, c. 536; 1988, c. 765.

§ 54.1-3915.1. Repealed

Repealed by Acts 2021, Sp. Sess. I, c. 342, cl. 2, effective July 1, 2021.

§ 54.1-3916. Legal aid societies

A. The Virginia State Bar through its governing body is authorized to promulgate rules and regulations governing the function and operation of legal aid societies to further the objective of providing legal assistance to persons requiring such assistance but unable to pay for it. To the extent that interest is paid by a financial institution on client funds deposited by attorneys or law firms in pooled interest-bearing accounts, any interest earned on such accounts shall be paid by the financial institution periodically, but at least quarterly, to the Legal Services Corporation of Virginia.

B. The rules and regulations adopted under subsection A may be enforced by the Virginia State Bar, or by the Attorney General if so authorized by the Virginia State Bar.

C. It shall be a Class 1 misdemeanor for any person, firm, corporation, or other organization to render legal services as a legal aid society, or for any attorney to render legal services at the instance or request of any such person, firm, corporation, or organization unless the person, firm, corporation, or organization complies with the rules and regulations adopted under subsection A. In addition to the criminal penalty, an injunction shall lie to prevent any violation of this section or rule or regulation adopted hereunder.

1956, Ex. Sess., c. 47; 1958, c. 253; 1988, c. 765; 1995, c. 93;2021, Sp. Sess. I, c. 342.

§ 54.1-3917. Master retirement program

The Virginia State Bar through its governing body is authorized to approve and be a party to a master retirement program for the benefit of the members of the Virginia State Bar, their employees and families, including the power to execute, amend and revoke a master plan and trust agreement and to pay from the State Bar Fund in the manner provided in § 54.1-3913 the printing and administrative costs incurred in the promulgation and explanation of such program to the members of the Virginia State Bar. Any such program entered into or expenditure made before June 28, 1968, is hereby validated.

1968, c. 370, § 54-52.2; 1988, c. 765.

§ 54.1-3917.1. Group or individual insurance policies

The Virginia State Bar, through its governing body, is authorized to endorse insurance coverages or to be a holder of group or individual insurance policies for the benefit of the members of the Virginia State Bar, their employees and families. In connection therewith, the Virginia State Bar is authorized to execute, amend and revoke agreements to provide such endorsement or such group or individual insurance policies to such members, employees and families. All group or individual insurance policies or coverages endorsed or held by the Virginia State Bar before July 1, 1995, are hereby approved.

1995, c. 65.

§ 54.1-3918. Availability of Virginia State Bar membership list

When requested, copies of the Virginia State Bar membership address list shall be made available to Virginia professional legal organizations which operate not for profit and which regularly conduct continuing legal education programs in the Commonwealth. If specified by the requestor, the list shall be made available in computer sorted zip code sequence in a mailing label format suitable for bulk mailing. Lists shall be provided by the Virginia State Bar on a cost recovery basis.

Each request for the mailing list shall be made in writing by requesting organizations to the Executive Director of the Virginia State Bar. Each request shall state the date the list is needed by the requestor and each request shall be postmarked no less than thirty days prior to such date. The cost of mailing or shipping shall be borne by the requestor.

1981, c. 496, § 54-52.2:1; 1988, c. 765.

POWERS OF COUNCIL
Part 6, §IV, Para. 9

The Council shall have general charge of the administration of the affairs of the Virginia State Bar, and shall have the power:

a) To adopt Bylaws for the Council and the Virginia State Bar not in conflict with these rules.

b) To elect the officers provided for by these rules.

c) To fill vacancies in the Council for unexpired terms if there should be a failure for sixty days to elect as provided in Section (6) and to fill vacancies in any office for unexpired terms.

d) To appoint committees and prescribe their duties.

e) To employ such assistants as it deems necessary and to fix their duties and compensation and the compensation of the Secretary-Treasurer.

f) To make allocations of funds within the amounts available.

g) To conduct such investigations and make such reports as may be directed by the Supreme Court or by the bar.

h) To render advisory opinions as provided in Section (10).

i) To establish an Administration and Finance Fund from which expenses related to meetings of the Council, meetings of the Executive Committee, the Annual and Midyear Meetings, and other official functions of the Virginia State Bar may be paid. The Fund shall be composed of funds appropriated to it by Council, or otherwise received. Such funds may be held, managed and invested as authorized or directed by Council. Disbursements from the fund shall be made as authorized by Council to pay the necessary expenses related to official functions of the Virginia State Bar as authorized by these Rules including, but not limited to, those expenses resulting from the exercise of the Council's powers under these Rules.

j) The Council may, at its discretion or upon a written request of the majority of the members of the Virginia State Bar or pursuant to a resolution duly adopted at a regular or called meeting, exercise the necessary powers:

    - To promote reforms in judicial procedure and the judicial system that are intended to improve the quality and fairness of the system;
    - To recommend to the Supreme Court procedures for the disciplining, suspending and disbarring of attorneys;
    - To recommend to the Supreme Court the adoption of, modifications to, amendments to or the repeal of any rule of the Rules of the Supreme Court of Virginia;
    - To regulate the legal profession;
    - To improve the quality of the legal services made available to the people of Virginia;
    - To investigate, evaluate or endorse judicial candidates on a nonpartisan, merit basis;
    - To uphold and elevate the standards of honor, of integrity and of courtesy in the legal profession;
    - To encourage higher and better education for membership in the profession; and
    - To encourage and promote diversity in the profession and the judiciary; and
    - To perform all duties imposed by law.

Visit the General Assembly's Legislative Information System for the authoritative most up-to-date version of applicable VSB statutes: Code of Virginia Code - Chapter 39. Attorneys

CODE OF VIRGINIA

§ 54.1-3909. Rules and regulations defining practice of law and prescribing procedures for practice of law by law students, codes of ethics, use of limited liability companies, and disciplinary procedure.

The Supreme Court may promulgate rules and regulations:

Defining the practice of law.

Prescribing procedures for the limited practice oflaw by third-year law students.

Prescribing a code of ethics governing the professional conduct of attorneys including the practice oflaw or patent law through professional law corporations, limited liability companies, and partnerships, and a code of judicial ethics.

Prescribing procedures for disciplining, suspending, and disbarring attorneys.

(Code 1950, § 54-48; 1973, c. 484; 1974, c. 456; 1988, c. 765; 1992, c. 574.)

§ 54.1-3910. Organization and government of Virginia State Bar.

The Supreme Court may promulgate rules and regulations organizing and governing the Virginia State Bar. The Virginia State Bar shall act as an administrative agency of the Court for the purpose of investigating and reporting violations of rules and regulations adopted by the Court under this article. All advisory opinions issued by the Virginia State Bar's Standing Committees on Legal Ethics, Lawyer Advertising and Solicitation, and Unauthorized Practice of Law shall be incorporated into the Code of Virginia pursuant to§ 30-154. All persons engaged in the practice oflaw in the Commonwealth shall be active members in good standing of the Virginia State Bar.

(Code 1950, § 54-49; 1974, c. 536; 1991, c. 564; 2002, c. 306.)

§ 54.1-3910.1. Enforcement, etc., of costs.

Orders of the Disciplinary Board regarding unpaid costs assessed by the Clerk of the Disciplinary System pursuant to Part Six, Section IV, Paragraph 13 of the Rules of the Supreme Court may be recorded, enforced, and satisfied as orders or decrees of a circuit court upon certification of such order by the Disciplinary Board.

(2001, C. 225.)

§ 54.1-3911. Transmission of certain information to House and Senate Committees for Courts of Justice.

The Virginia State Bar is authorized to transmit to the House and Senate Committees for Courts of Justice, upon request of the chairman of either Committee, any evidence that it has in its

possession with reference to any pending disciplinary proceeding involving a licensed attorney whose name has been placed before the Committee for consideration for election as a judge of a court of this Commonwealth and the record of any previous disciplinary action taken against the attorney.

(1985, c. 264, § 54-49.1; 1988, c. 765.)

§ 54.1-3912. Fees.

The Supreme Court may promulgate rules and regulations fixing a schedule of fees to be paid by members of the Virginia State Bar for the purpose of administering this article, and providing for the collection and disbursement of such fees; but the annual fees to be paid by any attorney shall not exceed $250.

(Code 1950, §54-50; 1956,c.256; 1964,c.332; 1970,c.605; 1975,c.218; 1982,c.602; 1986, c. 205; 1988, c. 765; 1993, c. 38; 1995, c. 15.)

§ 54.1-3913. State Bar Fund; receipts; disbursements.

The State Bar Fund is continued as a special fund in the state treasury. All fees collected from the members of the Virginia State Bar as provided in§ 54.1-391.2 shall be paid into the state treasury immediately upon collection and credited to the State Bar Fund. All moneys paid into the Fund are hereby appropriated to the Virginia State Bar for the purpose of administering the provisions of this article. All disbursements from the Fund shall be made by the State Treasurer upon warrants of the Comptroller issued upon vouchers signed by an authorized officer of the Virginia State Bar in accordance with rules and regulations promulgated by the Supreme Court.

(Code 1950, § 54-52; 1964, c. 531; 1974, c. 608; 1979, c. 440; 1988, c. 765.)

§ 54.1-3913.1. Clients' Protection Fund.

The Clients' Protection Fund is continued as a special fund of the Virginia State Bar. The Fund shall consist of moneys transferred to it from the State Bar Fund and the Virginia State Bar's Administration and Finance Account. Disbursements to the Clients' Protection Fund from the State Bar Fund shall be made only upon approval of the disbursements through the annual budgetary process of the Virginia State Bar. Notwithstanding the provisions of § 54.1-3912, the Supreme Court may adopt rules assessing members of the Virginia State Bar an annual fee of up to $25 to be deposited in the State Bar Fund and transferred to the Clients' Protection Fund.

1996, c. 346; 2007, c. 807.

§ 54.1-3914. Forfeiture of license for failing to pay fees; restoration of license.

Any attorney licensed to practice in this Commonwealth who fails for two successive years to pay the annual fees provided for by § 54.1-3912, shall thereby forfeit his license to practice law in this Commonwealth.

On or before July 31 of each year, the Executive Director of the Virginia State Bar shall notify every attorney whose fees for the two preceding years have not been paid. The notice shall be deemed to have been given if deposited by registered or certified mail addressed to such attorney

at his address as shown on the Executive Director's official records. If payment is not received by the Executive Director within six months from the date of such notice, he shall remove the name of the attorney from his list of persons qualified to practice law in Virginia, and shall notify the clerk of the Supreme Court of Virginia that the name of the attorney has been removed. The name of any attorney so removed shall be restored only upon application of such person to the Executive Director accompanied by a sum equal to the aggregate of all fees which are due, plus a penalty of $100. Upon receipt of the fees and penalty, the Executive Director shall restore the name of such person to his list of persons qualified to practice law in Virginia and shall notify the clerk of the Supreme Court of Virginia that such name has been restored.

(1960, c. 459, § 54-50.1; 1984, c. 359; 1988, c. 765.)

§ 54.1-3915. Restrictions as to rules and regulations.

Notwithstanding the foregoing provisions of this article, the Supreme Court shall not promulgate rules or regulations prescribing a code of ethics governing the professional conduct of attorneys which are inconsistent with any statute; nor shall it promulgate any rule or regulation or method of procedure which eliminates the jurisdiction of the courts to deal with the discipline of attorneys. In no case shall an attorney who demands to be tried by a court of competent jurisdiction for the violation of any rule or regulation adopted under this article be tried in any other manner.

(Code 1950, § 54-51; 1974, c. 536; 1988, c. 765.)

§ 54.1-3915.1. Rules regarding client accounts.

The Supreme Court shall not promulgate any disciplinary rules, rule or regulation requiring that attorneys or law firms deposit client funds in interest-bearing accounts, pooled or otherwise, on which the interest is requited to be paid to any person or entity other than the client. Any disciplinary rule, rule or regulation previously promulgated which is inconsistent with this section is void and of no effect.
(1995, c. 93.)

§ 54.1-3916. Legal aid societies.

A. The Virginia State Bar through its goveming body is authorized to promulgate rules and regulations goveming the function and operation of legal aid societies to further the objective of providing legal assistance to persons requiring such assistance but unable to pay for it. To the extent that interest is paid by a financial institution on client funds deposited by attorneys or law firms in pooled interest bearing accounts established and maintained under circumstances which do not conflict with§ 54.1-3915.1, any interest earned on such accounts shall be paid by the financial institution periodically, but at least quarterly, to the Legal Services Corporation of Virginia.

B. The rules and regulations adopted under subsection A may be enforced by the Virginia State Bar, or by the Attorney General if so authorized by the Virginia State Bar.

C. It shall be a Class 1 misdemeanor for any person, firm, corporation or other organization to render legal services as a legal aid society, or for any attorney to render legal services at the instance or request of any such person, firm, corporation or organization unless the person, firm, corporation or organization complies with the rules and regulations adopted under subsection A

hereof. In addition to the criminal penalty, an injunction shall lie to prevent any violation of this section or rule or regulation adopted hereunder.

(1956, Ex. Sess., c. 47; 1958, c. 253; 1988, c. 765; 1995, c. 93.)

§ 54.1-3917. Master retirement program.

The Virginia State Bar through its governing body is authorized to approve and be a party to a master retirement program for the benefit of the members of the Virginia State Bar, their employees and families, including the power to execute, amend and revoke a master plan and trust agreement and to pay from the State Bar Fund in the manner provided in§ 54.1-3913 the printing and administrative costs incurred in the promulgation and explanation of such program to the members of the Virginia State Bar. Any such program entered into or expenditure made before June 28, 1968, is hereby validated.

(1968, c. 370, § 54-52.2; 1988, c. 765.)

§ 54.1-3917.1. Group or individual insurance policies.

The Virginia State Bar, through its governing body, is authorized to endorse insurance coverages or to be a holder of group or individual insurance policies for the benefit of the members of the Virginia State Bar, their employees and families. In connection therewith, the Virginia State Bar is authorized to execute, amend and revoke agreements to provide such endorsement or such group or individual insurance policies to such members, employees and families. All group or individual insurance policies or coverages endorsed or held by the Virginia State Bar before July 1, 1995, are hereby approved.

(1995, c. 65.)

§ 54.1-3918. Availability of Virginia State Bar membership list.

When requested, copies of the Virginia State Bar membership address list shall be made available to Virginia professional legal organizations which operate not for profit and which regularly conduct continuing legal education programs in the Commonwealth. If specified by the requestor, the list shall be made available in computer sorted zip code sequence in a mailing label format suitable for bulk mailing. Lists shall be provided by the Virginia State Bar on a cost recovery basis.

Each request for the mailing list shall be made in writing by requesting organizations to the Executive Director of the Virginia State Bar. Each request shall state the date the list is needed by the requestor and each request shall be postmarked no less than thirty days prior to such date. The cost of mailing or shipping shall be borne by the requestor.

(1981, c. 496, § 54-52.2:1; 1988, c. 765.)

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RULES OF SUPREME COURT

Part 6, §IV, Paragraphs 1-12 (Organization and Government)

1. NAME.-The name of the Organization shall be the Virginia State Bar.

2. MEMBERSHIP AND REGISTRATION.

(a) Every person licensed by the Virginia Board of Bar Examiners or admitted by the Supreme Court of Virginia is a member of the Virginia State Bar. Such persons shall register with the Virginia State Bar within one year after licensure or admission. Attorneys who are seeking active membership in the Virginia State Bar under Virginia Supreme Court Rule lA:5, Part I (Virginia Corporate Counsel) must complete their registration requirements with the Virginia State Bar and their admission before the Supreme Court of Virginia within six months; otherwise such attorneys will be required to initiate a new application process.

(b) Every lawyer making application to the Virginia State Bar as a Corporate Counsel Registrant under Virginia Supreme Court Rule lA:5 Part II, and every lawyer issued a certificate by the Virginia Board of Bar Examiners under Virginia Supreme Court Rules lA:6 or lA:7 must complete their registration requirements with the Virginia State Bar within six months; otherwise such attorneys will be required to initiate a new application process.

3. CLASSES OF MEMBERSHIP.- Members of the Virginia State Bar are divided into six classes, namely: (a) *Active Members*, (b) *Associate Members*, (c) *Judicial Members*, (d) *Disabled Members*, (e) *Retired Members*; and (f) *Emeritus Members*. Each member must submit in writing to the Virginia State Bar an address of record and email address of record, either of which may be used for official membership for regulatory purposes by the Virginia State Bar, and the address of record which is to be used for notices of disciplinary proceedings. If a member's address of record is not a physical address where process can be served, the member must also submit in writing to the Virginia State Bar an alternate physical address where process can be served. The alternate address is personal information and will not be disclosed in response to a request pursuant to Section 2.2- 3704, *Code of Virginia.* Members have a duty promptly to notify the Virginia State Bar in writing of any changes in their address of record, email address of record, or any alternate address. Members, by request, may have their names and addresses removed from the Virginia State Bar's membership list when it is distributed for other than Virginia State Bar official purposes.

(a) *Active Members*—Those lawyers who are admitted to practice law in the Commonwealth of Virginia and who are in good standing, qualify for active membership in the Virginia State Bar. They may become active members by paying the dues prescribed for active members and satisfying all other regulatory requirements. Each active member's address of record will establish the judicial circuit in which the member is authorized to vote and hold office in the Virginia State Bar. For purposes of this subparagraph, "good standing" means the lawyer has satisfied all

requirements for membership as established by these Rules, and has no current disciplinary or administrative suspension.

(b) *Associate Members*—Associate members are entitled to all the privileges of active members except that they cannot practice law, vote nor hold office (other than as members of committees) in the Virginia State Bar. Those lawyers who have been admitted to practice law in the Commonwealth of Virginia, and all persons on the law faculties of any law schools located in this state that have been approved by the American Bar Association, may become associate members of the Virginia State Bar upon application to the Virginia State Bar and payment of the required dues.

(c) *Judicial Members*—Lawyers who are admitted to practice law in any U.S. jurisdiction and who establish their authority to adjudicate the rights and liabilities of parties in adversarial proceedings other than arbitration on a full time basis, and who make final decisions affecting the rights and liabilities of parties, notwithstanding a right of appeal of the non-prevailing party, including Virginia magistrates; and, who are Virginia licensed lawyers at the time of application to the judicial class of membership, or preside in a tribunal located in Virginia, or, by virtue of the applicant's official position, have the authority to, and regularly, judicially interpret Virginia law, qualify for judicial class membership in the Virginia State Bar. They may become judicial members by filing an annual affirmation with the Virginia State Bar which identifies their tribunal or jurisdiction, address of record, and judicial title. They are not required to pay dues but are entitled to all the privileges of active members except that they cannot vote nor hold office in the Virginia State Bar. Former judges who do not engage in the practice of law and are ineligible to transfer to the retired class of membership may retain their judicial class membership by completing the annual affirmation indicating their previous title and tribunal or jurisdiction.

(d) *Disabled Members*—Any member of the Virginia State Bar, on the basis of a disability, may submit to the Virginia State Bar a written request to be transferred to the disabled class of membership. Members who seek this status must submit adequate medical and/or psychological documentation with the request. Members approved for transfer to the disabled class are not required to pay dues, are not authorized to practice law, and cannot vote or hold office in the Virginia State Bar.

1. A disabled member who has filed a declaration (endorsed by the member and member's counsel or guardian ad litem, as applicable) with the Clerk of the Disciplinary System and the Virginia State Bar's Membership Department affirming that the member will not seek a transfer from the disabled class of membership may not seek reinstatement to any other class of membership.

2. A disabled member who has not filed a declaration as described in subparagraph (d)(1) may submit a petition to the executive director in writing for transfer to active, associate, retired or emeritus membership

and state in the petition each circumstance that has changed since the member elected disabled membership. Adequate medical and/or psychological documentation must be submitted with the petition demonstrating that the member is fit and capable of practicing law. If there are any misconduct complaints or proceedings pending in any jurisdiction when the executive director receives a petition for reinstatement, or if there is any concern regarding the member's fitness or capacity to practice law, the executive director must defer consideration of the petition until the misconduct or disability issue is resolved. Once reviewed by the executive director, the Executive Committee of the Virginia State Bar will review and act on any such petition, taking into account the recommendation of the executive director. The Executive Committee may deny a petition for reinstatement if the member has been publicly disciplined in any jurisdiction or is determined to have a disability raising a serious question as to the member's fitness or capacity to practice law. If the Executive Committee approves the petition, the member will be transferred to active, associate, retired or emeritus status conditioned upon payment of the appropriate dues, satisfaction of any other regulatory requirements, and payment of any outstanding financial obligations to the Virginia State Bar. Medical and/or psychological information provided pursuant to this subparagraph (d) is confidential and will not be disclosed by the Virginia State Bar.

(e) *Retired Members*—Any member of the Virginia State Bar, upon attaining 70 years of age, may submit to the Virginia State Bar a written request to be transferred to the retired class of membership. Members approved for transfer to the retired class are not required to pay dues, are not authorized to practice law, and cannot vote or hold office in the Virginia State Bar.

1. A retired member who has filed a declaration (endorsed by the member and member's counsel or guardian ad litem, as applicable) with the Clerk of the Disciplinary System and the Virginia State Bar's Membership Department affirming that the member will not seek a transfer from the retired class of membership, may not seek reinstatement to any other class of membership.

2. A retired member who has not filed a declaration as described in subparagraph (e)(1) may submit a petition to the executive director in writing for transfer to active, associate, disabled or emeritus membership and state in the petition each circumstance that has changed since the member elected retired membership. Adequate documentation must be submitted with the petition showing that the member is fit and capable of practicing law. If there are any misconduct complaints or proceedings pending in any jurisdiction when the executive director receives a petition for reinstatement, the executive director must defer consideration of the petition until the misconduct issue is resolved. Otherwise, the executive director will consider and act on any such petition.

3. The executive director may deny a petition for reinstatement if the member has been publicly disciplined in any jurisdiction or, if in the discretion of the executive director, the member is determined to have a disability raising a serious question as to the member's fitness or capacity

to practice law. If the executive director denies the petition, the Executive Committee of the Virginia State Bar must review the decision of the executive director. If the executive director approves the petition, the member will be transferred to active, associate, disabled or emeritus status conditioned upon payment of the appropriate dues, satisfaction of any other regulatory requirements, and payment of any outstanding financial obligations to the Virginia State Bar.

(f) *Emeritus Members*—Those lawyers who are admitted to practice law in the Commonwealth of Virginia may, upon request to the Virginia State Bar with the supporting materials specified in this subparagraph, become emeritus members and provide exclusively pro bono legal services to the poor and working poor as emeritus members subject to the terms and conditions stated in this subparagraph. Emeritus members are not required to pay dues, cannot practice law except in the limited manner specified in this subparagraph, and cannot vote or hold office in the Virginia State Bar.

1. Definitions

A. Active practice of law, for the purposes of this subparagraph, means that a lawyer has been engaged in the practice of law, which includes private practice, corporate practice as authorized by Part One A, Rule 1A:5, public employment as a lawyer, or full-time teaching at an American Bar Association approved law school.

B. Emeritus member is any person who is admitted to practice law in the Commonwealth of Virginia, who is retiring or has retired from the active practice of law, and who intends to provide exclusively *pro bono* services under this subparagraph; and

(i) intends to provide *pro bono* legal services as defined by Rule 6.1(a) of the Virginia Rules of Professional Conduct and its comments, subject to the terms and conditions of this subparagraph; and

(ii) is, at the time of requesting emeritus member status, an active, associate, or retired member in good standing of the Virginia State Bar who has practiced law for 20 years or more in any U.S. jurisdiction; and

(iii) is, at the time of requesting emeritus status, an active, associate, or retired member who has not been disciplined for professional misconduct by the bar or courts of any jurisdiction within the past fifteen years; and

(iv) has been engaged in the active practice of law in any U.S. jurisdiction for a minimum of five out of the seven years immediately preceding the application to become an emeritus member; and

(v) agrees to neither ask for nor receive any compensation of any kind from the client, except for out-of-pocket expenses, for the legal service to be rendered under this subparagraph.

C. Qualified legal services provider, for the purposes of this subparagraph, is a Virginia licensed legal aid society or other not-for-profit entity organized in whole or in part, to provide legal services to the poor and/or working poor in Virginia.

2. Activities

A. An emeritus member, in association with a qualified legal services provider, may perform only the following activities:

(i) appear in any court or before an administrative tribunal or arbitrator in the Commonwealth of Virginia on behalf of a client of a qualified legal services provider.

(ii) prepare and sign pleadings and other documents to be filed in court or with an administrative tribunal or arbitrator in this state in any matter in which the emeritus member is involved.

(iii) render legal advice and perform other appropriate legal services.

(iv) engage in such other preparatory activities as are necessary for any matter in which he or she is properly involved.

3. Limitations

A. The prohibition against compensation for the emeritus member contained in section (1)(B)(v) of this subparagraph will not prevent the qualified legal services provider from reimbursing the emeritus member for actual expenses incurred while rendering service under this subparagraph, nor will it prevent the qualified legal services provider from charging for its services as it may otherwise properly charge. The qualified legal services provider is authorized to receive all court awarded attorney's fees for any representation rendered by an emeritus member.

4. Certification. Permission for an emeritus member to perform services under this subparagraph becomes effective upon: a determination by the Virginia State Bar that the emeritus member has fulfilled the requirements of such membership and has no disciplinary record as required by section (1)(B) of this subparagraph; and the filing with the Virginia State Bar each year of an affidavit of affiliation with a qualified legal services provider by the emeritus member. The emeritus member must also certify in this affidavit whether such member is currently covered by professional liability insurance.

5. Membership Requirements. In order to practice law under this rule, a retired member must comply with the petition and approval requirements for reinstatement as an active member prescribed in Paragraph 3(d) of Part 6, Section IV of the Rules of the Supreme Court of Virginia. Also, associate members must satisfy any outstanding MCLE deficiencies before assuming emeritus status. Additionally, emeritus members must comply with all rules and requirements set forth in Part 6, Section IV of the Rules of the Supreme Court of Virginia with the exception that they

are not required to pay dues and other fees, nor comply with the professional liability certification requirements in Paragraph 18.

6. Change of Membership Status. An emeritus member may petition for reinstatement to active or associate membership under the procedure prescribed in subparagraph (e) of this rule for retired members.

4. OFFICERS.- The officers of the Virginia State Bar shall be a President, a President-elect, an Immediate Past President and a Secretary-Treasurer. The President-elect shall be elected annually for a term to commence on July 1 and to continue until the next president-elect assumes the presidency or the president-elect otherwise vacates office. The former President then shall become the Immediate Past-President until the following July 1.

To be eligible for nomination as President-elect, the candidate must, at the time of nomination, have been an active member of the Virginia State Bar for a period of seven years and must have served on the Council for a minimum of two years within the five-year period next preceding his or her election.

The method of election of the President-elect shall be in the manner prescribed by the Bylaws of the Council.

If the President were unable to complete his or her term of office, the President-elect shall become President. Should a vacancy occur in the President-elect position, for whatever reason, an election shall be held as soon as possible to fill the vacancy pursuant to the election procedures set forth in the bylaws. Should a vacancy occur in the Immediate Past President position, the vacancy will remain until a new President qualifies as Immediate Past President.

The President, the President-elect and the Immediate Past President shall be ex officio members of the Council; the President shall preside over the Council. In the absence of the President, the President-elect shall preside.

The Secretary-Treasurer shall also bear the title of Executive Director and Chief Operating Officer. In the event of a vacancy, the Council shall recommend its nominee as Secretary-Treasurer to the Supreme Court of Virginia which shall approve or reject the Council's recommendation. If the Supreme Court rejects Council's recommendation, Council shall submit another recommendation to the Court for its consideration. The Secretary-Treasurer shall keep all records of the Council and the Virginia State Bar.

The Secretary-Treasurer may be removed from office by the Council with the approval of the Supreme Court or by the Supreme Court, acting sua sponte..

5. THE COUNCIL.-The powers of the Virginia State Bar shall be exercised by a Council composed of at least thirty-seven members in addition to the President, President-elect and Immediate Past President, as *ex officio* members, elected and appointed as follows:

At least one active member from each of the thirty-one judicial circuits, elected for a term of three years by the members of the bar of each circuit, and nine members appointed by the Supreme Court of Virginia from the active members of the bar of the state at large. The Court shall appoint the at-large members to serve for a term of three years and, further, shall appoint in such a manner as to ensure that three members are appointed annually. A person who has served two successive full three-year terms as an elected or appointed member of Council shall not be eligible for election or appointment to a third successive term.

For each additional judicial circuit, whenever created, there shall be a member of the Council, who shall be an active member of the bar of that circuit. An election shall be held in such circuit within sixty (60) days after the creation of such circuit or as soon thereafter as may be feasible in the manner provided at Paragraph 6. The Council at its meeting next thereafter shall determine the length of the term of the first member from that circuit so that, as nearly as possible, the terms of one-third of the members of the Council expire each year.

Any circuit having as of the 1st day of February in any year more than 500 active members in good standing who are domiciled or principally practice their profession in such circuit shall be entitled to one additional member of the Council for each additional 500 members or major fraction thereof. In the event that the membership in a circuit as of February 1 is such that it is no longer entitled to one or more additional members, the term of such additional member[s] of the Council shall end at the expiration of the term for which the member[s] was elected. Provided, however, that the number of Council members from each circuit as of July 1, 2008, shall not be reduced unless the active membership in the circuit first increases to the number which will sustain its allocation of Council members as of July 1, 2008, under the above formula, and subsequently falls below that number.

Whenever a judicial circuit shall be abolished, the term of any member of the Council from that circuit shall end forthwith.

The Chair of the Young Lawyers Section shall serve as an *ex officio* member of the Council.

The Chair of the Local and Specialty Bar Section shall serve as an *ex officio* member of the Council.

The Chair of the Senior Lawyers Section shall serve as an *ex officio* member of the Council.

The Chair of the Diversity Section shall serve as an *ex officio* member of the Council.

6. ELECTION OF COUNCIL.- Prior to the expiration of a term of a Council member from a circuit, or when it appears that such a position has otherwise become vacant, or the circuit becomes entitled to an additional Council member under other provisions of this section, the executive director shall initiate the election process for the election of a Council member in the manner prescribed by the Bylaws of the Council.

7. MEETINGS OF THE COUNCIL-The Council shall hold meetings at such regular times and upon such call as it may specify. A quorum at any meeting shall consist of not less than twenty members. Between meetings of the Council its duties and functions may be performed by such Executive Committee of members or officers as the Council may designate.

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 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.

9. POWERS OF THE COUNCIL-The Council shall have general charge of the administration of the affairs of the Virginia State Bar, and shall have the power:

(a) To adopt Bylaws for the Council and the Virginia State Bar not in conflict with these rules.

(b) To elect the officers provided for by these rules.

(c) To fill vacancies in the Council for unexpired terms if there should be a failure for sixty days to elect as provided in Section (6) and to fill vacancies in any office for unexpired terms.

(d) To appoint committees and prescribe their duties.

(e) To employ such assistants as it deems necessary and to fix their duties and compensation and the compensation of the Secretary-Treasurer.

(f) To make allocations of funds within the amounts available.

(g) To conduct such investigations and make such reports as may be directed by the Supreme Court or by the bar.

(h) To render advisory opinions as provided in Section (10).

(i) To establish an Administration and Finance Fund from which expenses related to meetings of the Council, meetings of the Executive Committee, the Annual and Midyear Meetings, and other official functions of the

Virginia State Bar may be paid. The Fund shall be composed of funds appropriated to it by Council, or otherwise received. Such funds may be held, managed and invested as authorized or directed by Council. Disbursements from the fund shall be made as authorized by Council to pay the necessary expenses related to official functions of the Virginia State Bar as authorized by these Rules including, but not limited to, those expenses resulting from the exercise of the Council's powers under these Rules.

(j) The Council may, at its discretion or upon a written request of the majority of the members of the Virginia State Bar or pursuant to a resolution duly adopted at a regular or called meeting, exercise the necessary powers:

To promote reforms in judicial procedure and the judicial system that are intended to improve the quality and fairness of the system;

To recommend to the Supreme Court procedures for the disciplining, suspending and disbarring of attorneys;

To recommend to the Supreme Court the adoption of, modifications to, amendments to or the repeal of any rule of the Rules of the Supreme Court of Virginia;

To regulate the legal profession;

To improve the quality of the legal services made available to the people of Virginia;

To investigate, evaluate or endorse judicial candidates on a nonpartisan, merit basis;

To uphold and elevate the standards of honor, of integrity and of courtesy in the legal profession;

To encourage higher and better education for membership in the profession; and

To encourage and promote diversity in the profession and the judiciary; and

To perform all duties imposed by law.

10. PROMULGATION OF LEGAL ETHICS, UNAUTHORIZED PRACTICE OF LAW OPINIONS, AND RULES OF COURT; INFORMAL STAFF OPINIONS OF ETHICS COUNSEL; AND COMPLAINTS OF UNAUTHORIZED PRACTICE OF LAW.

10-1. DEFINITIONS

As used in this Paragraph, the following terms shall have the meaning herein

stated unless the context clearly requires otherwise:

"Advisory Opinion" means a written statement of the subject involved, the question presented, the Rule of Court or other precedents relied upon, the opinion reached, and the reasons therefore.

"Bar" means the Virginia State Bar.

"Committee" means the Standing Committee on Legal Ethics or the Standing Committee on Unauthorized Practice of Law.

"Council" means the Council of the Virginia State Bar.

"Court" means the Supreme Court of Virginia.

"Ethics Counsel" means the Ethics Counsel or an assistant ethics counsel of the Virginia State Bar.

"Member" means any active member of the Virginia State Bar or a Foreign Lawyer as defined under Rule 5.5(d)(l) of the *Rules of Professional Conduct.*

"Notice" means publishing in the *Virginia Lawyer Register* and at a minimum posting on the Virginia State Bar's website for at least 30 calendar days.

"Rule" means any proposed new Rule of Court or any modification, amendment, or proposed repeal of any existing Rule of Court promulgated by either the Standing Committee on Legal Ethics or the Standing Committee on Unauthorized Practice of Law.

10-2. ADVISORY OPINIONS OR RULES.

A. Request for Advisory Opinion. Any Member may request a legal ethics opinion or unauthorized practice of law opinion. The request shall be submitted as a hypothetical on a form approved by the Committee. A request for an Advisory Opinion will be reviewed by Ethics Counsel and forwarded to the appropriate Committee for consideration. In its discretion, the Committee may decline to render an Advisory Opinion regarding a previously resolved issue, or any matter that is currently the subject of any disciplinary proceeding or litigation.

B. Rules. The Committee may propose a new Rule or propose amendments, modifications, or repeal of existing Rules at its discretion. For rule changes that declare conduct as the unauthorized practice of law, the Bar shall seek comment from the Attorney General's office analyzing any restraint on competition that might result from the adoption of the proposed change.

C. Notice and Comments. The Committee shall provide Notice and opportunity for public comment on proposed Advisory Opinions or proposed Rules. Public comments shall be directed to the Executive Director of the Virginia State Bar. For proposed Advisory Opinions, the Committee will consider any comments received

and either publish the opinion as an Advisory Opinion or ask for Council review in accordance with section 10-3. Advisory Opinions express the judgment of the Committee and are not binding on any judicial or administrative tribunal. In the case of a Rule, the Committee will consider any comments received and then submit the Rule to Council for consideration in accordance with section 10-3.

D. Appeal. After the comment period, any party requesting an Advisory Opinion who disagrees with the result may appeal the opinion to Council for approval, modification, or disapproval.

E. Unauthorized Practice of Law Advisory Opinions. An unauthorized practice of law Advisory Opinion in which the Committee concludes that the conduct in question constitutes or would constitute the unauthorized practice of law shall be sent to Council in accordance with section 10-3. For these Advisory Opinions, the Bar shall seek comment from the Attorney General's office analyzing any restraint on competition that might result from the promulgation and implementation of the opinion.

F. Confidentiality. All Committee deliberations, memoranda, correspondence, and work product shall be confidential and privileged from discovery or subpoena and will not be provided to anyone absent a court order.

10-3. ADVISORY OPINION OR RULE CONSIDERATION BY COUNCIL.

A. Review. After considering all materials and written comments, Council may approve, modify, or disapprove any Advisory Opinion or Rule by a majority vote of those present and voting. If Council approves or modifies an Advisory Opinion it may be published as an Advisory Opinion of the Bar and have the same legal effect as a Committee-issued opinion. Council may determine to submit the Advisory Opinion or Rule to the Court for review along with copies of all public comments.

B. Unauthorized Practice of Law Advisory Opinions. If Council concurs by a majority vote of those present and voting that the proposed conduct in any unauthorized practice of law Advisory Opinion constitutes the unauthorized practice of law, the Advisory Opinion shall be sent to the Court for review along with copies of all public comments.

10-4. ADVISORY OPINION OR RULE REVIEW BY THE SUPREME COURT OF VIRGINIA.

A. Review. After considering all materials submitted to it, the Court shall approve, modify, or disapprove any Advisory Opinion or Rule.

10-5. INFORMAL STAFF OPINIONS OF ETHICS COUNSEL.

A. Informal Advice. At the request of a Member, Ethics Counsel shall provide informal advice or opinion based on the facts provided.

B. Protection. Ethics Counsel shall not be compelled to testify, via subpoena or otherwise, in any judicial or adjudicative proceeding, except on behalf of a respondent in disciplinary proceedings of the Virginia State Bar, regarding any advice or opinion provided to that attorney. Except as stated herein, Ethics Counsel shall not be subject to subpoena or otherwise compelled to testify or to produce any documents in any judicial or adjudicative proceeding or to testify as an expert witness regarding legal ethics or the practice of law. In a disciplinary proceeding, testimony of Ethics Counsel shall be limited to the substance of any communications by and between Ethics and the Member, where such communications are an issue in the proceeding.

C. Confidentiality. All communications between Ethics Counsel and any Member requesting advice or opinion shall be confidential. Ethics Counsel shall not disclose the content of any such discussion without the express written consent of the Member to whom Ethics Counsel provided such advice or opinion. No Member shall withhold consent if the Member is claiming, in the course of a disciplinary investigation or hearing, that the Member relied on the advice of Ethics Counsel.

D. Use of Informal Advice in Collateral Litigation. Informal advice of Ethics Counsel is advisory only and expresses the judgment of the Ethics Counsel and is not binding on the Court, Council, Committee or any judicial or administrative tribunal. Except as provided herein in connection with attorney disciplinary proceedings, informal advice of Ethics Counsel shall not be used, admitted, introduced, argued or cited in any litigation or before any judicial or administrative tribunal for the purpose of seeking disqualification of a lawyer or law firm.

10-6. COMPLAINTS OF UNAUTHORIZED PRACTICE OF LAW.

A. Review of Complaints. Any written complaint alleging the unauthorized practice of law shall be reviewed by Ethics Counsel and either dismissed or referred for investigation with full report to the Committee. After reviewing a report of investigation, the Committee may conduct a hearing to take testimony from witnesses and review evidence. By majority vote the Committee may dismiss the complaint due to insufficient evidence or other good cause, dismiss the complaint with cautionary language, or enter a finding of probable cause to believe there is unauthorized practice of law.

B. Referral. If a majority of the Committee finds probable cause to believe there is unauthorized practice of law, the Committee may dismiss the complaint by letter agreement in which the party against whom the complaint is pending agrees to cease the activity; or refer the complaint to the Attorney General, a Commonwealth's Attorney, or other appropriate agency for action.

C. Summons or Subpoena. If a summons or subpoena is necessary for investigation of a matter outlined in section 10-6.A., Ethics Counsel may issue such a summons or subpoena in the name of the Commonwealth. The Committee or a Virginia State Bar investigator may use a summons to examine a witness or to obtain statements from persons having knowledge about the subject of the complaint.

D. Enforcement of Summons or Subpoena. Every Circuit Court shall have power to enforce a summons or subpoena issued by the Ethics Counsel and to adjudge disobedience thereof as contempt.

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 lA:l 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 IA: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.

12. DISBURSEMENTS.-Disbursements shall be paid out of the State Treasury in accordance with allocations of the Council and on requisitions signed by the President, President-Elect, or Secretary-Treasurer, and upon the warrant of the State Comptroller. No member of the Council, and no member or officer of the Virginia State Bar except the Secretary-Treasurer, shall receive compensation for his or her services as such, nor shall any member of the Council or of the Virginia State Bar receive compensation for service on any Committee, but such Council member or Committeeman shall be reimbursed for his or her necessary and actual traveling and subsistence expenses incurred in the performance of his or her duties. The Council shall cause proper books of account to be kept, and have them audited annually. At each annual meeting of the Virginia State Bar, the Council shall cause to be presented a financial statement of the receipts and expenditures of the Virginia State Bar, which shall be published in the next volume of reports.

VSB BYLAWS

Visit the VSB website for the authoritative and most up-to-date VSB Bylaws : Rules and Regulations Landing

D. Council Bylaws Establishing Sections (Article XI)

The Council may create and abolish sections as it may consider necessary or desirable to accomplish the purposes and serve the interests of the Virginia State Bar and of the sections and shall prescribe the powers and duties of the sections. The bylaws of any section shall be subject to approval of Council.

E. VSB Bylaws Establishing Committees (Article V)

Sec. 1. Unless otherwise provided in the Supreme Court Rules, by action of Council, or elsewhere in these bylaws or the bylaws of Council, all committees shall be appointed by the president, who shall have power to determine the size and composition of the committee and to designate the chair thereof and to fill any vacancy therein.

Sec. 2. Three (3) voting members of a committee, subcommittee, or other entity constitute a quorum for the transaction of business.

The vote of a majority of the total members of the committee, subcommittee, or other entity is necessary for the adoption of any matter.

Sec. 3. In addition to the Executive Committee, district committees, and standing committees specified in the bylaws of Council, there shall be special committees to carry out the other ongoing work of the bar, and study committees, where appropriate in the judgment of the president, to examine and make recommendations on specific proposals or programs within a reasonably brief and discrete period of time.

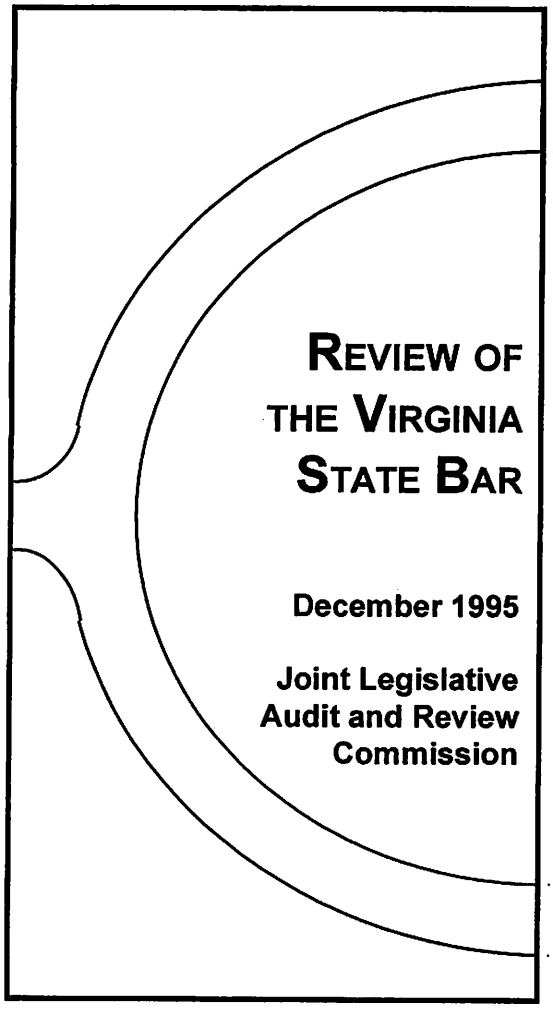
Sec. 4. Members of special committees shall be appointed to three-year terms, with the exception of the Special Committee on Lawyer Malpractice Insurance whose members shall be appointed to five-year terms. No member shall serve more than two consecutive terms on such a committee. A member appointed to fill an unexpired term shall be eligible to serve two additional full terms. An eligible member wishing to be reappointed to a special committee shall be required to reapply in writing prior to the end of his or her current term under procedures established by Council and administered by the executive director. If any member of a committee fails to attend either three meetings during any bar year or two successive meetings of the committee without providing an explanation satisfactory to the committee chair, or in the case of a lawyer member, is declared not in good standing with the Virginia State Bar, such person's position shall automatically be considered vacated and filled as in the case of other vacancies.

Sec. 5. In making initial appointments to new special committees, the president shall appoint members to one, two and three-year terms so as to allow for the retirement or reappointment of one-third of the membership of each special committee at the end of each bar year.

Sec. 6. Effective July 1, 1996, the size of special committees shall be as specified by Council. A list of the committees and their respective sizes shall be maintained by the executive director. Changes in the size of special committees may be approved by the Executive Committee.

TAB 4

JLARC Report Summary



The Virginia State Bar (VSB) was created in 1938 by the General Assembly as an administrative agency of the Supreme Court of Virginia. The creation of the agency unified Virginia's lawyers in a mandatory State Bar to provide for the regulation of lawyers practicing in the Commonwealth. Since that time, Virginia State Bar activities have grown to support a broad mission which includes efforts to regulate, improve, and educate members of the legal profession; and to promote the administration of justice and quality of legal services provided to Virginians.

Virginia is one of 32 states and the District of Columbia that have unified, mandatory bar organizations. Currently, the VSB is made up of 20,408 active members who each pay $185 in annual fees for the privilege of practicing law in Virginia. Annual attorney fees are used to fund most of the Bar's operations and totaled $4.3 million in FY 1995. Total Bar operating expenditures in FY 1995 were almost $5.3 million.

This review of the Virginia State Bar is one in a series of studies on the administration of justice in Virginia. Senate Joint Resolution (SJR) 263 specifically directed JLARC to conduct an analysis of the VSB and evaluate the efficiency, economy, and effectiveness of the VSB in carrying out its mission.

This review found that while the VSB shares a number of characteristics with other unified state bars, the agency is unique when compared to agencies that regulate other professions and occupations in Virginia. The VSB is different because it combines activities to regulate the profession with non-regulatory activities that are similar to those usually conducted by professional associations. This unusual mix of activities raises questions about how to best allocate resources and prioritize activities to carry out the Bar's mission.

Analysis of State Bar operations indicates that:

- lawyers may be paying more in annual fees than is necessary to fund the Bar's operations, as evidenced by the growing cash balances maintained in VSB special funds,

- the system to discipline lawyers in Virginia works relatively well, although, some steps need to be taken to better ensure public protection and build public confidence, and

- most activities of the VSB are consistent with the mission established for the Bar by statute and the *Rules of Virginia Supreme Court*, but the association-like nature of the Bar's non-regulatory activities exposes the Bar to potential conflicts, diverts resources from the Bar's most important activity — lawyer discipline — and raises concerns about public accountability.

Three Special Funds Are Maintained to Pay for VSB Activities

The VSB is authorized to maintain three distinct special funds to pay for its regulatory and non-regulatory activities. The State Bar fund is authorized by the *Code of Virginia* and is composed primarily of the mandatory annual fees paid by lawyers to be members of the VSB. The administration and finance (A&F) fund is authorized by the *Rules of Virginia Supreme Court (Court Rules)* and was created to pay for conference, meeting, and related VSB expenses for which State funds cannot be used. The clients' protection fund is also authorized by the *Court Rules* and is used to compensate persons who have experienced financial losses due to the dishonest conduct of a lawyer. Member dues also finance this fund.

The State Bar fund is one of many special funds within the State Treasury, and as such, is monitored through the Commonwealth's Cost Accounting and Reporting System (CARS). The A&F fund and the clients' protection fund are maintained and administered solely by the VSB and are not tracked by CARS. The VSB is responsible for investing the revenue of these funds and paying their associated expenses. While not monitored through CARS, the Auditor of Public Accounts does conduct periodic audits to ensure that expenditures are properly documented and that these expenses are not charged to the State Bar fund.

While A Majority of VSB Expenditures Pay for Lawyer Regulation, Lawyers May Be Charged Excessive Fees

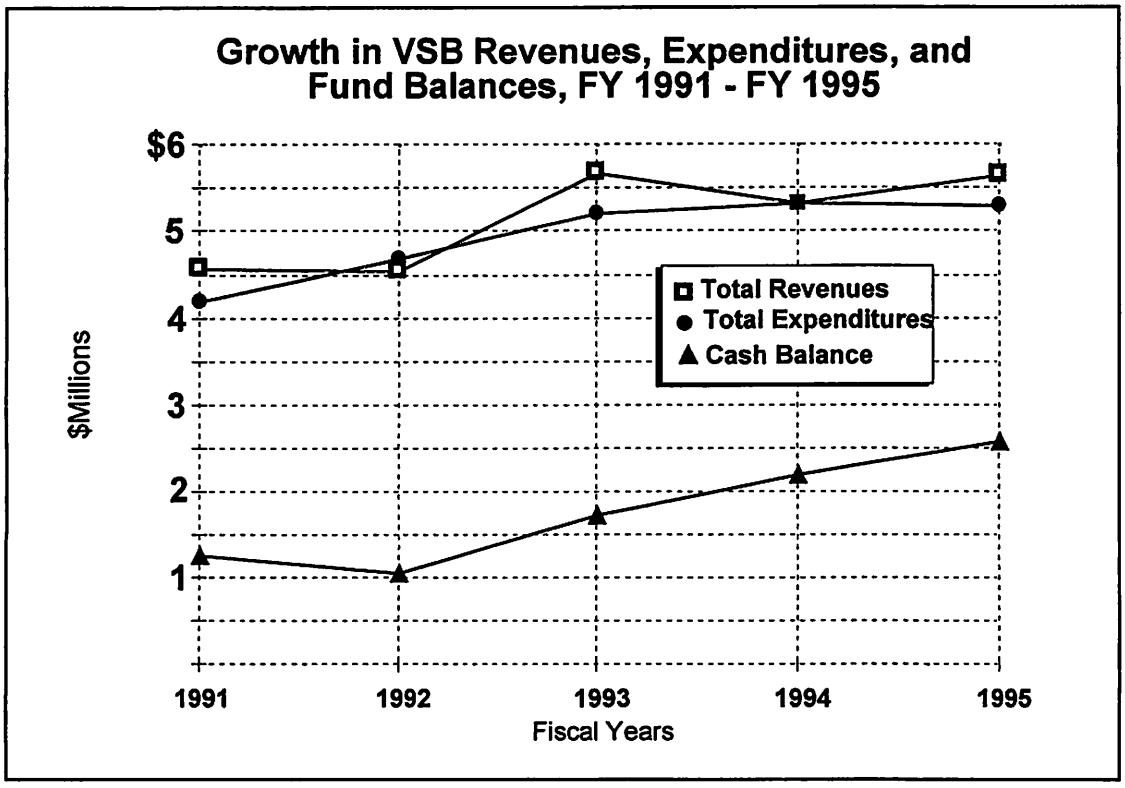
Analysis of VSB funding indicates that about 54 percent of total State Bar expenditures are used to regulate lawyers through the disciplinary system and other regulatory activities carried out by the Virginia State Bar. Nevertheless, Virginia lawyers may be paying more than is necessary to fund the activities of the VSB. Growing cash balances in two of the VSB's special funds form a large cash reserve that could have paid for about one-half of the agency's operating expenditures in FY 1995.

In three of the past five fiscal years, VSB revenue exceeded expenditures (see figure on next page). Excess revenues, combined with growing cash balances in the Bar's special funds have provided the Bar with a large cash reserve. Currently, the VSB has more than $2.5 million in combined reserve amounts from the State Bar fund and the A&F fund. Some of this reserve can be attributed to the VSB implementation of two increases in member dues over the past five years.

Recommendations are made in this report to:

- amend the *Code of Virginia* to ensure that mandatory member dues are not increased if the reserve levels in VSB special funds exceed ten percent of total operating expenditures, and

- reduce the amount of VSB member dues.



Transfers of Funds from the State Bar Fund to the Clients' Protection Fund Raise Questions about Fund Integrity

The clients' protection fund was established in 1985 by *Court Rules* to further the administration of justice by reimbursing clients for financial losses caused by the dishonest conduct of Virginia lawyers. Since its inception, the fund has been capitalized by lawyers' annual fees to the VSB. To date, the fund has received more than $1.5 million in transfers from the State Bar fund and has paid out more than $1.3 million to petitioners. The Bar's council has provided revenues to the fund in two ways: (1) approval of fund transfers from the State Bar fund, and (2) loans from the State Bar fund for the express purpose of accruing interest income to capitalize the fund. These loans were later forgiven.

The practice of routinely transferring revenue from the State Bar fund to capitalize the clients' protection fund raises concerns about the integrity of the State Bar fund. This fund was established to pay for the cost of lawyer regulation, primarily lawyer discipline. Further, the current method of funding the clients' protection fund is inconsistent with the methods used for budgeting other VSB expenditures, even though these expenses accounted for eight percent of the VSB's expenditures in FY 1995.

While the Bar has made contributions to the clients' protection fund since 1976 from the State Bar fund, this contribution was not formally budgeted until recently in FY 1995. The Bar's 1994 long range plan included a goal of contributing $200,000 annually to the clients' protection fund for a period of at least five years beginning in FY 1995. Nevertheless, the Bar's budget for FY 1995 included only $130,000 as a line item for the clients' protection fund, which represented a portion of that recommended by

the long range plan and a portion of the $400,000 which the Bar actually contributed to the fund. Consequently, capitalizing the fund appears to continue to be a discretionary expenditure depending on the financial position of the State Bar fund at the year's end.

Continued growth in demand for payments from the clients' protection fund to persons who have experienced financial losses due to the dishonest conduct of lawyers may necessitate a more straightforward funding mechanism to ensure fund integrity and protect the public. Because it is unclear whether the General Assembly intended for the fund to be capitalized by Bar member dues, recommendations are contained in this report to address these concerns by having the VSB:

- discontinue the current practice of making State Bar fund transfers to the clients' protection fund without specific statutory authority, and

- request General Assembly authorization to maintain and finance the clients' protection fund through a specific funding mechanism.

Certain Revenues Received by the Bar May Have Been Erroneously Retained

Since at least FY 1987 and possibly earlier, the VSB has received revenues from its sponsored insurance plans. From FY 1988 to FY 1995, the Bar received approximately $727,000 in insurance proceeds for various reasons. The majority of these funds appear to be from refunds for favorable claims experience on the part of VSB policyholders. These funds were eventually deposited in the VSB's administration and finance fund and have collected more than $88,000 in interest income. It appears that some of these insurance refund amounts should have been treated as unclaimed intangible property and returned to the State Treasury.

Recommendations are made to:

- identify and determine if portions of the VSB's insurance revenue should be designated and treated as unclaimed property, and

- ensure that all future refunds involving intangible property are treated as unclaimed property by the VSB when the owner cannot be identified.

Some Bar A&F Fund Expenditures Do Not Appear Consistent with the Purpose of the Fund

The Bar's administration and finance fund was created in 1987 by the Supreme Court of Virginia to pay for:

> expenses related to meetings of the Council, meetings of the Executive Committee, the Annual and Midyear Meetings, and other official functions of the State Bar . . . . *(Court Rules)*

Analysis of the A&F fund indicates that certain expenditures may not be consistent with the purpose of the fund as established by the Supreme Court. Further, the cash balance in the A&F fund has accumulated to a level more than three times the amount expended from the fund in FY 1995. The Supreme Court may not have intended that the Bar maintain such a large cash balance when it originally set up the fund.

The three primary events that are funded through the A&F fund are the VSB annual meeting, the annual Cambridge seminar, and the midyear legal seminar. Receipts from these events are deposited with the State Treasurer in the State Bar fund. The money is then transferred to the A&F fund to pay for associated expenses. However, in FY 1995 the fund is also used to pay for:

- alcoholic beverage expenses for social meetings of the council, executive committee, specialty law sections, and committees;

- travel expenses for spouses of Bar officers; and

- staff activities and expenses such as coffee, soda, a staff holiday party, and other items.

These types of expenses are not normally approved by the Commonwealth for reimbursement. In addition, they do not appear to relate directly to "official" business of the Bar.

Reimbursement of the above types of expenses appears inconsistent with what the Supreme Court intended in setting up the fund. Further, these expenditures raise questions about the focus and priorities of the VSB in carrying out its mission. The expenditures resemble those more typical of a professional or trade association. The VSB was not set up primarily as a professional association, but rather as a regulatory agency with a mission that includes upholding and elevating the standards of honor and integrity in the legal profession. As such, all of its discretionary expenditures should be made prudently and should be able to withstand public scrutiny.

Recommendations are made to:

- lower the A&F fund balance to a reasonable level, and

- discontinue payment of certain expenses from the A&F fund.

The Disciplinary System Works Well Although Some Changes Are Needed to Improve Public Protection and Build Public Confidence

The primary mission of the VSB is to regulate the legal profession to protect the public from lawyer misconduct. In doing so, the VSB has developed a complex disciplinary system that strives to balance the need to protect the public with the need to ensure that the limited resources of the Bar are used efficiently. The Bar is also faced with the challenge of maintaining public trust, being accountable, and protecting the public while ensuring the system protects the rights of those accused and treats them fairly.

This review found that the disciplinary system works relatively well in achieving balance between the competing demands on the system. Nevertheless, some problems were identified which need to be addressed to improve public protection, build public trust in the system, and increase accountability to the public. Moreover, some minimal steps could be taken to improve fairness in the system.

Process for Dismissing Complaints Needs Strengthening. Protection of the public is the most important goal of Virginia's disciplinary system. The disciplinary process begins with the filing of complaints by members of the public regarding the conduct of members of the Virginia State Bar. However, the majority of complaints against members of the Bar are dismissed before a hearing ever takes place on the complaint. Bar counsel appear to have sufficient basis to screen out most of these complaints. However, review of VSB disciplinary files indicated some weaknesses in: (1) the documentation of case dismissal decisions, (2) the provision of an opportunity for complainants to comment on the accused attorney's response to allegations, and (3) the scope of bar counsel's authority to dismiss cases. Recommendations are made to:

- improve documentation of dismissed cases and limit bar counsel's authority to dismiss cases after a preliminary investigation, and

- provide complainants with an opportunity to rebut the accused attorney's response prior to dismissal.

Additional Improvements Could Be Made to Protect the Public. This review also identified several changes to the disciplinary system that could be made to enhance the VSB's ability to protect the public. Currently, complainants do not have the right to appeal dismissals by bar counsel. In addition, bar counsel cannot appeal decisions to dismiss cases after adjudication by Bar committees or the disciplinary board. However, attorneys accused of violating ethical standards (respondents) have the right to appeal case decisions in most instances. In addition, citizen complainants do not have the same rights to immunity from civil suits in filing complaints against lawyers, as lawyers currently have.

While the system has changed to involve lay persons in the adjudication of complaints against lawyers, lay member participation is not mandatory in all parts of the process. Further, it is not clear that the VSB has taken steps to ensure that adjudicatory decisions are consistent across the Commonwealth. This report includes recommendations to:

- provide complainants with the right to appeal dismissals,
- provide complainants with absolute immunity from civil suits for all disciplinary complaints made to the VSB,
- require lay member participation in district committee and disciplinary board actions, and
- have the VSB take steps to assess consistency in outcomes of committee decisions.

Steps Could Be Taken to Improve Public Confidence in the System. This review found that the VSB has taken a number of important steps to improve public trust in the system to discipline lawyers in recent years. However, several aspects of the current system continue to reduce confidence in the system and perhaps raise suspicions that the system is designed to protect lawyers instead of the public. These include maintaining a committee system that is closed to public access and allowing certain practices which create appearances of impropriety. Further, lack of understanding about the system and its purposes could be improved to facilitate a higher degree of public trust. Review of disciplinary files indicated that the Bar could more clearly explain reasons for case dismissals to complainants.

Recommendations are made to:

- further open the disciplinary process to the public;
- prevent members of the Bar's council from representing respondents in disciplinary proceedings and clarify participation by other Bar officers, committee members, and board members;
- prohibit Bar members from having access to confidential disciplinary information, other than Bar staff and members of the standing committee on lawyer discipline;
- require disclosure of potential conflicts of interest in disciplinary cases; and
- provide more detailed explanations for dismissals to complainants.

Minor Changes Could Be Made to Further Improve System Fairness. Analysis of the VSB disciplinary system found that, on the whole, attorneys accused of violating ethical standards are treated fairly. However, some minor changes could be made to improve the fairness of the system. Currently, respondents are only entitled to receive very limited information from bar counsel about their case in order to prepare for a hearing. Further, respondents and their counsel are not allowed to be present for subcommittee meetings in which decisions are made to impose discipline and approve or disapprove proposed agreed dispositions. And, subcommittee members who consider whether to set a case for hearing may also sit on the committee panel that hears the case.

Recommendations are made to improve system fairness by:

- providing respondents with limited discovery in disciplinary cases and the right to appeal dismissals which create a disciplinary record, and
- excluding certain subcommittee members from the adjudicatory process, and allowing respondents and their counsel to be present for subcommittee meetings.

Changes Could Be Made to Improve the Efficiency of the Disciplinary System. Currently, the VSB assesses the efficiency of the disciplinary system by monitoring time guidelines it has established for the various steps in the disciplinary process. Analysis of VSB performance in reaching its guidelines indicates that most complaints are not processed within the goals established for the system. Several changes could be made to assist the Bar in achieving its goals and strengthening the efficiency of the system. Recommendations are made to improve efficiency by:

- improving the monitoring of performance in meeting time guidelines,
- reclassifying at least one position as an additional bar counsel position,
- better monitoring of staff productivity and assessing the need for paralegal support, and
- developing a training program for investigative staff.

The VSB's Current Mission and Role Raises Concerns about Its Regulatory Focus

This review found that, with one minor exception, most VSB activities appear consistent with the mission established for it by the General Assembly and the Supreme Court of Virginia. Nevertheless, there appears to be a need for better prioritization of activities to ensure that the Bar's regulatory activities remain its primary focus. Findings in this report indicate that the Bar may need to reallocate existing resources to address resource needs in this area.

The association-like nature of some programs and activities conducted by the Bar raises questions about whether the Bar is properly focused on its regulatory mission. In addition, the expansion of the Bar into commercial activities is unusual for a State agency and exposes the Bar to potential conflicts, especially with its regulatory function. Further, these types of activities divert resources from the Bar's most important activity — lawyer discipline — and raise concerns about public accountability.

Implications for the Future Role of the Virginia State Bar

Concerns about the unusual mission and role that the unified bar has as a state governmental agency are not new. One legal scholar who studied unified bars in the 1980s has argued that the unified bar as an

institution has three contradictory images which affect its governance and accountability — that of a public agency, a compulsory membership organization, and a private voluntary association. Clearly, these images are reflective of the role of the unified bar in Virginia and as such, raise concerns about how these contradictory roles can be appropriately balanced to ensure continued protection of the public and enhance public confidence in Virginia's legal system.

Without a more thorough examination and delineation of the role of the Virginia State Bar in the future, striking the proper balance between the Bar's regulatory and non-regulatory activities will continue to be problematic. The Bar will most likely continue to experience pressure to change the scope of its activities from its members, other statewide voluntary bar associations, complainants, and members of the General Assembly.

The Supreme Court of Virginia and the General Assembly may wish to consider several options for the future to refocus the Bar's activities and improve its public accountability. These could include structural changes to the Bar's governance, transfer of certain activities to other entities, or implementing a more structured system of oversight.

TAB 5

III. VSB Policies

A. Policy Governing Legislative Activities

(A.) General Statement of Policy

The Supreme Court has accorded to the Council of the VSB the discretion to exercise the necessary powers to promote reforms in judicial procedure and in the judicial system, to regulate the legal profession and to improve the quality of legal services made available to the people of Virginia. In furtherance of that discretion, the Council recognizes that an important governmental and public interest is met in allowing the participation of the VSB in the legislative process with respect to some issues; and that the expertise of the VSB serves as a valuable resource for the General Assembly of Virginia and the United States Congress in their consideration of some legislative issues. Council also recognizes, however, that the participation of the VSB in the legislative process must necessarily be limited to appropriate subject areas, and should be undertaken only when duly authorized and within the procedures set out below. To this end, Council hereby adopts this policy governing the participation of the VSB, its sections, boards, committees, officers, and employees in legislative activities.

(B.) Restrictions on Participation in Legislative Activities

1. No officer, employee or member of the VSB shall participate in legislative activities on behalf of the VSB or one of its sections, boards, or committees unless such participation is authorized as provided herein.
2. No section, board of governors, board, or committee of the VSB shall participate in legislative activities on behalf of the VSB or one of its sections, boards, or committees unless such participation is authorized as provided herein.
3. For the purpose of this policy, "legislative activity" means:
   a). publicly asserting a position on a legislative issue;
   b). appearances before the General Assembly or the United States Congress, or the legislative committees or subcommittees of either; and,
   c). meeting with members of the General Assembly, Congress, or representatives of the executive branch of the state or federal government for the purpose of promoting, advocating or opposing any matter before the General Assembly or Congress.
4. Nothing in this policy shall be construed to restrict the personal or professional activities of any person when such activities are not undertaken on behalf of the VSB or one of its sections, boards, or committees.

(C.) Permissible Participation in Legislative Activities

1. Officers, employees and members of the VSB may participate in legislative activities on behalf of the VSB or any of its sections, boards, or committees when such participation is specifically authorized by the Executive Committee.
2. The Executive Committee may authorize participation in legislative activities on behalf of the VSB or any of its sections, boards, or committees only when the subject matter of the legislative activities is within one of the following categories:
   a). the powers and duties of the VSB;
   b). the regulation of the legal profession;
   c). budget appropriations for the VSB, the judicial system or legal aid societies;
   d). the availability of legal services to the public;
   e). qualifications and standards for admission to the Bar;
   f). the endorsement of judicial candidates on a nonpartisan merit basis;
   g). improvements to the quality of the legal services made available to the public;
   h). reforms in judicial procedure or the judicial system that are intended to improve the quality and fairness of the system; and any other
   i). matters within the scope of Paragraph 9(j), Section IV, Part 6 of the Rules of the Supreme Court of Virginia.
3. Prior approval by the Executive Committee shall not be required when the subject matter of the legislative activity is:
   a). The provision of expert advice on the state of the law at the request of a member of the General Assembly or Congress, or a legislative committee or subcommittee. Such advice shall not, however, express the approval or disapproval of any proposed legislation on behalf of the VSB or any of its sections, boards, or committees without specific prior approval of the Executive Committee.

4. Subject to paragraph 6 below, approval of legislative activities under this policy may be delegated by the Executive Committee to the officers when it is not feasible to convene a meeting of the Executive Committee. An officer shall individually poll as many members of the Executive Committee as is practical prior to authorization of the legislative activity in question.
5. In making a determination on whether to authorize legislative activities, the Executive Committee shall consider, along with any governmental or public interest that may be affected, the degree to which there is perceived to be a substantial consensus among the members of the VSB on the issue involved, and the degree to which the issue is perceived to have significant political or ideological underpinnings.
6. Whenever the timing makes it feasible, the Executive Committee shall not approve legislative activity without first having the issue and the VSB's proposed position on it submitted to Council for its approval at a regularly scheduled Council meeting. In situations where it is not feasible to seek prior approval by Council, the Executive Committee shall report its approval of any legislative activity to Council at its next regularly scheduled meeting, at which time Council shall vote to endorse or withdraw support for the legislative activity in question.

Approved by VSB Executive Committee
May 1989

Revised by VSB Executive Committee and Approved by Council
October 1990

Revised by VSB Executive Committee and Approved by Council
June 2001

B. Policy Governing Regulatory Activities

(A.) General Statement of Policy

The Supreme Court has accorded the Council of the VSB the discretion to exercise the necessary powers to promote reforms in judicial procedure and in the judicial system, to regulate the legal profession and to improve the quality of legal services made available to the people of Virginia. In furtherance of that discretion, Council recognizes that an important governmental and public interest is met in allowing the participation of the organized Bar in the regulatory process with respect to some issues; and that the expertise of the VSB serves as a valuable resource for the General Assembly of Virginia, the United States Congress and state and federal administrative agencies in their consideration of some regulatory issues. Council also recognizes, however, the participation of the VSB in the regulatory process must necessarily be limited to appropriate subject areas, and should be undertaken only when duly authorized within the procedures set forth below. To this end, Council hereby adopts this policy governing the participation of the VSB, its sections, boards, committees, officer and employees in regulatory activities.

(B.) Restrictions on Participation in Regulatory Activities

1. No officer, employee or member of the VSB shall participate in regulatory activities on behalf of the VSB or one of its sections, boards, or committees unless such participation is authorized as provided herein.
2. No section board of governors, board, or committee of the VSB shall participate in regulatory activities on behalf of the VSB or one of its sections, boards, or committees unless such participation is authorized as provided herein.
3. For the purpose of this policy, the term "regulatory activity" means:
   a). publicly asserting a position on a regulatory issue;
   b). appearance before any state or federal administrative agency; or
   c). meeting with members of any state or federal administrative agency to advocate or promote any action on a regulatory issue.

   Regulatory activities shall not include appearance before state or federal regulatory agencies or meetings with members or representatives of such agencies in connection with proceedings before the regulatory agency when the VSB or one of its sections, boards, or committees is a party to the proceedings.
4. Nothing in this policy shall be construed to restrict the personal or professional activities of any person when such activities are not undertaken on behalf of the VSB or one of its sections, boards, or committees.

(C.) Permissible Participation in Regulatory Activities

1. Officers, employees, and members of the VSB may participate in regulatory activities on behalf of the VSB or any of its sections, boards, or committees when such participation is specifically authorized by the Executive Committee.
2. The Executive Committee may authorize participation in regulatory activities on behalf of the VSB or any of its sections, boards, or committees only when the subject matter of the legislative activities is within one of the following categories:
   a). the powers and duties of the VSB;
   b). the regulation of the legal profession;
   c). budget appropriations for the VSB, the judicial system, the administrative adjudicatory system or legal aid societies;
   d). the availability of legal services to the public;
   e). qualifications and standards for admission to the Bar;
   f). the endorsement of judicial candidates or candidates for administrative appointments on a nonpartisan, merit basis;
   g). improvements to the quality of the legal services made available to the public;
   h). reforms in judicial procedure or the judicial system that are intended to improve the quality and fairness of the system; and any other
   i). matters within the scope of Paragraph 9(j) Section IV, Part 6 of the Rules of the Supreme Court of Virginia.
3. Prior approval by the Executive Committee shall not be required when the subject matter of the regulatory activity is:
   a). the provision of expert advice on the state of the law at the request of a member of the General Assembly or Congress, a legislative committee or subcommittee, or a state or federal administrative agency. Such advice, however, shall not express the approval or disapproval of any proposed regulatory action on behalf of the VSB or any of its sections, boards, or committees without specific prior approval of the Executive Committee.
4. Subject to paragraph 6 below, approval of regulatory activities under this policy may be delegated by the Executive Committee to the officers when it is not feasible to convene a meeting of the Executive Committee. An officer shall individually poll as many members of the Executive Committee as is practical prior to authorization of the regulatory activity in question.
5. In making a determination on whether to authorize regulatory activities, the Executive Committee shall consider, along with any governmental or public interest that may be affected, the degree to which there is perceived to be a substantial consensus among the members of the VSB on the issue involved, and the degree to which the issue is perceived to have significant political or ideological underpinnings.
6. Whenever the timing makes it feasible, the Executive Committee shall not approve regulatory activity without first having the issue and the bar's proposed position on it submitted to Council for its approval at a regularly scheduled Council meeting. In situations where it is not feasible to seek prior approval by Council, the Executive Committee shall report its approval of any regulatory activity to Council at its next regularly scheduled meeting, at which time Council shall vote to endorse or withdraw support for the regulatory activity in question.

Approved by VSB Executive Committee
May 1989

Revised by VSB Executive Committee and Approved by Council
October 1990

Revised by VSB Executive Committee and Approved by Council

June 2001

(5) POLICIES

FINANCIAL POLICIES

No increase in the annual dues 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.

(Rules of Court, Part Six, Section IV, Paragraph 11)

POLICY REGARDING ALCOHOL AND SPOUSE EXPENSES

Senate Joint Resolution 263 (1995) directed the Joint Legislative Audit and Review Commission (JLARC) to conduct an analysis of the Virginia State Bar. The review began in the spring of 1995 and was concluded with a report to the commission on December 11, 1995. One recommendation stated that the Virginia State Bar should discontinue the practice of paying for expenses from its administration and finance fund which are inconsistent with the intent of the Supreme Court of Virginia in establishing and authorizing the fund.

After seeking the advice of the Court, the Executive Committee and Council changed our policy to prohibit the use of any state bar funds for travel expenses for officers' spouses, to purchase alcohol, or to pay for staff social events. (June 1996 Council meeting).

Further clarification was sought from the Court regarding group meals which involve spouses, such as Council dinners. The Court indicated that we may continue to cover the cost of spouse meals for group functions held in conjunction with official bar activities.

VSB SECTION BUDGETS AND EXPENDITURES POLICY

These rules have been approved by the Executive Committee of the Virginia State Bar, and sections are enjoined to adhere to them:

1. After three years of operation, each section shall have a membership and dues structure which enables it to be self-supporting.

2. After three years of operation, each section shall pay annually 20 percent of its dues revenue as an administrative service charge for the use of the bar facilities, services and staff.

3. Each section's budget must be approved in accordance with the VSB's annual budgeting process. Proposed budgets must be submitted for approval on or before the specified due date. The budget must be detailed with specific line items in accordance with the VSB proposed budget form for sections.

4. The Executive Committee must approve, in advance, any amendment to a section's budget. A section must request any amendment in writing as soon as the need is known and no later than the April meeting of the Executive Committee. Non-dues revenue generated in a given year will be considered by the Executive Committee in evaluating a section's proposed budget for the coming year and in evaluating a section's request for a budget amendment. In the event a decision needs to be made between Executive Committee meetings, the budget amendment decision may be made by the VSB's executive director. With the advance approval of the VSB Executive Director, sections have the discretion to shift line item amounts within their annual budget, as long as it does not affect the budget amount approved for the fiscal year.

5. A section's unexpended budget and excess revenue, as of June 30 of each year, becomes a part of the bar's general operating fund. Unexpended revenue which is available as year-end approaches cannot be expended for purposes not previously addressed in the approved budget.

6. Sections shall not expend funds in excess of their budget and all expenditures should be for the benefit of the entire section membership

7. No vouchers will be approved for expenditures which are inconsistent with general policies of the bar as a state agency, such as political activities, meetings at resort hotels and other expenditures which are excessive.

8. Sections are responsible for Annual Meeting expenses which should be reflected in their annual budget. No charges may be made to the hotel master accounts established by the Virginia State Bar without express authority of the VSB executive director.

9. Council must approve, in advance, proposed dues increases over the amount of $35 (as amended 2/89).

Approved by VSB Executive Committee September 19, 2008
Approved by VSB Executive Committee October 1988
Approved by VSB Executive Committee September 10, 1999
Approved by VSB Executive Committee February 25, 2011

Adopted by VSB Council
March 3, 2006

Amended by VSB Council
October 17, 2008

Amended by VSB Council
February 22, 2014

E. Policy on Solicitation or Receipt of Funds and Grants

(A.) Policy

The VSB, including its committees and sections, should refrain from soliciting or receiving funds from any source to underwrite special projects, programs or purchases. The VSB, including its sections, is required to comply with state guidelines and restrictions applicable to the solicitation of funds and grants. 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 VSB, all committee, board, and section projects, programs and purchases must be funded through the general operating budget of the VSB, or the budgets of its sections, as may be appropriate, with the approval of the Executive Committee and Council.

If a section of the VSB 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 VSB in advance of the solicitation using the attached *VSB Request Form for Solicitation or Receipt of Grants and Other Funds* (see page 33).

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

Footnote:

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.

Revised 9/22/16
Footnote revised 9/4/18

(B.) Criteria for Evaluating Grants, Solicitation Requests and Offers or Donations of Funds

The following criteria will be considered when evaluating a request for funds to be raised through a grant, solicitation, donation or offer of funds for a program or project.

1. Description of project.
2. Sponsor/Co-sponsor of project.
3. Date(s) of project.
4. Goals of project.
5. Target audience/beneficiaries.
6. Funding/Budget.
    A. Expenses.
    B. Potential income.
    C. Why project is not in budget.
7. Description of solicitation proposal, grant application, donation or offer of funds.
    A. Who/how many persons or entities will be solicited for funds or grant, or who/how many persons or entities are offering or donating funds.
    B. Whether the person or entity has previously been solicited by, or issued a grant, donated or offered funds to the VSB or its sections.
    C. Whether this is a one-time solicitation request.
    D. Amount/contribution requested or offered or donated.
8. Whether the project has been implemented before.
9. Whether any other bar association has a similar project.
10. Previous requests for solicitation or grants, offers or donations and Executive Committee or executive director action on such requests.

VIRGINIA STATE BAR REQUEST FORM FOR SOLICITATION OR RECEIPT OF GRANTS AND OTHER FUNDS

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** _____ **no**
Are you soliciting or receiving funds from individuals? _____ **yes** _____ **no**
Are you soliciting or receiving funds from organizations? _____ **yes** _____ **no**

On a separate piece of paper, please respond to the following:

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.
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.
3. What is the budget for this project or event?
4. How much money will be provided by the granting organization? Will the bar be obligated in any way (dollars or staff support)?
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?
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.
7. Has this project been implemented before?
8. Is there any other bar association that has a similar project?
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?
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.
    b. Whether the person or entity has been solicited before by the VSB or has previously donated or offered funds to the VSB.
    c. Whether this is a one-time solicitation request.
    d. Amount/contribution requested.

Submitted by: _____

Date: _____

Approved by: _____

Date: _____

cc: VSB Finance/Procurement Director

Revised 9/22/16

POLICY STATEMENT REGARDING USE OF STATE BAR FUNDS

As a matter of policy, funds in the custody of the Virginia State Bar shall not be used for the purpose of contributing to, or sponsoring, the social activities of any organization excepting those organizations to which the VSB owes a duty as a participating member.

Approved by VSB Executive Committee
December 9, 1988

Approved by VSB Council
February 24, 1989

G. Virginia State Bar Social Media Policy

Social media offers an important means for the VSB to communicate and share information with its members and the public. The VSB supports the sensible use of social media as a means to assist in achieving the VSB's mission by increasing member engagement, enhancing the VSB's public profile, and improving access to information about the VSB. However, the use of social media may not be appropriate in all instances, nor for all kinds of outreach. As the use of social media may, in some instances, conflict with the VSB's interests, Council has adopted the following policy governing the use of social media.

Scope

This policy applies to the VSB's sections, committees, subcommittees, boards, panels, task forces, and related programs or groups (each, a "VSB entity" and, collectively, "the VSB entities") and its volunteers. This policy governs the manner in which a VSB entity may create or maintain a social media presence that identifies, expressly or by implication, the VSB entity or its social media presence as being sponsored by, administered by, or affiliated with the Virginia State Bar (a "VSB social media presence"). This policy also ap-plies to a member's or volunteer's use of social networking or social media in a manner that identifies, expressly or by implication, that member's or volunteer's commentary or posting as being sponsored by, administered by, approved by, or affiliated with the VSB. This policy does not apply to a member's or volunteer's use of social networking or social media that is unrelated to the VSB.

For the purposes of this policy, "social media" means websites that may permit interaction and communication, including but not limited to online posting, commentary, and publication, also known as "social networking," among users. Some examples of social media include, but are not limited to, personal and professional websites, email websites, blogs, chat rooms, listservs, bulletin boards, networking websites such as Facebook, LinkedIn, X (Twitter), Instagram, Snapchat, and YouTube.

All VSB entities creating or maintaining a VSB social media presence, and any VSB member or volunteer using social networking or social media in a manner that identifies, expressly or by implication, that member's or volunteer's commentary or posting as being sponsored by, administered by, approved by, or affiliated with the VSB, are expected to do so responsibly, professionally, ethically, and lawfully, and in accordance with this policy.

Social Media Activity by VSB Volunteers

The VSB respects the right of its members and volunteers to use social media and engage in social networking. However, only those officially and expressly designated by the VSB are authorized to engage in social media activity on behalf of the VSB. This policy ap-plies to a member's or volunteer's use of social networking or social media in a manner that identifies, expressly or by implication, that member's or volunteer's commentary or posting as being sponsored by, administered by, approved by, or affiliated with the VSB.

For purposes of this policy, a posting that identifies its author as being a member of the VSB shall not be deemed, on that basis alone, to state or imply that the author's commentary or posting is sponsored by, administered by, approved by or affiliated with the VSB. When appropriate, volunteers must make clear that they are not speaking on behalf of the VSB. VSB members and volunteers are personally liable for all communications and information they publish online on their behalf; provided, however, that no third party beneficiaries are created by this policy.

Establishing and Administering a VSB Social Media Presence

Each VSB entity desiring to create a social media presence will work with its VSB staff liaison (or his/her designee) to determine the VSB entity's objectives and the proper social media venues, if any, and to approve any such venues. The VSB entity must create and submit to the VSB Communications Department for approval, through the staff liaison, a plan for its social media presence. The plan, which shall be memorialized in writing (such as in an email), should include: (a) the social media tools the VSB entity desires to use; (b) the objective of the use; (c) the guidelines for use to be followed by members of the VSB entities; (d) the oversight mechanism that will be used; (e) the VSB entity's plans for generating regular and relevant content; and (f) the identity of the position at the VSB entity responsible for administering the VSB social media presence. Creation and administration of the VSB social media presence shall be the responsibility of the VSB entity with oversight from the staff liaison in accordance with this policy.

Wherever possible, the social media presence must clearly and conspicuously indicate its affiliation with the VSB and must contain direct links back to the VSB website in a manner prescribed to the staff liaison by the VSB Communications Department.

VSB entities shall work with their staff liaison to coordinate the development of appropriate and approved graphics for the VSB social media presence. No VSB social media presence shall use the VSB's logo without prior written approval from the VSB's executive director or his/her designee.

The VSB reserves the right to remove or demand removal of any content deemed inappropriate or not in keeping with this policy. VSB entities are responsible, in collaboration with their staff liaison, for complying with these guidelines.

Using social media

VSB entities are expected to use good judgment and common sense when using social media in ways that pertain to, concern, or relate to the VSB. The following content standards apply to any VSB social media presence:

A. Content posted to social media should be relevant to the mission of the VSB entity and the Virginia State Bar. All statements must be true to the best of the knowledge and belief of the participating VSB entity and not be misleading. Private information about posters or others is prohibited. Content must adhere to state and federal law, including the Rules of Professional Conduct and laws and rules governing the privacy of individuals and confidential information of clients. No VSB social media presence shall contain material that is obscene, defamatory, profane, libelous, threatening, harassing, abusive, hateful, or embarrassing to another person or entity, or to the VSB.

B. Content must comply with the applicable rules and terms of use of the social network or social media page, to the extent those rules and terms of use are not inconsistent with this policy.

C. No VSB entity or volunteer shall post content to social media that fails to conform to all applicable state and federal laws.

   1. Without limitation, this includes compliance with copyright law by ensuring that the VSB entity has permission to use or reproduce any copyrighted text, photos, graphics, video, or other material owned by others. Any copyrighted or borrowed material must be identified with appropriate citations and links, giving credit to the original publisher or author.

   2. Without limitation, this includes antitrust laws. No content shall encourage or facilitate agreements between VSB members of different firms concerning the following, as they pertain to legal services: prices, discounts, or terms or conditions of sale; salaries; profits, profit margins, or cost data; market shares, sales territories, or markets; allocation of customers or suppliers; or any other term or condition related to competition.

D. No VSB social media presence shall contain confidential or non-public proprietary information of or about the VSB.

E. Content must comply with all other applicable VSB policies, including, without limitation, the VSB's policies concerning legislative and regulatory activities. In addition, no VSB entity shall use a VSB social media presence for the purpose of interfering with or affecting the result of an election or a nomination for public office, or advocating for or against a political party, candidate for political office, or political group.

Media Inquiries

Social media postings may generate media coverage. If a member of the media contacts a VSB entity about a VSB social media presence, that contact should be referred to the VSB's executive director.

Enforcement
VSB entities failing to comply with this policy may forfeit the right to participate in social media activities sponsored by, administered by, approved by, or affiliated with the VSB. Moreover, nothing in this policy alters, derogates from, or otherwise affects VSB members' (a) legal obligations under civil or criminal law or (b) ethical and professional obligations under the Rules of Professional Conduct.

Risk Management and Loss Prevention
The VSB does not maintain any liability insurance policies in force and does not provide any indemnification that could protect a VSB member or volunteer from consequences of participation in social media, including but not limited to participation in a VSB social media presence.

Changes
The VSB may amend this policy at any time and from time to time, and all VSB entities must conform to this policy as so amended. No vested rights are granted by the policy to anyone.

Disclaimer
The VSB accepts no liability or responsibility for the content of any target site linked from its website or social media accounts. The VSB accepts no liability or responsibility for any content published on any VSB social media site by any person other than the VSB.

Approved by VSB Communications Committee October 2010
Approved by VSB Executive Committee October 14, 2010
Approved by VSB Council October 15, 2010
Approved by VSB Executive Committee June 14, 2017
Approved by VSB Council June 15, 2017
Revised July 1, 2025, to remove conferences due to Supreme Court of Virginia order to convert conferences to sections.

TAB 6

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Susan Bradford Tarley Tarley Robinson, PLC 4801 Courthouse St Ste 122 Williamsburg, VA 23188 starley@tarleyrobinson.com Work Phone: (757) 229-4281	President	7/1/2026	6/30/2027
Bruce Harold Russell, II Bruce H. Russell, II, P.C. 16508 Old Timber Road Abingdon, VA 24210 bruce@bhr2law.com Work Phone: (276) 889-1750	President Elect	7/1/2026	6/30/2027
Kenneth Brett Marston Gentry, Locke, Rakes & Moore 10 Franklin Road, SE P.O. Box 40013 Roanoke, VA 24022-0013 marston@gentrylocke.com Work Phone: (540) 983-9391	Immediate Past President	7/1/2026	6/30/2027
Mackenzie Keyser Babichenko 7530 County Complex Rd Hanover, VA 23069-1530 mkbabichenko@hanovercounty.gov Work Phone: (330) 687-4260	Member	7/1/2025	6/30/2028
Westley Grant Back Warburton Law Offices 80 East Main St Pulaski, VA 24301 wgback@warburtonlaw.com Work Phone: (540) 980-8970	Member	7/1/2025	6/30/2028
Donna Sue Baker Scott County Commonwealth's Attorney 202 W Jackson St Ste 312 Gate City, VA 24251-3012 sbaker@scottcountyva.gov	Member	7/1/2024	6/30/2027

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Leslie Yvette Barnes Loudoun Legal Solutions 118 Edwards Ferry Rd NE Ste 110 Leesburg, VA 20176 Leslie@loudounlegal.com Work Phone: (703) 777-0307	Member	7/1/2025	6/30/2028
Gabrielle Angelita Best Husband G. BEST HUSBAND LAW, PLLC Suite 1500 1750 Tysons Blvd, McLean, VA 22102 Gabrielle@gbh-law.com	Member	9/25/2025	6/30/2028
Kristan Boyd Burch Kaufman & Canoles 150 W Main St Ste 1900 PO Box 3037 Norfolk, VA 23514-3037 kbburch@kaufcan.com	Member	7/1/2025	6/30/2027
David Rust Clarke Blankingship & Keith, P.C. 4020 University Dr Ste 300 Fairfax, VA 22030-6802 dclarke@bklawva.com Work Phone: (703) 691-1235	Member	9/1/2026	6/30/2029
Rachel Crombie Collins Office of the Public Defender 2200 Wilson Blvd Ste 510 Arlington, VA 22201 rcollins@vadefenders.org Work Phone: (703) 875-1111	Member	9/1/2026	6/30/2029
Carson Alexander Cox Troutman Pepper Locke LLP 1001 Haxall Pt Fl 15 Richmond, VA 23219-3944 carson.cox@troutman.com Work Phone: (804) 697-1338	Member	7/1/2025	6/30/2028

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Derek Anthony Davis Surry County Commonwealth's Attorney PO Box 456 Surry, VA 23883 ddavis@surrycountyva.gov Work Phone: (757) 542-8034	Member	7/1/2025	6/30/2028
Andrew Jacob Dean Andrew Dean, Esq. 163 Lakewood Drive Williamsburg, VA 23185 andrew.dean@jamescitycountyva.gov Work Phone: (757) 223-4502	Member	7/1/2026	6/30/2029
Kyung Nam Dickerson 1934 Old Gallows Road Fourth Floor Tysons, VA 22182 kdickerson@ruttenberg.law Work Phone: (703) 790-1900	Member	7/1/2024	6/30/2027
Sean Patrick Dolan City of Suffolk PO Box 1858 Suffolk, VA 23439-1858 spdolan@suffolkva.us Work Phone: (757) 514-7130	Member	7/1/2025	6/30/2028
William John Egen 5321 Stanwood Way Glen Allen, VA 23059-7142 william.egen@gmail.com	Member	7/1/2026	6/30/2029
Adam David Elfenbein Elfenbein Law, PLLC 2111 Wilson Blvd 8th Fl Arlington, VA 22201 elflaw@verizon.net Work Phone: (703) 243-9223	Member	9/5/2025	6/30/2028

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Kyle Reese Elliott 107 N 25th St Richmond, VA 23223 kyle@capsquarestrategies.com	Member	7/1/2024	6/30/2027
Bradley Douglas Fleming Brad Fleming Attorney At Law, PLLC PO Box 301 Clintwood, VA 24228 brad@bradfleminglaw.com	Member	7/1/2025	6/30/2028
Gawin Lowie Flynn, Jr. The Flynn Law Firm PLLC 2043 Wilson Blvd Unit 688 Arlington, VA 22216-8011 Rex.Flynn@FlynnPLLC.com Work Phone: (703) 310-7624	Member	7/1/2025	6/30/2028
John Everett Foster Fairfax County Public Schools 8115 Gatehouse Rd Falls Church, VA 22042 John.Foster@fcps.edu Work Phone: (571) 423-1250	Member	7/1/2025	6/30/2028
Matthew Ryan Foster Bangel, Bangel & Bangel, L.L.P. 505 Court Street Portsmouth, VA 23704 mfoster@bangelaw.com Work Phone: (757) 397-3471	Member	7/1/2025	6/30/2028
Daniel Patrick Frankl Harman Claytor Corrigan And Wellman 310 1st St SW Ste 310 Roanoke, VA 24011 dfrankl@hccw.com Work Phone: (540) 527-3515	Member	7/1/2024	6/30/2027

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Nicholas John Gehrig 3001 Russell Rd Alexandria, VA 22305-1719 ngehrig@beankinney.com Work Phone: (703) 684-2000	Member	7/1/2024	6/30/2027
Adrienne George-Eliades The Eliades Law Firm, P.L.L.C. 14000 N Enon Church Rd Chester, VA 23836 adrienne@eliadeslawfirm.com Work Phone: (804) 541-1941	Member	7/1/2024	6/30/2027
Alexandra Dove Goodpaster PO Box 2345 Abingdon, VA 24212 dove.goodpaster.law@gmail.com Work Phone: (276) 285-2100	Member	7/1/2026	6/30/2027
Stephanie Elaine Grana Cantor Grana Buckner Bucci, PC 7130 Glen Forest Dr Ste 400 Richmond, VA 23226 sgrana@virginiatrialfirm.com Work Phone: (804) 343-4372	Member	7/1/2024	6/30/2027
David Christopher Hagan Friedman Grimes Meinken & Leischner 675 N Washington St Ste 450 Alexandria, VA 22314-1940 dhagan@oldtownlawyers.com Work Phone: (703) 836-9030	Member	7/1/2024	6/30/2027
Gifford Ray Hampshire Blankingship & Keith, P.C. 4020 University Dr Ste 300 Fairfax, VA 22030 ghampshire@bklawva.com Work Phone: (703) 691-1235	Member	11/8/2024	6/30/2027

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Chidinma Uzochi Harley Pervaiz & Harley PLLC 10505 Judicial Dr Ste 301 Fairfax, VA 22030 harley@pervaizharley.com Work Phone: (703) 896-7630	Member	7/1/2026	6/30/2029
Shelia Hunter-Bonaparte Holmes Legal Aid Works 500 Lafayette Blvd Ste 100 Fredericksburg, VA 22401-6070 sholmes@legalaidworks.org Work Phone: (804) 497-7106	Member	7/1/2026	6/30/2029
Kevin Walker Holt Gentry Locke Attorneys 10 Franklin Rd SE PO Box 40013 Roanoke, VA 24011 holt@gentrylocke.com Work Phone: (540) 983-9377	Member	7/1/2025	6/30/2028
Richard Hugh Howard-Smith Flora Pettit PC 530 E Main St Charlottesville, VA 22902 rhh@fplegal.com Work Phone: (434) 817-7975	Member	7/1/2024	6/30/2027
Brielle Marie Hunt Phelan Petty PLC 3315 West Broad Street Richmond, VA 23230 bhunt@phelanpetty.com Work Phone: (804) 980-7100	Member	7/1/2026	6/30/2029
Gregory Todd Hunter 2111 Wilson Blvd 8th Fl Arlington, VA 22201 greghunter@mail.com Work Phone: (703) 527-0808	Member	7/1/2024	6/30/2027

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Alicia Roberts Johnson Dominion Energy 120 Tredegar St Richmond, VA 23219-4306 anroberts1@gmail.com Work Phone: (804) 663-2350	Member	7/1/2024	6/30/2027
Naveed Kalantar Garriott Maurer PLLC 5041 Corporate Woods Dr Ste G180 Virginia Beach, VA 23462 nkalantar@garriottmaurer.com Work Phone: (757) 530-9593	Member	7/1/2026	6/30/2029
Karissa Thomas Kaseorg Sands Anderson PO Box 1998 Richmond, VA 23218 karissakaseorg@gmail.com	Member	7/1/2025	6/30/2028
Joel Robert McClellan Marks & Harrison 1500 Forest Ave Ste 100 Richmond, VA 23229-5104 jmcclellan@marksandharrison.com Work Phone: (804) 282-0999	Member	7/1/2026	6/30/2029
Peter Kevin McDermott, II Office of the Public Defender 1516 N Shenandoah Ave Ste A Front Royal, VA 22630 pmcdermott@vadefenders.org Work Phone: (540) 631-1163	Member	7/1/2025	6/30/2028
Veronica Elaine Meade V. Meade Law, PLLC 1100 Exploration Way Suite 302-V Hampton, VA 23666 veronica@vmeadelaw.com Work Phone: (757) 826-8000	Member	7/1/2024	6/30/2027

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Paul Helter Melnick Altmiller Melnick DeMers et al. 8000 Westpark Dr Ste 600 Tysons, VA 22102 pmelnick@altmillerlaw.com Work Phone: (703) 506-9440	Member	7/1/2026	6/30/2029
Jeffrey Paul Miller Gentry Locke PO Box 780 Richmond, VA 23218-0780 miller@gentrylocke.com Work Phone: (804) 956-2060	Member	9/1/2026	6/30/2027
Charles Stern Moore PO Box 116 Warm Springs, VA 24484 cmoore@singletonlawva.com Work Phone: (540) 839-5009	Member	7/1/2026	6/30/2029
Charlene Aleatha Morring Morring Law PLLC 125 St. Paul's Blvd Ste 301 Norfolk, VA 23510 cmorring@morringlaw.com Work Phone: (757) 223-1107	Member	7/1/2025	6/30/2028
Alison Rachelle Mullins Shulman Rogers PA 8200 Greensboro Drive Suite 701 McLean, VA 22102 amullins@shulmanrogers.com Work Phone: (571) 620-1930	Member	7/1/2024	6/30/2027
Patrick Craig Murphrey Office of the City Attorney 2400 Washington Avenue, 9th Floor Newport News, VA 23607 murphreypc@nnva.gov Work Phone: (757) 926-6466	Member	7/1/2026	6/30/2029

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Richard Allen Nash Mecklenburg County Commonwealth Attorney 393 Washington St PO Box 7 Boydton, VA 23917 rnash10@my.asl.edu	Member	7/1/2026	6/30/2029
Michael Anthony Nicholas Daniel Medley and Kirby, P.C. 110 N Union St Danville, VA 24541 mnicholas@dmklawfirm.com Work Phone: (434) 792-3911	Member	7/1/2025	6/30/2028
Sebastian Marks Norton King, Campbell, Poretz & Mitchell, PLLC 118 N Alfred St Alexandria, VA 22314 sebastian@kingcampbell.com Work Phone: (703) 683-7070	Member	7/1/2026	6/30/2029
Steven Givens Owen Courthouse Law Group 2521 North Landing Rd Ste 200 Virginia Beach, VA 23456 sgo@courthouselawgroup.com Work Phone: (757) 427-3348	Member	7/1/2025	6/30/2028
Ann Marie Park Felton Group, LLC Suite 110 240 W. Main Street Charlottesville, VA 22902 annmarie.park@feltongroup.org Work Phone: (434) 293-8006	Member	7/1/2025	6/30/2028
Dale Wood Pittman The Eliza Spotswood House 112-A West Tabb Street Petersburg, VA 23803 dale@pittmanlawoffice.com Work Phone: (804) 861-6000	Member	7/1/2026	6/30/2029

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Juli Marie Porto Blankingship & Keith, P.C. 4020 University Dr Ste 300 Fairfax, VA 22030 jporto@bklawva.com Work Phone: (703) 691-1235	Member	7/1/2024	6/30/2027
Debra Lynn Powers Taylor Huguley Powers PLLC 9990 Fairfax Blvd Ste 430 Fairfax, VA 22030 Dpowers@thpfamilylaw.com Work Phone: (703) 879-6500	Member	7/1/2024	6/30/2027
Shameka La-Sharon Rhoades Trustice Law Group 5 E Franklin St Richmond, VA 23219-2105 srhoades@trustice.us Work Phone: (804) 207-9381	Member	7/1/2024	6/30/2027
Caswell Wingfield Richardson Office of the Commonwealth's Attorney Sixth Floor 800 East City Hall Avenue Norfolk, VA 23510 caswellrichardson@gmail.com Work Phone: (757) 664-4868	Member	7/1/2026	6/30/2029
Anne Louise Roddy Barnes & Diehl 7401 Beaufont Springs Dr Ste 200 Richmond, VA 23225 ARoddy@BarnesFamilyLaw.com Work Phone: (804) 414-1637	Member	7/1/2025	6/30/2028
Overman Randolph Rollins O Randolph Rollins PLC PO Box 4228 Martinsville, VA 24115-4228 rrollins@orrlawyer.com Work Phone: (804) 405-5080	Member	7/1/2024	6/30/2027

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Seema Dev Ruchandani 9252B Mosby St Manassas, VA 20110-5038 AttorneySeema@gmail.com Work Phone: (703) 590-8310	Member	7/1/2025	6/30/2028
Gobind Singh Sethi Sethi & Sledd, P.L.L.C. Suite 400 11260 Roger Bacon Drive Reston, VA 20190 gsethi@novainjurylawyers.com Work Phone: (703) 925-9500	Member	7/1/2024	6/30/2027
David Edward Sher Sher & Cummings Tower Villas, Suite 7 3800 North Fairfax Drive Arlington, VA 22203-1711 sher@sherandcummings.com	Member	7/1/2025	6/30/2028
Hope Regina Townes City Attorney's Office City of Lynchburg 900 Church Street Lynchburg, VA 24504 hope.townes@lynchburgva.gov Work Phone: (434) 455-3978	Member	7/1/2025	6/30/2028
Robert Benson Walker 709 Old Hunt Way Herndon, VA 20170-3158 rbw@rwalkerlaw.com Work Phone: (703) 437-5128	Member	7/1/2025	6/30/2028
Marie Everlyn Washington Law Office of Marie Washington, PLC Unit 102 67 West Lee Street Warrenton, VA 20186 mw@mariewashingtonlaw.com Work Phone: (540) 347-4172	Member	7/1/2026	6/30/2029

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Brianna Burke Weiner 4900 Fieldwood Ct Fairfax, VA 22030-4552 briannabweiner@gmail.com	Member	7/1/2025	6/30/2028
Madeline Christine Woodruff Commonwealth's Attorney's Office 307 Albemarle Dr Chesapeake, VA 23322 mwoodruff@cityofchesapeake.net Work Phone: (757) 664-4876	Member	7/1/2026	6/30/2029
Vanessa Temple Yearick 901 Holladay Pt Virginia Beach, VA 23451-3912 vanessayearick@gmail.com Work Phone: (757) 473-5318	Member	7/1/2026	6/30/2029
Joseph Judong Yoon Yoon Law Firm, PLLC 4118 Leonard Drive Fairfax, VA 22030 joseph@yoonfirm.com Work Phone: (703) 260-6060	Member	9/1/2026	6/30/2029
Christina Ann Compagnone 201 Maryland Ave NE Washington, DC 20002-5703 chris20@mail.regent.edu	Young Lawyers Section	7/1/2026	6/30/2027
Gawin Lowie Flynn, Jr. The Flynn Law Firm PLLC 2043 Wilson Blvd Unit 688 Arlington, VA 22216-8011 Rex.Flynn@FlynnPLLC.com Work Phone: (703) 310-7624	Diversity Section	7/31/2026	6/30/2027

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Richard Alan Gray 10161 Palmer Drive Oakton, VA 22124-2622 grayatlaw@gmail.com	Senior Lawyers Section	7/1/2026	6/30/2027
Mary Rachel Wolfe Wolfe Williams & Austin 470 Park Avenue P.O. Box 625 Norton, VA 24273 mrwolfe641@gmail.com Work Phone: (276) 679-0777	Local and Specialty Bar Section	7/1/2026	6/30/2027
Peter Holstead Davies Davies & Davies Suite A 4935 Boonsboro Road Lynchburg, VA 24503 peter@daviesanddavies.com Work Phone: (434) 528-5500	Member at Large	7/1/2026	6/30/2029
Craig Emerson Ellis Department Of Justice, National Security 950 Pennsylvania Ave NW, Suite 6262 Washington, DC 20530 craig.ellis@usdoj.gov Work Phone: (202) 353-3091	Member at Large	7/1/2024	6/30/2027
James Warren Hundley Briglia Hundley, P.C. Suite 900 1921 Gallows Road Tysons Corner, VA 22182 jhundley@brigliahundley.com Work Phone: (703) 883-0880	Member at Large	7/1/2025	6/30/2028
Jacob Rogers Lambert 126 Yorkshire Dr Williamsburg, VA 23185-3983 JLambert@oag.state.va.us Work Phone: (804) 371-4335	Member at Large	7/1/2025	6/30/2028

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Jill Kinser Lawson Scott County Commonwealth's Attorney Of 202 W Jackson St Ste 312 Gate City, VA 24251-3012 jlawson@scottcountyva.gov Work Phone: (276) 782-4042	Member at Large	7/1/2026	6/30/2029
Douglas Bradley Marshall Vanderpool, Frostick & Nishanian, P.C. 9200 Church St Ste 400 Manassas, VA 20110 bmarshall@vfnlaw.com Work Phone: (703) 369-4738	Member at Large	7/1/2025	6/30/2028
Molly Elizabeth Newton Office of the Attorney General 202 N. 9th Street Richmond, VA 23219 mnewton@oag.state.va.us Work Phone: (804) 495-5068	Member at Large	7/1/2026	6/30/2029
Joanna Lee Suyes Suyes Law PLLC PO Box 7155 Richmond, VA 23221-0155 joanna@suyeslaw.com Work Phone: (804) 282-0999	Member at Large	7/1/2024	6/30/2027
Nicole Elise Upshur 3817 Kyndles Way Virginia Beach, VA 23456 nicoleupshur@msn.com Work Phone: (757) 270-9938	Member at Large	7/1/2024	6/30/2027
Cameron Michael Rountree Virginia State Bar 1111 E Main St Ste 700 Richmond, VA 23219 crountree@vsb.org Work Phone: (804) 775-0560	Liaison	9/8/2022	

Committee Roster for Council

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Janet Patricia Van Cuyk Virginia State Bar 1111 E Main St 700 RICHMOND, VA 23219 jvancuyk@vsb.org Work Phone: (804) 775-0553	Liaison	5/1/2026	
Shawne Moore Virginia State Bar 1111 E Main St 700 RICHMOND, VA 23219 smoore@vsb.org	Committee Administrator	2/10/2022	

Total Members: 86

Committee Roster for Executive Committee

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Susan Bradford Tarley Tarley Robinson, PLC 4801 Courthouse St Ste 122 Williamsburg, VA 23188 starley@tarleyrobinson.com Work Phone: (757) 229-4281	President	7/1/2026	6/30/2027
Bruce Harold Russell, II Bruce H. Russell, II, P.C. 16508 Old Timber Road Abingdon, VA 24210 bruce@bhr2law.com Work Phone: (276) 889-1750	President Elect	7/1/2026	6/30/2027
Kenneth Brett Marston Gentry, Locke, Rakes & Moore 10 Franklin Road, SE P.O. Box 40013 Roanoke, VA 24022-0013 marston@gentrylocke.com Work Phone: (540) 983-9391	Immediate Past President	7/1/2026	6/30/2027
Mackenzie Keyser Babichenko 7530 County Complex Rd Hanover, VA 23069-1530 mkbabichenko@hanovercounty.gov Work Phone: (330) 687-4260	Member	7/1/2026	6/30/2027
Kristan Boyd Burch Kaufman & Canoles 150 W Main St Ste 1900 PO Box 3037 Norfolk, VA 23514-3037 kbburch@kaufcan.com	Member	7/1/2026	6/30/2027
William John Egen 5321 Stanwood Way Glen Allen, VA 23059-7142 william.egen@gmail.com	Member	7/1/2026	6/30/2027

Committee Roster for Executive Committee

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Kyle Reese Elliott 107 N 25th St Richmond, VA 23223 kyle@capsquarestrategies.com	Member	7/1/2026	6/30/2027
Gifford Ray Hampshire Blankingship & Keith, P.C. 4020 University Dr Ste 300 Fairfax, VA 22030 ghampshire@bklawva.com Work Phone: (703) 691-1235	Member	7/1/2026	6/30/2027
Chidinma Uzochi Harley Pervaiz & Harley PLLC 10505 Judicial Dr Ste 301 Fairfax, VA 22030 harley@pervaizharley.com Work Phone: (703) 896-7630	Member	7/1/2026	6/30/2027
Christina Ann Compagnone 201 Maryland Ave NE Washington, DC 20002-5703 chris20@mail.regent.edu	Young Lawyers Section	7/1/2026	6/30/2027
Gawin Lowie Flynn, Jr. The Flynn Law Firm PLLC 2043 Wilson Blvd Unit 688 Arlington, VA 22216-8011 Rex.Flynn@FlynnPLLC.com Work Phone: (703) 310-7624	Diversity Section	7/31/2026	6/30/2027
Richard Alan Gray 10161 Palmer Drive Oakton, VA 22124-2622 grayatlaw@gmail.com	Senior Lawyers Section	7/1/2026	6/30/2027

Committee Roster for Executive Committee

Period: Current **Type:** Committee Members

Member	Position	Begin Date	End Date
Mary Rachel Wolfe Wolfe Williams & Austin 470 Park Avenue P.O. Box 625 Norton, VA 24273 mrwolfe641@gmail.com Work Phone: (276) 679-0777	Local and Specialty Bar Section	7/1/2026	6/30/2027
Cameron Michael Rountree Virginia State Bar 1111 E Main St Ste 700 Richmond, VA 23219 crountree@vsb.org Work Phone: (804) 775-0560	Liaison		
Janet Patricia Van Cuyk Virginia State Bar 1111 E Main St 700 RICHMOND, VA 23219 jvancuyk@vsb.org Work Phone: (804) 775-0553	Liaison	5/1/2026	
Shawne Moore Virginia State Bar 1111 E Main St 700 RICHMOND, VA 23219 smoore@vsb.org	Committee Administrator		

Total Members: 16

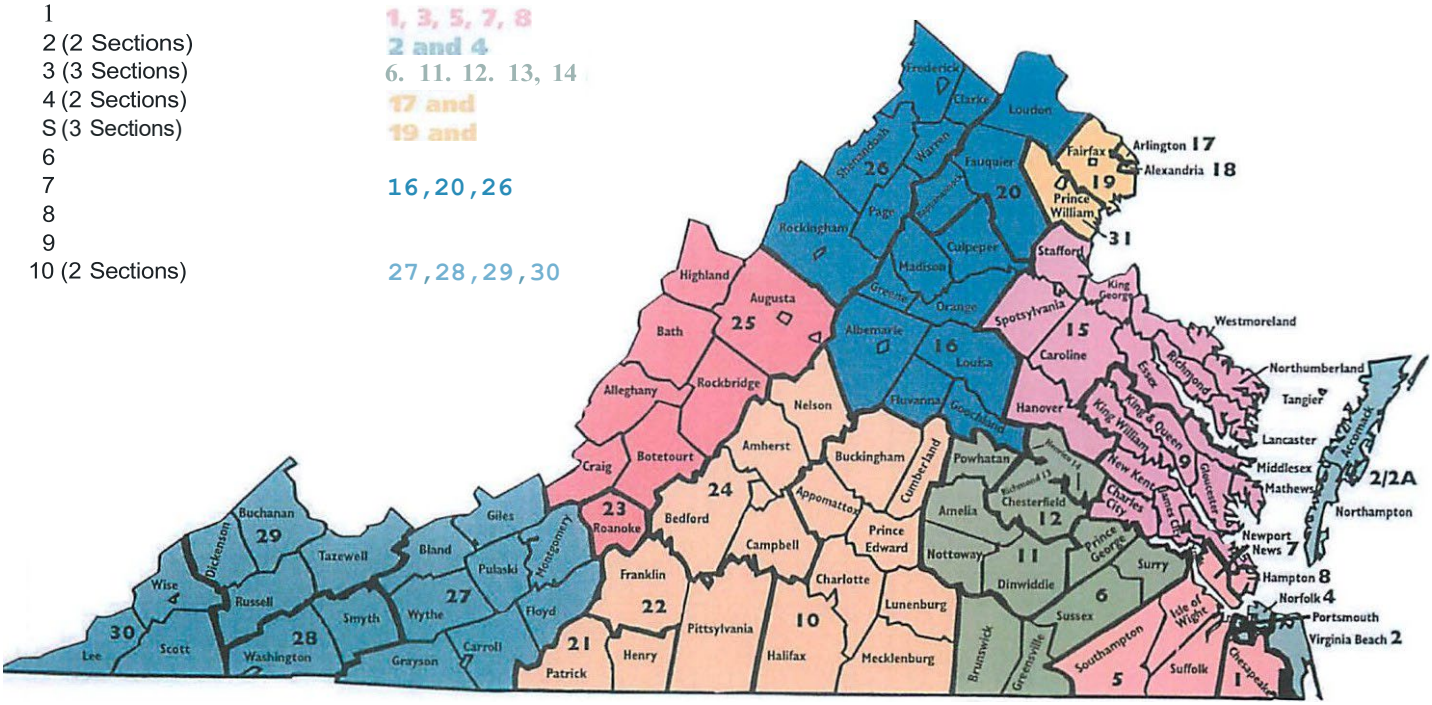
TAB 7

Map of Judicial Circuits and Districts of Virginia

District Committees

as of January 1, 2003

District Committee	*consists of*	Judicial Circuits
1		1, 3, 5, 7, 8
2 (2 Sections)		2 and 4
3 (3 Sections)		6. 11. 12. 13, 14
4 (2 Sections)		17 and
S (3 Sections)		19 and
6		
7		16,20,26
8		
9		
10 (2 Sections)		27,28,29,30



ESTABLISHMENT OF DISTRICT COMMITTEES
Part 6, §IV, Para. 13-4

A. Creation of District Committees. ***Council shall appoint a sufficient number of District Committees to carry out the purposes of this Paragraph***. District Committees shall be established in geographical areas consisting of one or more judicial circuits. In creating the District Committee areas, Council shall give due consideration to Attorney population and the community of interest among different judicial circuits within a District Committee area. Each District Committee shall consist of ten, or in the discretion of Council, 20, 30 or 40 members. Three members of a ten-member District Committee, six members of a 20-member District Committee, nine members of a 30-member District Committee, and 12 members of a 40- member District Committee shall be nonlawyers. All other members shall be active members of the Bar. Former members of a District Committee may serve on a District Committee Subcommittee or participate in a District Committee hearing whenever the District Committee Chair determines that such service is necessary for the orderly administration of the District Committee's work.

B. Panel Quorum. A Panel quorum shall consist of five or more persons. One person assigned to a District Committee Panel shall be a present or former nonlawyer member of a District Committee. If the scheduled nonlawyer is unable to attend, and if an alternate nonlawyer is not reasonably available, participation by a nonlawyer member shall not be required in a proceeding if a quorum is otherwise present. The action of a majority of a quorum shall be the action of the District Committee Panel.

C. Geographic Criteria. Each member of a District Committee shall be a resident of or have his or her office in the District Committee area for which such member is appointed. Members shall, to the extent practicable, be appointed from different geographical sections of their districts.

D. Term of Office. Council shall appoint members of each District Committee for such terms of service as will allow for the retirement from the District Committee, or completion of the existing terms, of one-third of the District Committee membership at the end of each fiscal year. A District Committee member's term shall be for three years, and, upon completion of such term, such member is eligible for appointment to a second successive three-year term. A member who has served two full successive terms of three years each on a District Committee shall not be eligible to serve again until one year after the expiration of the second term.

E. Qualifications of Members. ***Before nominating any individual for membership on a District Committee, the Council members making such recommendation shall first determine that the Nominee is willing to serve on the District Committee and will conscientiously discharge the responsibility as a member of the District Committee. Council members making the nominations shall also obtain a statement from the nominees, in writing, that the nominees are willing to serve on the District Committee, if elected***. In order to be considered as a potential appointee to a District Committee, each potential appointee shall execute the following: (1) a waiver of confidentiality with respect to his or her Disciplinary Record and any pending Complaints and a release allowing production of his or her Disciplinary Record and any pending Complaints from any jurisdiction for purposes of the appointment process; and an authorization for the Bar to conduct a criminal records check of all jurisdictions for any conviction of a Crime and

provide the results to the members of Council and the staff of the Bar for purposes of the appointment process. No member of Council shall be a member of a District Committee.

F. Persons Ineligible for Appointment. Any potential appointee shall be ineligible for appointment to a District Committee if such potential appointee has: (1) ever been convicted in any jurisdiction of a Crime; (2) ever committed any criminal act that reflects adversely on the potential appointee's honesty, trustworthiness or fitness as a member of a District Committee; (3) a Disciplinary Record in any jurisdiction consisting of a Disbarment, Revocation, Suspension imposed at any time or Public Reprimand imposed within the ten years immediately preceding the proposed appointment date; or (4) a Disciplinary Record in any jurisdiction consisting of Private Discipline, except for a de minimis dismissal or a dismissal for exceptional circumstances, or an Admonition imposed within the five years immediately preceding the proposed appointment date. The Standing Committee on Lawyer Discipline shall have the sole discretion to determine whether a de minimis dismissal or a dismissal for exceptional circumstances shall disqualify a potential appointee.

G. Interim Vacancies. Whenever a vacancy occurs on a District Committee, the Executive Committee may fill the vacancy. Bar Counsel or a majority of the members of a District Committee may request the Executive Committee to declare that a District Committee position held by any particular District Committee member has become vacant when, in the judgment of Bar Counsel or the Committee majority, such member has become, or has been for any reason, unavailable for or delinquent in the conduct of the District Committee's business. Similarly, upon request of Bar Counsel, the Executive Committee shall have the power to declare such vacancy. Before such vacancy is declared, the particular District Committee member shall be afforded notice and a reasonable opportunity to be heard.

The amendments effective February 17, 2011, revised Paragraph 13 regarding multijurisdictional practice.

COUNCIL MEMBERS' LIMITATIONS ON REPRESENTATION
Part 6, §IV, Para. 13

13-13 Participation and Disqualification of Counsel

A. Attorney for Respondent. A Respondent may be represented by a member of the Bar, or any member of the bar of any other jurisdiction while engaged *pro hac vice* in the practice of law in Virginia, at any time with respect to a Complaint.

B. Signature Required by Respondent. A Respondent must sign his or her written response to any Complaint, Charge of Misconduct or Certification.

C. Disqualification. An Attorney shall not represent a Respondent with respect to a Complaint or allegation of Misconduct:
   1. While such Attorney is a current employee or current officer of the Bar ***or is a member of Council***, COLD, the Board, or a District Committee;
   2. For 90 days after such Attorney ceases to be an employee or officer of the Bar ***or a member of Council***, COLD, the Board, or a District Committee;
   3. At any time, after such Attorney ceases to be an employee or officer of the Bar or ***a member of Council***, COLD, the Board or a District Committee, if such Attorney was personally involved in the subject matter of the Complaint, allegation of Misconduct or any related matter while acting as such employee, officer or member;
   4. At any time after such Attorney ceased to be a liaison from COLD to a District Committee before which the Disciplinary Proceeding involving such Complaint or Charge of Misconduct was pending during the time such Attorney was such liaison; or
   5. If such Attorney is a partner or an associate of, or is a member, shareholder or has a similar relationship with an Attorney who is a current member of COLD or an officer of the Bar, or who was a member of COLD or an officer of the Bar within the previous 90 days.
   6. If such Attorney is a partner or an associate of, or is a member, shareholder or has a similar relationship with an Attorney who is a current member of the Board or was a member of the Board within the previous 90 days, unless the Attorney's representation of the Respondent with respect to a Complaint or allegation of Misconduct preceded the Board member's appointment to the Board. In such cases, the Attorney may continue to represent the Respondent as follows:
      a. Before a Three Judge Court in proceedings conducted pursuant to Va. Code§ 54.1-3935, or any appeal therefrom;

b. Before any District Committee.

7. If such Attorney is a partner or an associate of, or is a member, shareholder or has a similar relationship with an Attorney who is a member of a District Committee, before that District Committee, or if the District Committee is divided into sections, before the District Committee section of which the Attorney's partner or associate is a member.

D. No Imputation of Conflict. Except as set forth in subparagraph C, there shall be no imputation of conflict that disqualifies an Attorney from representing a Respondent with respect to a Complaint or Charge of Misconduct.

The amendments effective January 31, 2014, revised Paragraph 13 regarding Participation and Disqualification of Counsel.
The amendments effective February 17, 2011, revised Paragraph 13 regarding multijurisdictional practice.
The amendments effective March 19, 2010, revised Paragraph 13 dealing with the use of the phrase "Charge of Misconduct".

TAB 8

Virginia State Bar

Volunteer Reimbursement Voucher Guidelines

The Virginia State Bar (VSB) follows the Commonwealth of Virginia Travel Regulations with certain exceptions. Committee members are eligible for reimbursement of reasonable and necessary travel expenses incurred while attending committee meetings. Reimbursable expenses include mileage or fares, lodging, and certain meal expenses; however, alcoholic beverages and spousal expenses are NOT reimbursable. To minimize travel expenses, committee members are encouraged to reduce overnight stays whenever possible. Committee chairs should schedule meetings at times and locations that minimize travel costs for members.

General Guidelines:

- Volunteers must submit travel reimbursement vouchers to the Finance Department within 30 working days after completing the trip.
- Vouchers submitted over 30 working days require the executive director's approval and may not be honored.
- With reasonable notice, arrangements can be made for committee meetings to be held in VSB meeting rooms.
- Meetings at resort hotels require prior approval from the Executive Committee.

Annual Meeting & Other Association Meetings
Members attending the VSB Annual Meeting are responsible for covering their expenses as part of their professional duty. Expenses for committee meetings scheduled immediately before, after, or during the Annual Meeting are not reimbursable. This also applies to committee meetings scheduled around voluntary state association meetings (e.g., VBA, VTLA, VADA).

Refer to the attached sample Expense Reimbursement Voucher for details. Travel vouchers must be legible (typed or handwritten) and include appropriate itemized receipts.

Reimbursable Expenses:

Mileage:

- **$0.76/mile** for personal automobile travel (**Effective 7/1/2026**).

Transportation (Receipts Required):

- Includes train, cab, and bus fares.
- For airfare reimbursement, attach ticket stubs or a confirmation with cost and services.
- Reimbursement will be based on the most economical travel option (airfare vs. mileage, meals, and lodging).
- Car rentals require prior approval from the VSB Finance Department.

Virginia State Bar

Volunteer Reimbursement Voucher Guidelines

Lodging (Receipts Required):

- Overnight lodging is reimbursable if you travel 60+ miles from the base point (primary office or residence).
- **Effective 10/1/25, Standard lodging rate:** $110 within Virginia; Richmond city limits: $157
- Exceptions require approval from the executive director.
- Maximum reimbursement is 150% of state-approved rates unless a special event rate is established.

Parking, Tolls, and Tips:

- Expenses over $25 require a receipt.
- Express/HOT lane tolls for convenience are NOT reimbursable.
- Valet parking is only reimbursed with a justified special need.
- Tips for travel-related services are capped at $10/day.

Meals:

- Meal reimbursement applies primarily to **overnight travel**.
- **Gratuities are capped at 20% for exceptional service**.
- Meal rates (including taxes & gratuity):
  - **Breakfast:** $20
  - **Lunch:** $20
  - **Dinner:** $35
  - Alcoholic beverages and snacks are NOT reimbursable.
- Departure/arrival times must be noted for en route meal reimbursement.
- If you claim reimbursement for another VSB volunteer, list the individual's name(s).

Travel Voucher Submission Guidelines

Required Information:

1. **Agency:** Virginia State Bar
2. **Name & Address:** Last name first
3. **Social Security Number:** Required for reimbursement
4. **State Employee Status:** Mark the appropriate box
5. **Signature of Traveler:** Required
6. **Date, Location, & Explanation of Travel**
7. **Detailed Expense Breakdown:** (e.g., travel, meals, lodging, mileage)
8. **Purpose:** Specify the meeting attended
9. **Attach Supporting Documentation:** (e.g., receipts, invoices, etc.) as required

The VSB Finance Department will complete all other fields.

Virginia State Bar

Volunteer Reimbursement Voucher Guidelines

Note: Volunteers who have not previously been paid by VSB, or who need to update their address, must submit a completed COV W-9.

Submission Options:

- **Mail:** Send the form and receipts to:
  Virginia State Bar, 1111 E. Main Street, Suite 700, Richmond, VA 23219-0026.
- **Electronic Submission:** Use the VSB Travel Reimbursement Submission Form:
  https://forms.office.com/g/84waykGLjZ

  Step 1: Sign the Reimbursement Voucher

  - **Electronic Signature (Adobe Sign, DocuSign, etc.)** – If using an encrypted signature platform, DO NOT sign until after combining all documents into a single PDF (see Step 2).
  - **Wet Signature** – Print, sign manually, then scan the signed voucher and all supporting documents.

  Step 2: Combine Documents into a Single PDF

  1. Scan or save the completed voucher and all supporting documents as one combined PDF document.
  2. **Important**: Submissions must be in one single PDF file. Do not submit photos or screenshots.
  3. **File name format:** appropriately, e.g., **"LastName – Event - Date.pdf."**

  Step 3: Submit Electronically

  1. Go to the VSB Travel Reimbursement Submission Form:
     https://forms.office.com/g/84waykGLjZ
  2. Complete all required fields (1-4) in the form.
  3. Upload the combined PDF using the link in field 5.
  4. After uploading the file, return to the form, confirm that your file has been uploaded, and click **Submit**.
  5. Retain a copy of the submitted voucher and receipts for your records.

For further assistance, contact the **VSB Finance Department** at **(804) 775-0526** or email **vouchers@vsb.org**.

Virginia State Bar

Expense Reimbursement Electronic Submission

Step 1: Complete the Expense Reimbursement Voucher

1. Obtain the appropriate **Expense Reimbursement Voucher** (e.g., Staff, Volunteer) from the Virginia State Bar (VSB) office or liaison.
2. Fill out all required fields, including:
    - Your **name, contact information, and social security number**
    - **Date and purpose** of the expense
    - **Detailed expense breakdown** (e.g., travel, meals, lodging, mileage)
3. **Attach supporting documentation** (e.g., receipts, invoices, etc.) as required

Step 2: Sign the Reimbursement Voucher

You may sign the voucher in one of the following ways:

- **Electronic Signature (Adobe Sign, DocuSign, etc.)** – If using an encrypted signature platform, **DO NOT sign until after combining all documents into a single PDF** (see Step 3).
- **Wet Signature** – Print, sign manually, then scan the signed voucher and all supporting documents.

Step 3: Combine Documents into a Single PDF

1. Scan or save the completed voucher and all supporting documents as PDFs.
2. Use a PDF tool to **combine multiple PDFs** into a single file. You can use:
    - **Adobe Acrobat**: File > Combine > Merge PDFs
    - **Online tools:** (e.g., Smallpdf, ILovePDF)
    - **Windows:** Microsoft Print to PDF
3. **Important**: Submissions must be in one single PDF file. Do not submit photos or screenshots.
4. **File name format:** appropriately, e.g., **"LastName – Event - Date.pdf."**

Step 4: Submit Electronically

1. Go to the VSB Travel Reimbursement Submission Form: https://forms.office.com/g/84waykGLjZ
2. Complete all required fields (1-4) in the form.
3. Upload the combined PDF using the link in field 5.
4. After uploading the file, return to the form, confirm that your file has been uploaded, and click **Submit**.
5. Retain a copy of the submitted voucher and receipts for your records.

VOLUNTEER/WITNESS REIMBURSEMENT VOUCHER

DEPARTMENT, INSTITUTION, OR AGENCY AND BUSINESS UNIT

Virginia State Bar

PREPARE WITH INK OR TYPEWRITER. USE ADDITIONAL SHEETS WHEN NECESSARY

Name:						
Address:						
City:						
State:		Zip:		-		
Social Security #		-		Suffix:		

PERSONAL VEHICLE USE STATEMENT - STATE EMPLOYEE

X **PERSONAL VEHICLE - COST BENEFICIAL TO THE STATE - PERSONAL MILEAGE RATE**

_ **STATE VEHICLE - NOT AVAILABLE OR ACCESSIBLE - PERSONAL MILEAGE RATE**

_ **STATE VEHICLE - AVAILABLE OR NOT REQUESTED - FLEET RATE**

I HEREBY CERTIFY THAT EXPENSES LISTED BELOW WERE INCURRED BY ME ON OFFICIAL BUSINESS OF THE COMMONWEALTH OF VIRGINIA AND INCLUDE ONLY SUCH EXPENSES AS WERE NECESSARY IN THE CONDUCT OF BUSINESS.

STATE EMPLOYEE? [ ] YES [X] NO

SIGNATURE OF TRAVELER	DATE

TITLE

I HEREBY CERTIFY THAT THE TRAVEL UNDERTAKEN IN THIS REIMBURSEMENT VOUCHER HAS BEEN REVIEWED AND APPROVED AS NECESSARY FOR THE CONDUCT OF BUSINESS OF THE COMMONWEALTH.

VA STATE BAR APPROVAL DATE

1. DATE	2. LOCATION AT WHICH EXPENSE WAS INCURRED. POINTS BETWEEN WHICH TRAVEL WAS NECESSARY, METHOD OF TRANSPORTATION USED AND MILEAGE RATE ALLOWED. EACH DAY'S EXPENSES MUST BE SHOWN SEPARATELY.	3. MILES TRAVELED	4. MILEAGE AMOUNT		6. MEALS #	6. MEALS AMT.	7. LODGING	8. OTHER EXPENSE (ITEMIZE IN SECOND COLUMN)	AMOUNT
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
I certify all computations are correct and that all necessary and required receipts are attached.	Initial _____	**TOTALS**	0.00	x	0.00		0.00	0.00	0.00

VOUCHER NUMBER	DATE(MMDDYY)	TOTAL SHEET 2	0.00
		GRAND TOTAL	0.00

PURPOSE OF TRIP

FOR VIRGINIA STATE BAR USE ONLY

DEPT CC ACCOUNT TASK AMOUNT

VOLUNTEER/WITNESS REIMBURSEMENT VOUCHER

DEPARTMENT, INSTITUTION, OR AGENCY

Virginia State Bar

Agency No. 11700

CONTINUATION SHEET

PREPARE WITH INK OR TYPEWRITER. USE ADDITIONAL SHEETS WHEN NECESSARY

Voucher Number

1. DATE	2. LOCATION AT WHICH EXPENSE WAS INCURRED. POINTS BETWEEN WHICH TRAVEL WAS NECESSARY, METHOD OF TRANSPORTATION USED AND MILEAGE RATE ALLOWED. EACH DAYS EXPENSES MUST BE SHOWN SEPARATELY.	3. MILES TRAVELED	4. MILEAGE AMOUNT		6. MEALS #	6. MEALS AMT.	7. LODGING	8. OTHER EXPENSE (ITEMIZE IN SECOND COLUMN)	AMOUNT
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
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			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
			0.00	x					0.00
	TOTALS		0.00	x		0.00	0.00	0.00	0.00

TAB 9

Code of Virginia
Title 2.2. Administration of Government
Subtitle I. Organization of State Government
Part E. State Officers and Employees

Chapter 31. State and Local Government Conflict of Interests Act

Article 1. General Provisions

§ 2.2-3100. Policy; application; construction

The General Assembly, recognizing that our system of representative government is dependent in part upon (i) citizen legislative members representing fully the public in the legislative process and (ii) its citizens maintaining the highest trust in their public officers and employees, finds and declares that the citizens are entitled to be assured that the judgment of public officers and employees will be guided by a law that defines and prohibits inappropriate conflicts and requires disclosure of economic interests. To that end and for the purpose of establishing a single body of law applicable to all state and local government officers and employees on the subject of conflict of interests, the General Assembly enacts this State and Local Government Conflict of Interests Act so that the standards of conduct for such officers and employees may be uniform throughout the Commonwealth.

This chapter shall supersede all general and special acts and charter provisions which purport to deal with matters covered by this chapter except that the provisions of §§ 15.2-852, 15.2-2287, 15.2-2287.1, and 15.2-2289 and ordinances adopted pursuant thereto shall remain in force and effect. The provisions of this chapter shall be supplemented but not superseded by the provisions on ethics in public contracting in Article 6 (§ 2.2-4367 et seq.) of Chapter 43 of this title and ordinances adopted pursuant to § 2.2-3104.2 regulating receipt of gifts.

The provisions of this chapter do not preclude prosecution for any violation of any criminal law of the Commonwealth, including Articles 2 (Bribery and Related Offenses, § 18.2-438 et seq.) and 3 (Bribery of Public Servants and Party Officials, § 18.2-446 et seq.) of Chapter 10 of Title 18.2, and do not constitute a defense to any prosecution for such a violation.

This chapter shall be liberally construed to accomplish its purpose.

1987, Sp. Sess., c. 1, § 2.1-639.1; 1990, c. 672; 2001, c. 844;2003, c. 694;2008, c. 532;2014, cc. 792, 804.

§ 2.2-3100.1. Copy of chapter; review by officers and employees

Any person required to file a disclosure statement of personal interests pursuant to subsections A or B of § 2.2-3114, subsections A or B of § 2.2-3115 or § 2.2-3116 shall be furnished by the public body's administrator a copy of this chapter within two weeks following the person's election, reelection, employment, appointment or reappointment.

All officers and employees shall read and familiarize themselves with the provisions of this chapter.

2004, cc. 134, 392.

§ 2.2-3101. Definitions

As used in this chapter, unless the context requires a different meaning:

"Advisory agency" means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"Affiliated business entity relationship" means a relationship, other than a parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities, there are common or commingled funds or assets, the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis, or there is otherwise a close working relationship between the entities.

"Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

"Candidate" means a person who seeks or campaigns for an office of the Commonwealth or one of its governmental units in a general, primary, or special election and who is qualified to have his name placed on the ballot for the office. The candidate shall become subject to the provisions of this chapter upon the filing of a statement of qualification pursuant to § 24.2-501. The State Board of Elections or general registrar shall notify each such candidate of the provisions of this chapter. Notification made by the general registrar shall consist of information developed by the State Board of Elections.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency that involves the payment of money appropriated by the General Assembly or a political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the contract of which it is a part is with the officer's or employee's own governmental agency.

"Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in § 30-355.

"Employee" means all persons employed by a governmental or advisory agency, unless otherwise limited by the context of its use.

"Financial institution" means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred.

"Gift" does not include (i) any offer of a ticket, coupon, or other admission or pass unless the

ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution, or program's financial aid standards and procedures applicable to the general public; (iv) a campaign contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2; (v) any gift related to the private profession or occupation or volunteer service of an officer or employee or of a member of his immediate family; (vi) food or beverages consumed while attending an event at which the filer is performing official duties related to his public service; (vii) food and beverages received at or registration or attendance fees waived for any event at which the filer is a featured speaker, presenter, or lecturer; (viii) unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento, or similar item that is given in recognition of public, civic, charitable, or professional service; (ix) a devise or inheritance; (x) travel disclosed pursuant to the Campaign Finance Disclosure Act (§ 24.2-945 et seq.); (xi) travel paid for or provided by the government of the United States, any of its territories, or any state or any political subdivision of such state; (xii) travel provided to facilitate attendance by a legislator at a regular or special session of the General Assembly, a meeting of a legislative committee or commission, or a national conference where attendance is approved by the House Committee on Rules or its Chairman or the Senate Committee on Rules or its Chairman; (xiii) travel related to an official meeting of, or any meal provided for attendance at such meeting by, the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his office or employment; (xiv) gifts with a value of less than $20; (xv) attendance at a reception or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by a person while standing or walking are offered; (xvi) tickets or the registration or admission fees to an event that are provided by an agency to its own officers or employees for the purposes of performing official duties related to their public service; or (xvii) gifts from relatives or personal friends.

For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, nephew, or first cousin; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, sister, step-parent, step-grandparent, step-grandchild, step-brother, or step-sister; or the donee's brother's or sister's spouse or the donee's son-in-law or daughter-in-law.

For the purpose of this definition, "personal friend" does not include any person that the filer knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in § 2.2-419;(c) for an officer or employee of a local governmental or advisory agency, a person, organization, or business who is a party to or is seeking to become a party to a contract with the local agency of which he is an officer or an employee; or (d) for an officer or employee of a state governmental or advisory agency, a person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth.

For purposes of this definition, "person, organization, or business" includes individuals who are officers, directors, or owners of or who have a controlling ownership interest in such organization or business.

"Governmental agency" means each component part of the legislative, executive or judicial

branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are "governmental agencies" for purposes of this chapter.

"Immediate family" means (i) a spouse and (ii) any other person who resides in the same household as the officer or employee and who is a dependent of the officer or employee.

"Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office. Unless the context requires otherwise, "officer" includes members of the judiciary.

"Parent-subsidiary relationship" means a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.

"Personal interest" means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, $5,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be anticipated to exceed, $5,000 annually; (iv) ownership of real or personal property if the interest exceeds $5,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or (vi) an option for ownership of a business or real or personal property if the ownership interest will consist of clause (i) or (iv).

"Personal interest in a contract" means a personal interest that an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business that is a party to the contract.

"Personal interest in a transaction" means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business or governmental agency, or represents or provides services to any individual or business and such property, business or represented or served individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction. Notwithstanding the above, such personal interest in a transaction shall not be deemed to exist where (a) an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity or (b) an officer, employee, or elected member of a local governing body is appointed by such local governing body to serve on a governmental agency, or an officer, employee, or elected member of a separate local governmental agency formed by a local governing body is appointed to serve on a governmental agency, and the personal interest in the transaction of the governmental agency is the result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body or the separate

governmental agency to the officer, employee, elected member, or member of his immediate family.

"State and local government officers and employees" shall not include members of the General Assembly.

"State filer" means those officers and employees required to file a disclosure statement of their personal interests pursuant to subsection A or B of § 2.2-3114.

"Transaction" means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

1987, Sp. Sess., c. 1, § 2.1-639.2; 1988, c. 536; 1992, c. 865; 1993, c. 303; 1994, cc. 74, 724;1995, c. 495;1996, c. 77;1997, c. 641;2001, c. 844;2003, c. 694;2004, cc. 134, 392;2012, cc. 345, 771;2013, c. 475;2014, cc. 792, 804;2015, cc. 763, 777;2016, cc. 773, 774;2017, cc. 829, 832;2022, cc. 528, 529.

Article 2. Generally Prohibited and Unlawful Conduct

§ 2.2-3102. Application

This article applies to generally prohibited conduct that shall be unlawful and to state and local government officers and employees.

1987, Sp. Sess., c. 1, § 2.1-639.3; 2001, c. 844.

§ 2.2-3103. Prohibited conduct

No officer or employee of a state or local governmental or advisory agency shall:

1. Solicit or accept money or other thing of value for services performed within the scope of his official duties, except the compensation, expenses or other remuneration paid by the agency of which he is an officer or employee. This prohibition shall not apply to the acceptance of special benefits that may be authorized by law;

2. Offer or accept any money or other thing of value for or in consideration of obtaining employment, appointment, or promotion of any person with any governmental or advisory agency;

3. Offer or accept any money or other thing of value for or in consideration of the use of his public position to obtain a contract for any person or business with any governmental or advisory agency;

4. Use for his own economic benefit or that of another party confidential information that he has acquired by reason of his public position and which is not available to the public;

5. Accept any money, loan, gift, favor, service, or business or professional opportunity that reasonably tends to influence him in the performance of his official duties. This subdivision shall not apply to any political contribution actually used for political campaign or constituent service purposes and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;

6. Accept any business or professional opportunity when he knows that there is a reasonable likelihood that the opportunity is being afforded him to influence him in the performance of his official duties;

7. Accept any honoraria for any appearance, speech, or article in which the officer or employee provides expertise or opinions related to the performance of his official duties. The term "honoraria" shall not include any payment for or reimbursement to such person for his actual travel, lodging, or subsistence expenses incurred in connection with such appearance, speech, or article or in the alternative a payment of money or anything of value not in excess of the per diem deduction allowable under § 162 of the Internal Revenue Code, as amended from time to time. The prohibition in this subdivision shall apply only to the Governor, Lieutenant Governor, Attorney General, Governor's Secretaries, and heads of departments of state government;

8. Accept a gift from a person who has interests that may be substantially affected by the performance of the officer's or employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in the matter affecting the donor. Violations of this subdivision shall not be subject to criminal law penalties;

9. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his public office for private gain. Violations of this subdivision shall not be subject to criminal law penalties; or

10. Use his public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law, provided, however, that this subdivision shall not restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law, and provided further that this subdivision shall not limit the authority of a constitutional officer to discipline or discharge an employee with or without cause.

1987, Sp. Sess., c. 1, § 2.1-639.4; 1994, cc. 663, 815, 851;2001, c. 844;2006, cc. 787, 892;2015, c. 574.

§ 2.2-3103.1. Certain gifts prohibited

A. For purposes of this section:

"Foreign country of concern" means any country designated by the Secretary of State to have repeatedly provided support for acts of international terrorism pursuant to the National Defense Authorization Act for Fiscal Year 2019, P.L. 115-232 § 1754(c), Aug. 13, 2018; the Arms Export Control Act § 40, 22 U.S.C. § 2780; or the Foreign Assistance Act of 1961 § 620A, 22 U.S.C. § 2370.

"Person, organization, or business" includes individuals who are officers, directors, or owners of or who have a controlling ownership interest in such organization or business.

"Widely attended event" means an event at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals (i) who are members of a public, civic, charitable, or professional organization, (ii) who are from a particular industry or profession, or (iii) who represent persons interested in a particular issue.

B. No officer or employee of a local governmental or advisory agency or candidate required to file the disclosure form prescribed in § 2.2-3117 or a member of his immediate family shall solicit, accept, or receive any single gift with a value in excess of $100 or any combination of gifts with an aggregate value in excess of $100 within any calendar year for himself or a member of his

immediate family from any person that he or a member of his immediate family knows or has reason to know is (i) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (ii) a lobbyist's principal as defined in § 2.2-419;or (iii) a person, organization, or business who is or is seeking to become a party to a contract with the local agency of which he is an officer or an employee. Gifts with a value of less than $20 are not subject to aggregation for purposes of this prohibition.

C. No officer or employee of a state governmental or advisory agency or candidate required to file the disclosure form prescribed in § 2.2-3117 or a member of his immediate family shall solicit, accept, or receive any single gift with a value in excess of $100 or any combination of gifts with an aggregate value in excess of $100 within any calendar year for himself or a member of his immediate family from any person that he or a member of his immediate family knows or has reason to know is (i) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (ii) a lobbyist's principal as defined in § 2.2-419;or (iii) a person, organization, or business who is or is seeking to become a party to a contract with the state governmental or advisory agency of which he is an officer or an employee or over which he has the authority to direct such agency's activities. Gifts with a value of less than $20 are not subject to aggregation for purposes of this prohibition.

D. Notwithstanding the provisions of subsections B and C, such officer, employee, or candidate or a member of his immediate family may accept or receive a gift of food and beverages, entertainment, or the cost of admission with a value in excess of $100 when such gift is accepted or received while in attendance at a widely attended event and is associated with the event. Such gifts shall be reported on the disclosure form prescribed in § 2.2-3117.

E. Notwithstanding the provisions of subsections B and C, such officer or employee or a member of his immediate family may accept or receive a gift from a foreign dignitary with a value exceeding $100 for which the fair market value or a gift of greater or equal value has not been provided or exchanged so long as such foreign dignitary is not a representative of a foreign country of concern. Such gift shall be accepted on behalf of the Commonwealth or a locality and archived in accordance with guidelines established by the Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of the Commonwealth or a locality, but the value of such gift shall not be required to be disclosed.

F. Notwithstanding the provisions of subsections B and C, such officer, employee, or candidate or a member of his immediate family may accept or receive certain gifts with a value in excess of $100 from a person listed in subsection B or C if such gift was provided to such officer, employee, or candidate or a member of his immediate family on the basis of a personal friendship. Notwithstanding any other provision of law, a person listed in subsection B or C may be a personal friend of such officer, employee, or candidate or his immediate family for purposes of this subsection. In determining whether a person listed in subsection B or C is a personal friend, the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the history of the relationship between the person and the donor, including the nature and length of the friendship and any previous exchange of gifts between them; (iii) to the extent known to the person, whether the donor personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iv) whether the donor has given the same or similar gifts to other persons required to file the disclosure form prescribed in § 2.2-3117 or 30-111.

G. Notwithstanding the provisions of subsections B and C, such officer, employee, or candidate or a member of his immediate family may accept or receive gifts of travel, including travel-related

transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of $100 that is paid for or provided by a person listed in subsection B or C when the officer, employee, or candidate has submitted a request for approval of such travel to the Council and has received the approval of the Council pursuant to § 30-356.1. Such gifts shall be reported on the disclosure form prescribed in § 2.2-3117.

H. During the pendency of a civil action in any state or federal court to which the Commonwealth is a party, the Governor or the Attorney General or any employee of the Governor or the Attorney General who is subject to the provisions of this chapter shall not solicit, accept, or receive any gift from any person that he knows or has reason to know is a person, organization, or business that is a party to such civil action. A person, organization, or business that is a party to such civil action shall not knowingly give any gift to the Governor or the Attorney General or any of their employees who are subject to the provisions of this chapter.

I. The $100 limitation imposed in accordance with this section shall be adjusted by the Council every five years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.

J. The provisions of this section shall not apply to any justice of the Supreme Court of Virginia, judge of the Court of Appeals of Virginia, judge of any circuit court, or judge or substitute judge of any district court. However, nothing in this subsection shall be construed to authorize the acceptance of any gift if such acceptance would constitute a violation of the Canons of Judicial Conduct for the State of Virginia.

2014, cc. 792, 804;2015, cc. 763, 777;2017, cc. 829, 832;2023, cc. 291, 293.

§ 2.2-3103.2. Return of gifts

No person shall be in violation of any provision of this chapter prohibiting the acceptance of a gift if (i) the gift is not used by such person and the gift or its equivalent in money is returned to the donor or delivered to a charitable organization within a reasonable period of time upon the discovery of the value of the gift and is not claimed as a charitable contribution for federal income tax purposes or (ii) consideration is given by the donee to the donor for the value of the gift within a reasonable period of time upon the discovery of the value of the gift provided that such consideration reduces the value of the gift to an amount not in excess of $100 as provided in subsection B or C of § 2.2-3103.1.

2015, cc. 763, 777.

§ 2.2-3104. Prohibited conduct for certain officers and employees of state government

For one year after the termination of public employment or service, no state officer or employee shall, before the agency of which he was an officer or employee, represent a client or act in a representative capacity on behalf of any person or group, for compensation, on matters related to legislation, executive orders, or regulations promulgated by the agency of which he was an officer or employee. This prohibition shall be in addition to the prohibitions contained in § 2.2-3103.

For the purposes of this section, "state officer or employee" shall mean (i) the Governor, Lieutenant Governor, Attorney General, and officers appointed by the Governor, whether confirmation by the General Assembly or by either house thereof is required or not, who are

regularly employed on a full-time salaried basis; those officers and employees of executive branch agencies who report directly to the agency head; and those at the level immediately below those who report directly to the agency head and are at a payband 6 or higher and (ii) the officers and professional employees of the legislative branch designated by the joint rules committee of the General Assembly. For the purposes of this section, the General Assembly and the legislative branch agencies shall be deemed one agency.

To the extent this prohibition applies to the Governor's Secretaries, "agency" means all agencies assigned to the Secretary by law or by executive order of the Governor.

Any person subject to the provisions of this section may apply to the Council or Attorney General, as provided in § 2.2-3121 or 2.2-3126, for an advisory opinion as to the application of the restriction imposed by this section on any post-public employment position or opportunity.

1994, cc. 727, 776, § 2.1-639.4:1; 2001, c. 844;2013, c. 648;2014, cc. 792, 804;2015, cc. 763, 777.

§ 2.2-3104.01. Prohibited conduct; bids or proposals under the Virginia Public Procurement Act, Public-Private Transportation Act, and Public-Private Education Facilities and Infrastructure Act; loans or grants from the Commonwealth's Development Opportunity Fund

A. Neither the Governor, his political action committee, or the Governor's Secretaries, if the Secretary is responsible to the Governor for an executive branch agency with jurisdiction over the matters at issue, shall knowingly solicit or accept a contribution, gift, or other item with a value greater than $50 from any bidder, offeror, or private entity, or from an officer or director of such bidder, offeror, or private entity, who has submitted a bid or proposal to an executive branch agency that is directly responsible to the Governor pursuant to the Virginia Public Procurement Act (§ 2.2-4300 et seq.), the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.), or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.)(i) during the period between the submission of the bid and the award of the public contract under the Virginia Public Procurement Act or (ii) following the submission of a proposal under the Public-Private Transportation Act of 1995 or the Public-Private Education Facilities and Infrastructure Act of 2002 until the execution of a comprehensive agreement thereunder.

B. The provisions of this section shall apply only for public contracts, proposals, or comprehensive agreements where the stated or expected value of the contract is $5 million or more. The provisions of this section shall not apply to contracts awarded as the result of competitive sealed bidding as set forth in § 2.2-4302.1.

C. Any person who knowingly violates this section shall be subject to a civil penalty of $500 or up to two times the amount of the contribution or gift, whichever is greater, and the contribution, gift, or other item shall be returned to the donor. The attorney for the Commonwealth shall initiate civil proceedings to enforce the civil penalties. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund and shall be used exclusively to fund the Council.

2010, c. 732;2011, c. 624;2013, c. 583;2015, cc. 763, 777;2016, c. 641.

§ 2.2-3104.02. Prohibited conduct for constitutional officers

In addition to the prohibitions contained in § 2.2-3103, no constitutional officer shall, during the one year after the termination of his public service, act in a representative capacity on behalf of any person or group, for compensation, on any matter before the agency of which he was an

officer.

The provisions of this section shall not apply to any attorney for the Commonwealth.

Any person subject to the provisions of this section may apply to the Council or the attorney for the Commonwealth for the jurisdiction where such person was elected as provided in § 2.2-3126, for an advisory opinion as to the application of the restriction imposed by this section on any post-public employment position or opportunity.

2011, c. 591;2020, c. 111.

§ 2.2-3104.1. Exclusion of certain awards from scope of chapter

The provisions of this chapter shall not be construed to prohibit or apply to the acceptance by (i) any employee of a local government, or (ii) a teacher or other employee of a local school board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

2001, c. 48, § 2.1-639.4:2; 2008, cc. 478, 497.

§ 2.2-3104.2. Ordinance regulating receipt of gifts

The governing body of any county, city, or town may adopt an ordinance setting a monetary limit on the acceptance of any gift by the officers, appointees or employees of the county, city or town and requiring the disclosure by such officers, appointees or employees of the receipt of any gift.

2003, c. 694.

Article 3. Prohibited Conduct Relating to Contracts

§ 2.2-3105. Application

This article proscribes certain conduct relating to contracts by state and local government officers and employees. The provisions of this article shall be supplemented but not superseded by the provisions on ethics in public contracting in Article 6 (§ 2.2-4367 et seq.) of Chapter 43 of this title.

1987, Sp. Sess., c. 1, § 2.1-639.5; 2001, c. 844;2003, c. 694.

§ 2.2-3106. Prohibited contracts by officers and employees of state government

A. No officer or employee of any governmental agency of state government shall have a personal interest in a contract with the governmental agency of which he is an officer or employee, other than his own contract of employment.

B. No officer or employee of any governmental agency of state government shall have a personal interest in a contract with any other governmental agency of state government unless such contract is (i) awarded as a result of competitive sealed bidding or competitive negotiation as set forth in § 2.2-4302.1 or 2.2-4302.2 or (ii) is awarded after a finding, in writing, by the administrative head of the governmental agency that competitive bidding or negotiation is contrary to the best interest of the public.

C. The provisions of this section shall not apply to:

1. An employee's personal interest in additional contracts of employment with his own

governmental agency that accrue to him because of a member of his immediate family, provided that the employee does not exercise any control over the employment or the employment activities of the member of his immediate family and the employee is not in a position to influence those activities;

2. The personal interest of an officer or employee of a public institution of higher education in additional contracts of employment with his own governmental agency that accrue to him because of a member of his immediate family, provided that (i) the officer or employee and the immediate family member are engaged in teaching, research, or administrative support positions at the educational institution; (ii) the governing board of the educational institution finds that it is in the best interests of the institution and the Commonwealth for such dual employment to exist; and (iii) after such finding, the governing board of the educational institution ensures that the officer or employee, or the immediate family member, does not have sole authority to supervise, evaluate, or make personnel decisions regarding the other;

3. An officer's or employee's personal interest in a contract of employment with any other governmental agency of state government;

4. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public;

5. An employee's personal interest in a contract between a public institution of higher education in the Commonwealth or the Virginia School for the Deaf and the Blind and a publisher or wholesaler of textbooks or other educational materials for students, which accrues to him solely because he has authored or otherwise created such textbooks or materials;

6. An employee's personal interest in a contract with his or her employing public institution of higher education to acquire the collections or scholarly works owned by the employee, including manuscripts, musical scores, poetry, paintings, books or other materials, writings, or papers of an academic, research, or cultural value to the institution, provided that the president of the institution approves the acquisition of such collections or scholarly works as being in the best interests of the institution's public mission of service, research, or education;

7. Subject to approval by the board of visitors, an employee's personal interest in a contract between a public institution of higher education in the Commonwealth that operates a school of medicine or dentistry and a not-for-profit nonstock corporation that operates a clinical practice within such public institution of higher education and of which such employee is a member or employee;

8. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract for research and development or commercialization of intellectual property between a public institution of higher education in the Commonwealth and a business in which the employee has a personal interest, if (i) the employee's personal interest has been disclosed to and approved by such public institution of higher education prior to the time at which the contract is entered into; (ii) the employee promptly files a disclosure statement pursuant to § 2.2-3117 and thereafter files such statement annually on or before February 1; (iii) the institution has established a formal policy regarding such contracts, approved by the State Council of Higher Education for Virginia; and (iv) no later than December 31 of each year, the institution files an annual report with the Secretary of the Commonwealth disclosing each open contract entered into subject to this provision, the names of the parties to each contract, the date each contract

was executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the institution's employee responsible for administering each contract, the details of the institution's commitment or investment of resources or finances for each contract, and any other information requested by the Secretary of the Commonwealth; or

9. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract between a public institution of higher education in the Commonwealth and a business in which the employee has a personal interest, if (i) the personal interest has been disclosed to the institution prior to the time the contract is entered into; (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually on or before February 1; (iii) the employee does not participate in the institution's decision to contract; (iv) the president of the institution finds and certifies in writing that the contract is for goods and services needed for quality patient care, including related medical education or research, by the institution's medical center, its affiliated teaching hospitals and other organizations necessary for the fulfillment of its mission, including the acquisition of drugs, therapies and medical technologies; and (v) no later than December 31 of each year, the institution files an annual report with the Secretary of the Commonwealth disclosing each open contract entered subject to this provision, the names of the parties to each contract, the date each contract was executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the institution's employee responsible for administering each contract, the details of the institution's commitment or investment of resources or finances for each contract, and any other information requested by the Secretary of the Commonwealth.

D. Notwithstanding the provisions of subdivisions C 8 and C 9, if the research and development or commercialization of intellectual property or the employee's personal interest in a contract with a business is subject to policies and regulations governing conflicts of interest promulgated by any agency of the United States government, including the adoption of policies requiring the disclosure and management of such conflicts of interests, the policies established by Virginia Health Sciences at Old Dominion University pursuant to such federal requirements shall constitute compliance with subdivisions C 8 and C 9, upon notification by Virginia Health Sciences at Old Dominion University to the Secretary of the Commonwealth by January 31 of each year of evidence of their compliance with such federal policies and regulations.

E. The board of visitors may delegate the authority granted under subdivision C 8 to the president of the institution. If the board elects to delegate such authority, the board shall include this delegation of authority in the formal policy required by clause (iii) of subdivision C 8. In those instances where the board has delegated such authority, on or before December 1 of each year, the president of the relevant institution shall file a report with the relevant board of visitors disclosing each open contract entered into subject to this provision, the names of the parties to each contract, the date each contract was executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the institution's employee responsible for administering each contract, the details of the institution's commitment or investment of resources or finances for each contract, the details of how revenues are to be disbursed, and any other information requested by the board of visitors.

1987, Sp. Sess., c. 1, § 2.1-639.6; 1989, c. 74; 1991, c. 470; 1993, c. 876; 1995, c. 403;1998, c. 838; 2001, c. 844;2002, cc. 87, 478;2003, c. 646;2006, c. 839;2013, c. 583;2015, cc. 763, 777;2016, cc. 773, 774;2023, cc. 351, 352, 756, 778;2026, cc. 292, 293, 482.

§ 2.2-3107. Prohibited contracts by members of county boards of supervisors, city councils and town councils

A. No person elected or appointed as a member of the governing body of a county, city or town shall have a personal interest in (i) any contract with his governing body, or (ii) any contract with any governmental agency that is a component part of his local government and which is subject to the ultimate control of the governing body of which he is a member, or (iii) any contract other than a contract of employment with any other governmental agency if such person's governing body appoints a majority of the members of the governing body of the second governmental agency.

B. The provisions of this section shall not apply to:

1. A member's personal interest in a contract of employment provided (i) the officer or employee was employed by the governmental agency prior to July 1, 1983, in accordance with the provisions of the former Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) of Title 2.1 as it existed on June 30, 1983, or (ii) the employment first began prior to the member becoming a member of the governing body;

2. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the public; or

3. A contract awarded to a member of a governing body as a result of competitive sealed bidding where the governing body has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the governing body. However, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the governing body, by written resolution, shall state that it is in the public interest for the member to bid on such contract.

1987, Sp. Sess., c. 1, § 2.1-639.7; 2001, c. 844.

§ 2.2-3108. Prohibited contracts by members of school boards

A. No person elected or appointed as a member of a local school board shall have a personal interest in (i) any contract with his school board or (ii) any contract with any governmental agency that is subject to the ultimate control of the school board of which he is a member.

B. The provisions of this section shall not apply to:

1. A member's personal interest in a contract of employment provided the employment first began prior to the member becoming a member of the school board;

2. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the public; or

3. A contract awarded to a member of a school board as a result of competitive sealed bidding where the school board has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the school board. However, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the school board, by written resolution, shall state that it is in the public interest for the member to bid on such contract.

1996, c. 548, § 2.1-639.7:1; 2001, c. 844.

§ 2.2-3109. Prohibited contracts by other officers and employees of local governmental agencies

A. No other officer or employee of any governmental agency of local government, including a hospital authority as defined in § 2.2-3109.1, shall have a personal interest in a contract with the agency of which he is an officer or employee other than his own contract of employment.

B. No officer or employee of any governmental agency of local government, including a hospital authority as defined in § 2.2-3109.1, shall have a personal interest in a contract with any other governmental agency that is a component of the government of his county, city or town unless such contract is (i) awarded as a result of competitive sealed bidding or competitive negotiation as set forth in § 2.2-4302.1 or 2.2-4302.2 or is awarded as a result of a procedure embodying competitive principles as authorized by subdivision A 10 or 11 of § 2.2-4343 or (ii) is awarded after a finding, in writing, by the administrative head of the governmental agency that competitive bidding or negotiation is contrary to the best interest of the public.

C. The provisions of this section shall not apply to:

1. An employee's personal interest in additional contracts for goods or services, or contracts of employment with his own governmental agency that accrue to him because of a member of his immediate family, provided the employee does not exercise any control over (i) the employment or the employment activities of the member of his immediate family and (ii) the employee is not in a position to influence those activities or the award of the contract for goods or services;

2. An officer's or employee's personal interest in a contract of employment with any other governmental agency that is a component part of the government of his county, city or town;

3. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public;

4. Members of local governing bodies who are subject to § 2.2-3107;

5. Members of local school boards who are subject to § 2.2-3108;or

6. Any ownership or financial interest of members of the governing body, administrators, and other personnel serving in a public charter school in renovating, lending, granting, or leasing public charter school facilities, as the case may be, provided such interest has been disclosed in the public charter school application as required by § 22.1-212.8.

1987, Sp. Sess., c. 1, § 2.1-639.8; 1996, c. 548;2001, c. 844;2004, c. 530;2009, c. 862;2013, c. 583; 2015, c. 699.

§ 2.2-3109.1. Prohibited contracts; additional exclusions for contracts by officers and employees of hospital authorities

A. As used in this section, "hospital authority" means a hospital authority established pursuant to Chapter 53 (§ 15.2-5300 et seq.) of Title 15.2 or an Act of Assembly.

B. The provisions of § 2.2-3109 shall not apply to:

1. The personal interest of an officer or employee of a hospital authority in additional contracts of employment with his own governmental agency that accrue to him because of a member of his immediate family, provided (i) the officer or employee and the immediate family member are licensed members of the medical profession or hold administrative support positions at the hospital authority, (ii) the governing board of the hospital authority finds that it is in the best

interests of the hospital authority and the county, city, or town for such dual employment to exist, and (iii) after such finding, the governing board of the hospital authority ensures that neither the officer or employee, nor the immediate family member, has sole authority to supervise, evaluate, or make personnel decisions regarding the other;

2. Subject to approval by the governing board of the hospital authority, an officer or employee's personal interest in a contract between his hospital authority and a professional entity that operates a clinical practice at any medical facilities of such other hospital authority and of which such officer or employee is a member or employee;

3. Subject to approval by the relevant governing body, an officer or employee's personal interest in a contract for research and development or commercialization of intellectual property between the hospital authority and a business in which the employee has a personal interest, provided (i) the officer or employee's personal interest has been disclosed to and approved by the hospital authority prior to the time at which the contract is entered into; (ii) the officer or employee promptly files a disclosure statement pursuant to § 2.2-3117 and thereafter files such statement annually on or before January 15; (iii) the local hospital authority has established a formal policy regarding such contracts in conformity with any applicable federal regulations that has been approved by its governing body; and (iv) no later than December 31 of each year, the local hospital authority files an annual report with the Virginia Conflict of Interest and Ethics Advisory Council disclosing each open contract entered into subject to this provision, the names of the parties to each contract, the date each contract was executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the hospital authority's employee responsible for administering each contract, the details of such hospital authority's commitment or investment of resources or finances for each contract, and any other information requested by the Virginia Conflict of Interest and Ethics Advisory Council; or

4. Subject to approval by the relevant governing body, an officer or employee's personal interest in a contract between the hospital authority and a business in which the officer or employee has a personal interest, provided (i) the personal interest has been disclosed to the hospital authority prior to the time the contract is entered into; (ii) the officer or employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually on or before January 15; (iii) the officer or employee does not participate in the hospital authority's decision to contract; (iv) the president or chief executive officer of the hospital authority finds and certifies in writing that the contract is for goods and services needed for quality patient care, including related medical education or research, by any of the hospital authority's medical facilities or any of its affiliated organizations, or is otherwise necessary for the fulfillment of its mission, including but not limited to the acquisition of drugs, therapies, and medical technologies; and (v) no later than December 31 of each year, the hospital authority files an annual report with the Virginia Conflict of Interest and Ethics Advisory Council disclosing each open contract entered into subject to this provision, the names of the parties to each contract, the date each contract was executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the hospital authority's employee responsible for administering each contract, the details of the hospital authority's commitment or investment of resources or finances for each contract, and any other information requested by the Virginia Conflict of Interest and Ethics Advisory Council.

C. Notwithstanding the provisions of subdivisions B 3 and B 4, if the research and development or commercialization of intellectual property or the officer or employee's personal interest in a contract with a business is subject to policies and regulations governing conflicts of interest

promulgated by any agency of the United States government, including the adoption of policies requiring the disclosure and management of such conflicts of interest, the policies established by the hospital authority pursuant to such federal requirements shall constitute compliance with subdivisions B 3 and B 4, upon notification by the hospital authority to the Virginia Conflict of Interest and Ethics Advisory Council by January 31 of each year of evidence of its compliance with such federal policies and regulations.

D. The governing body may delegate the authority granted under subdivision B 2 to the president or chief executive officer of hospital authority. If the board elects to delegate such authority, the board shall include this delegation of authority in the formal policy required by clause (iii) of subdivision B 3. In those instances where the board has delegated such authority, on or before December 1 of each year, the president or chief executive officer of the hospital authority shall file a report with the relevant governing body disclosing each open contract entered into subject to this provision, the names of the parties to each contract, the date each contract was executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the hospital authority's employee responsible for administering each contract, the details of the hospital authority's commitment or investment of resources or finances for each contract, the details of how revenues are to be dispersed, and any other information requested by the governing body.

2015, c. 699;2016, cc. 773, 774.

§ 2.2-3110. Further exceptions

A. The provisions of Article 3 (§ 2.2-3106 et seq.) shall not apply to:

1. The sale, lease or exchange of real property between an officer or employee and a governmental agency, provided the officer or employee does not participate in any way as such officer or employee in such sale, lease or exchange, and this fact is set forth as a matter of public record by the governing body of the governmental agency or by the administrative head thereof;

2. The publication of official notices;

3. Contracts between the government or school board of a county, city, or town with a population of less than 10,000 and an officer or employee of that county, city, or town government or school board when the total of such contracts between the government or school board and the officer or employee of that government or school board or a business controlled by him does not exceed $5,000 per year or such amount exceeds $5,000 and is less than $25,000 but results from contracts arising from awards made on a sealed bid basis, and such officer or employee has made disclosure as provided for in § 2.2-3115;

4. An officer or employee whose sole personal interest in a contract with the governmental agency is by reason of income from the contracting firm or governmental agency in excess of $5,000 per year, provided the officer or employee or a member of his immediate family does not participate and has no authority to participate in the procurement or letting of such contract on behalf of the contracting firm and the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of his governmental agency or he disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract;

5. When the governmental agency is a public institution of higher education, an officer or employee whose personal interest in a contract with the institution is by reason of an ownership

in the contracting firm in excess of three percent of the contracting firm's equity or such ownership interest and income from the contracting firm is in excess of $5,000 per year, provided that (i) the officer or employee's ownership interest, or ownership and income interest, and that of any immediate family member in the contracting firm is disclosed in writing to the president of the institution, which writing certifies that the officer or employee has not and will not participate in the contract negotiations on behalf of the contracting firm or the institution, (ii) the president of the institution, or an officer or administrator designated by the president of the institution to make findings imposed by this section, makes a written finding as a matter of public record that the contract is in the best interests of the institution, (iii) the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of the institution or disqualifies himself as a matter of public record, and (iv) the officer or employee does not participate on behalf of the institution in negotiating the contract or approving the contract;

6. Except when the governmental agency is the Virginia Retirement System, contracts between an officer's or employee's governmental agency and a public service corporation, financial institution, or company furnishing public utilities in which the officer or employee has a personal interest, provided the officer or employee disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract;

7. Contracts for the purchase of goods or services when the contract does not exceed $500;

8. Grants or other payment under any program wherein uniform rates for, or the amounts paid to, all qualified applicants are established solely by the administering governmental agency;

9. An officer or employee whose sole personal interest in a contract with his own governmental agency is by reason of his marriage to his spouse who is employed by the same agency, if the spouse was employed by such agency for five or more years prior to marrying such officer or employee;

10. Contracts entered into by an officer or employee or immediate family member of an officer or employee of a soil and water conservation district created pursuant to Article 3 (§ 10.1-506 et seq.) of Chapter 5 of Title 10.1 to participate in the Virginia Agricultural Best Management Practices Cost-Share Program (the Program) established in accordance with § 10.1-546.1 or to participate in other cost-share programs for the installation of best management practices to improve water quality. This subdivision shall not apply to subcontracts or other agreements entered into by an officer or employee of a soil and water conservation district to provide services for implementation of a cost-share contract established under the Program or such other cost-share programs; or

11. Contracts entered into by an officer or immediate family member of an officer of the Marine Resources Commission for goods or services for shellfish replenishment, provided that such officer or immediate family member does not participate in (i) awarding the contract, (ii) authorizing the procurement, or (iii) authorizing the use of alternate procurement methods pursuant to § 28.2-550.

B. Neither the provisions of this chapter nor, unless expressly provided otherwise, any amendments thereto shall apply to those employment contracts or renewals thereof or to any other contracts entered into prior to August 1, 1987, which were in compliance with either the

former Virginia Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) or the former Comprehensive Conflict of Interests Act, Chapter 40 (§ 2.1-599 et seq.) of Title 2.1 at the time of their formation and thereafter. Those contracts shall continue to be governed by the provisions of the appropriate prior Act. Notwithstanding the provisions of subdivision (f)(4) of former § 2.1-348 of Title 2.1 in effect prior to July 1, 1983, the employment by the same governmental agency of an officer or employee and spouse or any other relative residing in the same household shall not be deemed to create a material financial interest except when one of such persons is employed in a direct supervisory or administrative position, or both, with respect to such spouse or other relative residing in his household and the annual salary of such subordinate is $35,000 or more.

1987, Sp. Sess., c. 1, § 2.1-639.9; 1990, c. 51; 1993, c. 303; 1994, cc. 450, 713;1997, c. 641;2001, c. 844;2006, c. 839;2010, cc. 301, 304;2016, cc. 351, 531;2017, cc. 150, 546, 829, 832;2018, c. 742; 2020, c. 777.

Article 4. Prohibited Conduct Relating to Transactions

§ 2.2-3111. Application

This article proscribes certain conduct by state and local government officers and employees having a personal interest in a transaction.

1987, Sp. Sess., c. 1, § 2.1-639.10; 2001, c. 844.

§ 2.2-3112. Prohibited conduct concerning personal interest in a transaction; exceptions

A. Each officer and employee of any state or local governmental or advisory agency who has a personal interest in a transaction shall disqualify himself from participating in the transaction if (i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidiary or affiliated business entity relationship with the business in which he has a personal interest or (ii) he is unable to participate pursuant to subdivision B 1, 2, or 3. Any disqualification under the provisions of this subsection shall be recorded in the public records of the officer's or employee's governmental or advisory agency. The officer or employee shall disclose his personal interest as required by subsection E of § 2.2-3114 or subsection F of § 2.2-3115 and shall not vote or in any manner act on behalf of his agency in the transaction. The officer or employee shall be prohibited from (i) attending any portion of a closed meeting authorized by the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) when the matter in which he has a personal interest is discussed and (ii) discussing the matter in which he has a personal interest with other governmental officers or employees at any time.

B. An officer or employee of any state or local government or advisory agency who has a personal interest in a transaction may participate in the transaction:

1. If he is a member of a business, profession, occupation, or group of three or more persons the members of which are affected by the transaction, and he complies with the declaration requirements of subsection F of § 2.2-3114 or subsection H of § 2.2-3115;

2. When a party to the transaction is a client of his firm if he does not personally represent or provide services to such client and he complies with the declaration requirements of subsection G of § 2.2-3114 or subsection I of § 2.2-3115;or

3. If it affects the public generally, even though his personal interest, as a member of the public,

may also be affected by that transaction.

C. Disqualification under the provisions of this section shall not prevent any employee having a personal interest in a transaction in which his agency is involved from representing himself or a member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he complies with the disqualification and relevant disclosure requirements of this chapter.

D. Notwithstanding any other provision of law, if disqualifications of officers or employees in accordance with this section leave less than the number required by law to act, the remaining member or members shall constitute a quorum for the conduct of business and have authority to act for the agency by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members. Notwithstanding any provisions of this chapter to the contrary, members of a local governing body whose sole interest in any proposed sale, contract of sale, exchange, lease or conveyance is by virtue of their employment by a business involved in a proposed sale, contract of sale, exchange, lease or conveyance, and where such member's or members' vote is essential to a constitutional majority required pursuant to Article VII, Section 9 of the Constitution of Virginia and § 15.2-2100, such member or members of the local governing body may vote and participate in the deliberations of the governing body concerning whether to approve, enter into or execute such sale, contract of sale, exchange, lease or conveyance. Official action taken under circumstances that violate this section may be rescinded by the agency on such terms as the interests of the agency and innocent third parties require.

E. The provisions of subsection A shall not prevent an officer or employee from participating in a transaction merely because such officer or employee is a party in a legal proceeding of a civil nature concerning such transaction.

F. The provisions of subsection A shall not prevent an employee from participating in a transaction regarding textbooks or other educational material for students at state institutions of higher education, when those textbooks or materials have been authored or otherwise created by the employee.

G. The provisions of this section shall not prevent any justice of the Supreme Court of Virginia, judge of the Court of Appeals of Virginia, judge of any circuit court, judge or substitute judge of any district court, member of the State Corporation Commission, or member of the Virginia Workers' Compensation Commission from participating in a transaction where such individual's participation involves the performance of adjudicative responsibilities as set forth in Canon 3 of the Canons of Judicial Conduct for the State of Virginia. However, nothing in this subsection shall be construed to authorize such individual's participation in a transaction if such participation would constitute a violation of the Canons of Judicial Conduct for the State of Virginia.

1987, Sp. Sess., c. 1, § 2.1-639.11; 2001, c. 844;2003, c. 694;2007, c. 613;2012, c. 429;2017, cc. 829, 832.

Article 5. Disclosure Statements Required to Be Filed

§ 2.2-3113. Application

This article requires disclosure of certain personal and financial interests by state and local government officers and employees.

1987, Sp. Sess., c. 1, § 2.1-639.12; 2001, c. 844.

§ 2.2-3114. Disclosure by state officers and employees

A. In accordance with the requirements set forth in § 2.2-3118.2, the Governor, Lieutenant Governor, Attorney General, Justices of the Supreme Court, judges of the Court of Appeals, judges of any circuit court, judges and substitute judges of any district court, members of the State Corporation Commission, members of the Virginia Workers' Compensation Commission, members of the Commonwealth Transportation Board, members of the Board of Trustees of the Virginia Retirement System, members of the Board of Directors of the Virginia Alcoholic Beverage Control Authority, members of the Board of Directors of the Virginia Cannabis Control Authority, members of the board of directors of the Commonwealth of Virginia Innovation Partnership Authority, members of the Board of the Commonwealth Savers Plan, and members of the Virginia Lottery Board and other persons occupying such offices or positions of trust or employment in state government, including members of the governing bodies of authorities, as may be designated by the Governor, or officers or employees of the legislative branch, as may be designated by the Joint Rules Committee of the General Assembly, shall file with the Council, as a condition to assuming office or employment, a disclosure statement of their personal interests and such other information as is required on the form prescribed by the Council pursuant to § 2.2-3117 and thereafter shall file such a statement annually on or before February 1.

B. In accordance with the requirements set forth in § 2.2-3118.2, nonsalaried citizen members of all policy and supervisory boards, commissions, and councils in the executive branch of state government, other than the members of the Commonwealth Transportation Board, members of the Board of Trustees of the Virginia Retirement System, members of the board of directors of the Commonwealth of Virginia Innovation Partnership Authority, members of the Board of the Commonwealth Savers Plan, and members of the Virginia Lottery Board, shall file with the Council, as a condition to assuming office, a disclosure form of their personal interests and such other information as is required on the form prescribed by the Council pursuant to § 2.2-3118 and thereafter shall file such form annually on or before February 1. Nonsalaried citizen members of other boards, commissions, and councils, including advisory boards and authorities, may be required to file a disclosure form if so designated by the Governor, in which case the form shall be that prescribed by the Council pursuant to § 2.2-3118.

C. The disclosure forms required by subsections A and B shall be made available by the Council at least 30 days prior to the filing deadline. Disclosure forms shall be filed electronically with the Council in accordance with the standards approved by it pursuant to § 30-356. All forms shall be maintained as public records for five years in the office of the Council. Such forms shall be made public no later than six weeks after the filing deadline.

D. Candidates for the offices of Governor, Lieutenant Governor, or Attorney General shall file a disclosure statement of their personal interests as required by § 24.2-502.

E. Any officer or employee of state government who has a personal interest in any transaction before the governmental or advisory agency of which he is an officer or employee and who is disqualified from participating in that transaction pursuant to subsection A of § 2.2-3112, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate, and his disclosure shall also be reflected in the public records of the agency for five years in the office of the administrative head

of the officer's or employee's governmental agency or advisory agency or, if the agency has a clerk, in the clerk's office.

F. An officer or employee of state government who is required to declare his interest pursuant to subdivision B 1 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) the nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in written minutes for his agency or file a signed written declaration with the clerk or administrative head of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day.

G. An officer or employee of state government who is required to declare his interest pursuant to subdivision B 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a party to the transaction is a client of his firm, (iii) that he does not personally represent or provide services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in written minutes for his agency or file a signed written declaration with the clerk or administrative head of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day.

H. Notwithstanding any other provision of law, chairs of departments at a public institution of higher education in the Commonwealth shall not be required to file the disclosure form prescribed by the Council pursuant to § 2.2-3117 or 2.2-3118.

1987, Sp. Sess., c. 1, § 2.1-639.13; 1988, cc. 767, 849; 1992, c. 710; 1993, c. 303; 1997, c. 641; 2001, cc. 217, 844;2003, c. 694;2005, c. 169;2006, c. 779;2014, cc. 225, 792, 804;2015, cc. 763, 777 ;2016, cc. 773, 774;2017, cc. 829, 832;2018, c. 528;2023, c. 129;2024, c. 217;2026, Sp. Sess. I, c. 1.

§ 2.2-3114.1. Filings of statements of economic interests by General Assembly members

The filing of a current statement of economic interests by a General Assembly member, member-elect, or candidate for the General Assembly pursuant to §§ 30-110 and 30-111 of the General Assembly Conflicts of Interests Act (§ 30-100 et seq.) shall suffice for the purposes of this chapter. The Secretary of the Commonwealth may obtain from the Council a copy of the statement of a General Assembly member who is appointed to a position for which a statement is required pursuant to § 2.2-3114. No General Assembly member, member-elect, or candidate shall be required to file a separate statement of economic interests for the purposes of § 2.2-3114.

2002, c. 36;2015, cc. 763, 777.

§ 2.2-3114.2. Report of gifts by certain officers and employees of state government

The Governor, Lieutenant Governor, Attorney General, and each member of the Governor's Cabinet shall file, on or before May 1, a report of gifts accepted or received by him or a member of

his immediate family during the period beginning on January 1 complete through adjournment sine die of the regular session of the General Assembly. The gift report shall be on a form prescribed by the Council and shall be filed electronically with the Council in accordance with the standards approved by it pursuant to § 30-356. For purposes of this section, "adjournment sine die" means adjournment on the last legislative day of the regular session and does not include the ensuing reconvened session. Any gifts reported pursuant to this section shall not be listed on the annual disclosure form prescribed by the Council pursuant to § 2.2-3117.

2016, cc. 773, 774.

§ 2.2-3115. Disclosure by local government officers and employees

A. In accordance with the requirements set forth in § 2.2-3118.2, the members of every governing body and school board of each county and city and of towns with populations in excess of 3,500 and the executive director and members of each industrial development authority and economic development authority, as created by the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), shall file with the Council, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is required on the form prescribed by the Council pursuant to § 2.2-3117 and thereafter shall file such a statement annually on or before February 1.

In accordance with the requirements set forth in § 2.2-3118.2, the members of the governing body of any authority established in any county or city, or part or combination thereof, and having the power to issue bonds or expend funds in excess of $10,000 in any fiscal year, other than the executive director and members of each industrial development authority and economic development authority, as created by the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), shall file with the Council, as a condition to assuming office, a disclosure statement of their personal interests and other information as is required on the form prescribed by the Council pursuant to § 2.2-3118 and thereafter shall file such a statement annually on or before February 1, unless the governing body of the jurisdiction that appoints the members requires that the members file the form set forth in § 2.2-3117.

In accordance with the requirements set forth in § 2.2-3118.2, the members of the Northern Virginia Transportation Authority and the Northern Virginia Transportation Commission shall file with the Council, as a condition to assuming office, a disclosure of their personal interests and other information as is required on the form prescribed by the Council pursuant to § 2.2-3118 and thereafter shall file such a statement annually on or before February 1.

In accordance with the requirements set forth in § 2.2-3118.2, persons occupying such positions of trust appointed by governing bodies and persons occupying such positions of employment with governing bodies as may be designated to file by ordinance of the governing body shall file with the Council, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is required on the form prescribed by the Council pursuant to § 2.2-3117 and thereafter shall file such a statement annually on or before February 1.

In accordance with the requirements set forth in § 2.2-3118.2, persons occupying such positions of trust appointed by school boards and persons occupying such positions of employment with school boards as may be designated to file by an adopted policy of the school board shall file with the Council, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is required on the form prescribed by the Council

pursuant to § 2.2-3117 and thereafter shall file such a statement annually on or before February 1.

B. In accordance with the requirements set forth in § 2.2-3118.2, nonsalaried citizen members of local boards, commissions and councils as may be designated by the governing body shall file with the Council, as a condition to assuming office, a disclosure form of their personal interests and such other information as is required on the form prescribed by the Council pursuant to § 2.2-3118 and thereafter shall file such form annually on or before February 1.

C. No person shall be mandated to file any disclosure not otherwise required by this article.

D. The disclosure forms required by subsections A and B shall be made available by the Virginia Conflict of Interest and Ethics Advisory Council at least 30 days prior to the filing deadline, and the clerks of the governing body and school board shall be responsible for coordinating the electronic filing by designated individuals. All forms shall be maintained as public records for five years in the office of the Council. Such forms shall be made public no later than six weeks after the filing deadline.

E. Candidates for membership in the governing body or school board of any county, city or town with a population of more than 3,500 persons shall file a disclosure statement of their personal interests as required by § 24.2-502.

F. Any officer or employee of local government who has a personal interest in any transaction before the governmental or advisory agency of which he is an officer or employee and who is disqualified from participating in that transaction pursuant to subsection A of § 2.2-3112 or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate, and his disclosure shall be reflected in the public records of the agency for five years in the office of the administrative head of the officer's or employee's governmental or advisory agency.

G. In addition to any disclosure required by subsections A and B, in each county and city and in towns with populations in excess of 3,500, members of planning commissions, boards of zoning appeals, real estate assessors, and all county, city and town managers or executive officers shall make annual disclosures of all their interests in real estate located in the county, city or town in which they are elected, appointed, or employed. Such disclosure shall include any business in which such persons own an interest, or from which income is received, if the primary purpose of the business is to own, develop or derive compensation through the sale, exchange or development of real estate in the county, city or town. In accordance with the requirements set forth in § 2.2-3118.2, such disclosure shall be filed as a condition to assuming office or employment, and thereafter shall be filed annually on or before February 1. Such disclosures shall be filed electronically with the Council in accordance with the standards approved by it pursuant to § 30-356 and maintained as public records for five years. Such forms shall be made public no later than six weeks after the filing deadline. Forms for the filing of such reports shall be made available by the Virginia Conflict of Interest and Ethics Advisory Council.

H. An officer or employee of local government who is required to declare his interest pursuant to subdivision B 1 of § 2.2-3112 shall declare his interest by stating (i) the transaction involved, (ii) the nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a business, profession, occupation, or group the members of which are affected by

the transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in written minutes for his agency or file a signed written declaration with the clerk or administrative head of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day. The officer or employee shall also orally disclose the existence of the interest during each meeting of the governmental or advisory agency at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

I. An officer or employee of local government who is required to declare his interest pursuant to subdivision B 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a party to the transaction is a client of his firm, (iii) that he does not personally represent or provide services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in written minutes for his agency or file a signed written declaration with the clerk or administrative head of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day.

J. The clerk of the governing body or school board that releases any form to the public pursuant to this section shall redact from the form any residential address, personal telephone number, email address, or signature contained on such form; however, any form filed pursuant to subsection G shall not have any residential addresses redacted.

1987, Sp. Sess., c. 1, § 2.1-639.14; 1988, c. 849; 1995, c. 495;1996, c. 526;2000, c. 317;2001, cc. 217, 844;2003, c. 694;2012, c. 429;2014, cc. 792, 804;2015, cc. 763, 777;2016, cc. 773, 774;2017, cc. 829, 832;2020, cc. 73, 77, 81, 111;2026, c. 504.

§ 2.2-3116. Disclosure by certain constitutional officers

For the purposes of this chapter, holders of the constitutional offices of treasurer, sheriff, attorney for the Commonwealth, clerk of the circuit court, and commissioner of the revenue of each county and city shall be required to file with the Council, as a condition to assuming office, the Statement of Economic Interests prescribed by the Council pursuant to § 2.2-3117. These officers shall file statements annually on or before February 1. Candidates shall file statements as required by § 24.2-502. Statements shall be filed electronically with the Council in accordance with the standards approved by it pursuant to § 30-356. These officers shall be subject to the prohibition on certain gifts set forth in subsection B of § 2.2-3103.1.

1988, c. 469, § 2.1-639.14:1; 2001, c. 844;2014, cc. 792, 804;2015, cc. 763, 777;2016, cc. 773, 774; 2017, cc. 829, 832.

§ 2.2-3117. Disclosure form

The disclosure form to be used for filings required by subsections A and D of § 2.2-3114 and subsections A and E of § 2.2-3115 shall be prescribed by the Council. Except as otherwise provided in § 2.2-3115, all completed forms shall be filed electronically with the Council in

accordance with the standards approved by it pursuant to § 30-356. Any person who knowingly and intentionally makes a false statement of a material fact on the Statement of Economic Interests is guilty of a Class 5 felony.

1987, Sp. Sess., c. 1, § 2.1-639.15; 1988, c. 849; 1994, cc. 724, 733, 777, 793;1995, c. 763;1996, c. 77;1997, cc. 577, 844;1998, c. 732;2001, c. 844;2006, cc. 310, 779, 787, 892;2008, c. 239;2010, c. 670;2012, c. 429;2014, cc. 792, 804;2015, cc. 763, 777;2016, cc. 773, 774.

§ 2.2-3118. Disclosure form; certain citizen members

The financial disclosure form to be used for filings required pursuant to subsection B of § 2.2-3114 and subsection B of § 2.2-3115 shall be filed in accordance with the provisions of § 30-356. The financial disclosure form shall be prescribed by the Council. Except as otherwise provided in § 2.2-3115, all completed forms shall be filed electronically with the Council in accordance with the standards approved by it pursuant to § 30-356.

1988, c. 849, § 2.1-639.15:1; 1996, c. 77;2001, c. 844;2006, c. 779;2011, cc. 123, 177;2014, cc. 792, 804;2015, cc. 763, 777;2016, cc. 773, 774.

§ 2.2-3118.1. Special provisions for individuals serving in or seeking multiple positions or offices; reappointees

A. The filing of a single current statement of economic interests by an individual required to file the form prescribed in § 2.2-3117 shall suffice for the purposes of this chapter as filing for all positions or offices held or sought by such individual during the course of a calendar year. The filing of a single current financial disclosure statement by an individual required to file the form prescribed in § 2.2-3118 shall suffice for the purposes of this chapter as filing for all positions or offices held or sought by such individual and requiring the filing of the § 2.2-3118 form during the course of a calendar year.

B. Any individual who has met the requirement for annually filing a statement provided in § 2.2-3117 or 2.2-3118 shall not be required to file an additional statement upon such individual's reappointment to the same office or position for which he is required to file, provided such reappointment occurs within 12 months after filing such annual statement.

2005, c. 397;2014, cc. 792, 804;2016, cc. 773, 774;2018, c. 529.

§ 2.2-3118.2. Disclosure form; filing requirements

A. An officer or employee required to file an annual disclosure on or before February 1 pursuant to this article shall disclose his personal interests and other information as required on the form prescribed by the Council for the preceding calendar year complete through December 31. An officer or employee required to file a disclosure as a condition to assuming office or employment shall file such disclosure on or before the day such office or position of employment is assumed and disclose his personal interests and other information as required on the form prescribed by the Council for the preceding 12-month period complete through the last day of the month immediately preceding the month in which the office or position of employment is assumed; however, any officer or employee who assumes office or a position of employment in January shall be required to only file an annual disclosure on or before February 1 for the preceding calendar year complete through December 31.

B. When the deadline for filing any disclosure pursuant to this article falls on a Saturday, Sunday, or legal holiday, the deadline for filing shall be the next day that is not a Saturday, Sunday, or

legal holiday.

2017, cc. 829, 832.

Article 6. School Boards and Employees of School Boards

§ 2.2-3119. Additional provisions applicable to school boards and employees of school boards; exceptions

A. Notwithstanding any other provision of this chapter, it shall be unlawful for the school board of any county or city or of any town constituting a separate school division to employ or pay any teacher or other school board employee from the public funds, federal, state or local, or for a division superintendent to recommend to the school board the employment of any teacher or other employee, if the teacher or other employee is the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of the superintendent, or of any member of the school board.

This section shall apply to any person employed by any school board in the operation of the public free school system, adult education programs or any other program maintained and operated by a local county, city or town school board.

B. This section shall not be construed to prohibit the employment, promotion, or transfer within a school division of any person within a relationship described in subsection A when such person:

1. Has been employed pursuant to a written contract with a school board or employed as a substitute teacher or teacher's aide by a school board prior to the taking of office of any member of such board or division superintendent of schools; or

2. Has been employed pursuant to a written contract with a school board or employed as a substitute teacher or teacher's aide by a school board prior to the inception of such relationship; or

3. Was employed by a school board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of such school board or division superintendent of schools.

C. A person employed as a substitute teacher may not be employed to any greater extent than he was employed by the school board in the last full school year prior to the taking of office of such board member or division superintendent or to the inception of such relationship. The exceptions in subdivisions B 1, B 2, and B 3 shall apply only if the prior employment has been in the same school divisions where the employee and the superintendent or school board member now seek to serve simultaneously.

D. If any member of the school board or any division superintendent knowingly violates these provisions, he shall be personally liable to refund to the local treasury any amounts paid in violation of this law, and the funds shall be recovered from the individual by action or suit in the name of the Commonwealth on the petition of the attorney for the Commonwealth. Recovered funds shall be paid into the local treasury for the use of the public schools.

E. The provisions of this section shall not apply to employment by any school district of the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of any member of the school board, provided that (i) the member certifies that

he had no involvement with the hiring decision and (ii) the superintendent certifies to the remaining members of the governing body in writing that the employment is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the board had any involvement with the hiring decision.

F. The provisions of this section shall not apply to the employment by any school district of the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of any division superintendent, provided that (i) the superintendent certifies that he had no involvement with the hiring decision and (ii) the assistant superintendent certifies to the members of the governing body in writing that the employment is based upon merit and fitness and the competitive rating of the qualifications of the individual and that the superintendent of the division had no involvement with the hiring decision.

1987, Sp. Sess., c. 1, § 2.1-639.16; 1994, c. 758;1995, c. 186;1997, c. 84;2001, c. 844;2010, cc. 676, 759;2011, c. 517;2017, cc. 146, 515;2018, cc. 483, 520;2019, c. 641.

Article 7. Penalties and Remedies

§ 2.2-3120. Knowing violation of chapter a misdemeanor

Any person who knowingly violates any of the provisions of Articles 2 through 6 (§§ 2.2-3102 through 2.2-3119) of this chapter shall be guilty of a Class 1 misdemeanor, except that any member of a local governing body who knowingly violates subsection A of § 2.2-3112 or subsection D or F of § 2.2-3115 shall be guilty of a Class 3 misdemeanor. A knowing violation under this section is one in which the person engages in conduct, performs an act or refuses to perform an act when he knows that the conduct is prohibited or required by this chapter.

1987, Sp. Sess., c. 1, § 2.1-639.17; 2001, c. 844;2012, c. 429.

§ 2.2-3121. Advisory opinions

A. A state officer or employee shall not be prosecuted for a knowing violation of this chapter if the alleged violation resulted from his good faith reliance on a written opinion of the Attorney General or a formal opinion or written informal advice of the Council made in response to his written request for such opinion or advice and the opinion or advice was made after a full disclosure of the facts regardless of whether such opinion or advice is later withdrawn provided the alleged violation occurred prior to the withdrawal of the opinion or advice.

B. A local officer or employee shall not be prosecuted for a knowing violation of this chapter if the alleged violation resulted from his good faith reliance on a written opinion of the attorney for the Commonwealth or a formal opinion or written informal advice of the Council made in response to his written request for such opinion or advice and the opinion or advice was made after a full disclosure of the facts regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice. The written opinion of the attorney for the Commonwealth shall be a public record and shall be released upon request.

C. If any officer or employee serving at the local level of government is charged with a knowing violation of this chapter, and the alleged violation resulted from his reliance upon a written opinion of his county, city, or town attorney, made after a full disclosure of the facts, that such action was not in violation of this chapter, then the officer or employee shall have the right to introduce a copy of the opinion at his trial as evidence that he did not knowingly violate this

chapter.

1987, Sp. Sess., c. 1, § 2.1-639.18; 2001, c. 844;2003, c. 694;2014, cc. 792, 804;2015, cc. 763, 777; 2016, c. 665;2017, cc. 829, 832.

§ 2.2-3122. Knowing violation of chapter constitutes malfeasance in office or employment

Any person who knowingly violates any of the provisions of this chapter shall be guilty of malfeasance in office or employment. Upon conviction thereof, the judge or jury trying the case, in addition to any other fine or penalty provided by law, may order the forfeiture of such office or employment.

1987, Sp. Sess., c. 1, § 2.1-639.19; 2001, c. 844.

§ 2.2-3123. Invalidation of contract; recision of sales

A. Any contract made in violation of § 2.2-3103 or §§ 2.2-3106 through 2.2-3109 may be declared void and may be rescinded by the governing body of the contracting or selling governmental agency within five years of the date of such contract. In cases in which the contract is invalidated, the contractor shall retain or receive only the reasonable value, with no increment for profit or commission, of the property or services furnished prior to the date of receiving notice that the contract has been voided. In cases of recision of a contract of sale, any refund or restitution shall be made to the contracting or selling governmental agency.

B. Any purchase by an officer or employee made in violation of § 2.2-3103 or §§ 2.2-3106 through 2.2-3109 may be rescinded by the governing body of the contracting or selling governmental agency within five years of the date of such purchase.

1987, Sp. Sess., c. 1, § 2.1-639.20; 2001, c. 844.

§ 2.2-3124. Civil penalty from violation of this chapter

A. In addition to any other fine or penalty provided by law, an officer or employee who knowingly violates any provision of §§ 2.2-3103 through 2.2-3112 shall be subject to a civil penalty in an amount equal to the amount of money or thing of value received as a result of such violation. If the thing of value received by the officer or employee in violation of §§ 2.2-3103 through 2.2-3112 increases in value between the time of the violation and the time of discovery of the violation, the greater value shall determine the amount of the civil penalty. Further, all money or other things of value received as a result of such violation shall be forfeited in accordance with the provisions of § 19.2-386.33.

B. An officer or employee required to file the disclosure form prescribed by § 2.2-3117 who fails to file such form within the time period prescribed shall be assessed a civil penalty in an amount equal to $250. The Council shall notify the Attorney General of any state officer's or employee's failure to file the required form and the Attorney General shall assess and collect the civil penalty. The clerk of the school board or the clerk of the governing body of the county, city, or town shall notify the attorney for the Commonwealth for the locality in which the officer or employee was elected or is employed of any local officer's or employee's failure to file the required form and the attorney for the Commonwealth shall assess and collect the civil penalty. The Council shall notify the Attorney General and the clerk shall notify the attorney for the Commonwealth within 30 days of the deadline for filing. All civil penalties collected pursuant to this subsection shall be deposited into the general fund and used exclusively to fund the Council.

1987, Sp. Sess., c. 1, § 2.1-639.21; 1994, cc. 727, 776;2001, c. 844;2012, cc. 283, 756;2015, cc. 763,

777.

§ 2.2-3125. Limitation of actions

The statute of limitations for the criminal prosecution of a person for violation of any provision of this chapter shall be one year from the time the Attorney General, if the violation is by a state officer or employee, or the attorney for the Commonwealth, if the violation is by a local officer or employee, has actual knowledge of the violation or five years from the date of the violation, whichever event occurs first. Any prosecution for malfeasance in office shall be governed by the statute of limitations provided by law.

1987, Sp. Sess., c. 1, § 2.1-639.22; 2001, c. 844.

§ 2.2-3126. Enforcement

A. The provisions of this chapter relating to an officer or employee serving at the state level of government shall be enforced by the Attorney General.

In addition to any other powers and duties prescribed by law, the Attorney General shall have the following powers and duties within the area for which he is responsible under this section:

1. He shall advise the agencies of state government and officers and employees serving at the state level of government on appropriate procedures for complying with the requirements of this chapter. He may review any disclosure statements, without notice to the affected person, for the purpose of determining satisfactory compliance, and shall investigate matters that come to his attention reflecting possible violations of the provisions of this chapter by officers and employees serving at the state level of government;

2. If he determines that there is a reasonable basis to conclude that any officer or employee serving at the state level of government has knowingly violated any provision of this chapter, he shall designate an attorney for the Commonwealth who shall have complete and independent discretion in the prosecution of such officer or employee;

3. He shall render advisory opinions to any state officer or employee who seeks advice as to whether the facts in a particular case would constitute a violation of the provisions of this chapter. He shall determine which opinions or portions thereof are of general interest to the public and may, from time to time, be published.

Irrespective of whether an opinion of the Attorney General has been requested and rendered, any person has the right to seek a declaratory judgment or other judicial relief as provided by law.

B. The provisions of this chapter relating to an officer or employee serving at the local level of government shall be enforced by the attorney for the Commonwealth within the political subdivision for which he is elected.

Each attorney for the Commonwealth shall be responsible for prosecuting violations by an officer or employee serving at the local level of government and, if the Attorney General designates such attorney for the Commonwealth, violations by an officer or employee serving at the state level of government. In the event the violation by an officer or employee serving at the local level of government involves more than one local jurisdiction, the Attorney General shall designate which of the attorneys for the Commonwealth of the involved local jurisdictions shall enforce the provisions of this chapter with regard to such violation.

Each attorney for the Commonwealth shall establish an appropriate written procedure for

implementing the disclosure requirements of local officers and employees of his county, city or town, and for other political subdivisions, whose principal offices are located within the jurisdiction served by such attorney for the Commonwealth. The attorney for the Commonwealth shall provide a copy of this act to all local officers and employees in the jurisdiction served by such attorney who are required to file a disclosure statement pursuant to Article 5 (§ 2.2-3113 et seq.) of this chapter. Failure to receive a copy of the act shall not be a defense to such officers and employees if they are prosecuted for violations of the act.

Each attorney for the Commonwealth shall render advisory opinions as to whether the facts in a particular case would constitute a violation of the provisions of this chapter to the governing body and any local officer or employee in his jurisdiction and to political subdivisions other than a county, city or town, including regional political subdivisions whose principal offices are located within the jurisdiction served by such attorney for the Commonwealth. If the advisory opinion is written, then such written opinion shall be a public record and shall be released upon request. In case the opinion given by the attorney for the Commonwealth indicates that the facts would constitute a violation, the officer or employee affected thereby may request that the Attorney General review the opinion. A conflicting opinion by the Attorney General shall act to revoke the opinion of the attorney for the Commonwealth. The Attorney General shall determine which of his reviewing opinions or portions thereof are of general interest to the public and may, from time to time, be published.

Irrespective of whether an opinion of the attorney for the Commonwealth or the Attorney General has been requested and rendered, any person has the right to seek a declaratory judgment or other judicial relief as provided by law.

1987, Sp. Sess., c. 1, § 2.1-639.23; 2001, c. 844;2003, c. 694.

§ 2.2-3127. Venue

Any prosecution for a violation involving an officer serving at the state level of government shall be brought in the Circuit Court of the City of Richmond. Any prosecution for a violation involving an employee serving at the state level of government shall be within the jurisdiction in which the employee has his principal place of state employment.

Any proceeding provided in this chapter shall be brought in a court of competent jurisdiction within the county or city in which the violation occurs if the violation involves an officer or employee serving at the local level of government.

1987, Sp. Sess., c. 1, § 2.1-639.24; 2001, c. 844.

Article 8. Orientation for State Filers

§ 2.2-3128. Semiannual orientation course

Each state agency shall offer at least semiannually to each of its state filers an orientation course on this chapter, on ethics in public contracting pursuant to Article 6 (§ 2.2-4367 et seq.) of Chapter 43 of this title, if applicable to the filer, and on any other applicable regulations that govern the official conduct of state officers and employees.

2004, cc. 134, 392.

§ 2.2-3129. Records of attendance

Each state agency shall maintain records indicating the specific attendees, each attendee's job

title, and dates of their attendance for each orientation course offered pursuant to § 2.2-3128 for a period of not less than five years after each course is given. These records shall be public records subject to inspection and copying consistent with § 2.2-3704.

2004, cc. 134, 392.

§ 2.2-3130. Attendance requirements

Except as set forth in § 2.2-3131, each state filer shall attend the orientation course required in § 2.2-3128, as follows:

1. For a state filer who holds a position with the agency on January 1, 2004, not later than December 31, 2004 and, thereafter, at least once during each consecutive period of two calendar years commencing on January 1, 2006.

2. For a person who becomes a state filer with the agency after January 1, 2004, within two months after he or she becomes a state filer and at least once during each consecutive period of two calendar years commencing on the first odd-numbered year thereafter.

2004, cc. 134, 392.

§ 2.2-3131. Exemptions

A. The requirements of § 2.2-3130 shall not apply to state filers with a state agency who have taken an equivalent ethics orientation course through another state agency within the time periods set forth in subdivision 1 or 2 of § 2.2-3130, as applicable.

B. State agencies may jointly conduct and state filers from more than one state agency may jointly attend an orientation course required by § 2.2-3128, as long as the course content is relevant to the official duties of the attending state filers.

C. Before conducting each orientation course required by § 2.2-3128, state agencies shall consult with the Attorney General and the Virginia Conflict of Interest and Ethics Advisory Council regarding appropriate course content.

2004, cc. 134, 392;2014, cc. 792, 804.

Article 9. Training for Local Filers

§ 2.2-3132. Training on prohibited conduct and conflicts of interest

A. The Council shall provide training sessions for local elected officials, the members of appointed school boards, and the executive directors and members of industrial development authorities and economic development authorities, as created by the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), on the provisions of the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.). The Council may provide such training sessions by online means.

B. Each local elected official and member of an appointed school board, and the executive director and members of each industrial development authority and economic development authority, as created by the Industrial Development and Revenue Bond Act, shall complete the training session described in subsection A within two months after assuming the local office and thereafter at least once during each consecutive period of two calendar years while he holds such office, commencing with the date on which he last completed a training session. No penalty shall be imposed on a local elected official, a member of an appointed school board, or an executive

director or member of an industrial development authority or an economic development authority for failing to complete a training session.

C. The clerk of the respective governing body or school board shall maintain records indicating local elected officials, members of appointed school boards, and executive directors and members of industrial development authorities and economic development authorities subject to the training requirement and the dates of their completion of a training session pursuant to subsection B. Such records shall be maintained as public records for five years in the office of the clerk of the respective governing body or school board.

2019, c. 530;2020, cc. 76, 80;2023, cc. 351, 352.

VSB Conduct, Conflict of Interest and Gift Policy

The Officers, some volunteers and all employees (collectively "Associates") of the Virginia State Bar must maintain the highest level of ethical conduct and professional integrity in serving the Supreme Court of Virginia and the lawyers of the Commonwealth. All Associates must avoid conduct that might influence, or appear to influence, their official decision-making.

Consequently, Associates of the VSB must not:

1. Solicit or accept money, or other things of value, for services performed within the scope of the Associate's official duties, except the compensation, expenses or other remuneration paid by VSB;

2. Offer or accept any money, or other thing of value, for or in consideration of obtaining employment, appointment, or promotion of any person with any governmental or advisory agency;

3. Offer or accept any money or other thing of value for consideration of the use of the Associate's public position to obtain a contract for any person or entity seeking business with the VSB; VSB Policies | 2026–27 Chairs Handbook 31

4. Use, for the Associate's own economic benefit, or that of another, confidential information that the Associate has acquired by reason of the Associate's public position and which is not available to the public;

5. Accept any money, loan, gift, favor, service, or business or professional opportunity that reasonably tends to influence the Associate in the performance of the Associate's official duties.

6. Accept any business or professional opportunity when the Associate knows that there is a reasonable likelihood that the opportunity is being afforded the Associate to influence the Associate in the performance of the Associate's official duties;

7. Accept a gift from a person who has interests that may be substantially affected by the performance of the Associate's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the Associate's impartiality in the matter affecting the donor;

8. Accept gifts from sources on a frequent basis to raise an appearance of the use of the Associate's public office for private gain; or

9. Use the Associate's public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law.

For purposes of this policy, Associates of the VSB are not prohibited from accepting gifts in recognition of exceptional performance provided that the gift's value does not exceed $100, and the gift would not otherwise violate an enumerated prohibition of this policy.

For purposes of this policy, a "gift" does not include items such as:

- discounts and prizes available to the public, or opportunities and benefits to a class consisting of, for example, all Commonwealth employees or all uniformed military personnel;

- commercial loans on terms generally available to the public;

- modest items of food and non-alcoholic refreshments, such as soft drinks, coffee and donuts, offered other than as part of a meal;

- items of little intrinsic value and intended primarily for presentation, such as plaques, certificates, trophies and greeting cards;

- government pension, contracts, or other secured allocations;

- items associated with official duty presentations on speaking days;

- anything for which market value is paid by the Associate.

Associates who violate this policy will be disciplined, including up to termination from employment, termination from volunteer position, or referral to the Supreme Court of Virginia for removal from office.

Reference:

Code of Va., §2.2, Ch. 31, State and Local Government Conflict of Interest Act
Code of Va., §2.2-3103, Prohibited conduct
Code of Va., §2.2-3103.1, Certain Gifts Prohibited
Code of Va., §2.2-3114, Disclosure by state officers and employees

07/14/20

TAB 10

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

Virginia Freedom Of Information Act Notice

We would like to express our sincere appreciation to you for volunteering with the Virginia State Bar (VSB). As you know, we are an administrative agency of the Supreme Court of Virginia and, as such, are subject to the requirements of the Virginia Freedom of Information Act (VFOIA) and the Virginia Public Records Act (VPRA). Both acts require (i) the VSB to provide all members of public bodies with a copy of both Acts, which are hyperlinked and (ii) VSB volunteers to read and become familiar with the provisions of these chapters (Va. Code §§ 2.2-3702 et seq. and 42.1-76.1 et seq., respectively).

As background for those unfamiliar with **VFOIA**, its purpose is to ensure Virginians ready access to:

- Public records in the custody of a public body, its officers, and employees; and
- Meetings of public bodies, wherein public business is conducted.

VPRA establishes uniform, statewide procedures of the management, preservation, and disposal of government records so official actions are documented, transparent, and protected for future use.

All VSB boards and committees are subject to the public meeting requirements in VFOIA and the public records requirements in VFOIA and the VPRA.

Below are some highlights:

Public Records

The basic requirements relating to public records are:

- *Public record*: A public record includes any document that is prepared or owned by, or in the possession of a VSB employee or volunteer relating to the transaction of public business, including e-mails, minutes, notes, and drafts.
- *Record retention/destruction*: Records should be maintained, preserved, and destroyed in accordance with the requirements of the Virginia Public Records Act and related Library of Virginia retention and disposition schedules.
- *Exemptions*: All public records are presumed to be open and may only be withheld as allowed by VFOIA.

- *Requests*: A VFOIA request does not have to be in writing or specifically mention the statute, it just needs to identify the records with "reasonable specificity."
- *Responding to requests*: If you receive a request for information about the VSB, it may be, and often is, considered a request under VFOIA, which requires a response within five (5) business days.
- *Processing requests*: The VSB FOIA Officer (Kristi Hall) and your VSB section liaison are available to provide you with guidance on the process and will generally respond on your behalf. If you have documents that have been requested via VFOIA, please provide to your liaison; if you do not have records, please refer the requestor to VSB FOIA Officer (foia@vsb.org).

Given the five-day requirement to respond to any request for VSB records and documents, please contact me immediately if you receive a request.

Public Meetings

The basic requirements for public meetings are:

- **Notice and opportunity to participate**: VFOIA requires that notice of the meeting be posted to provide the public with the time and location of the meeting and the opportunity to participate. The VSB complies with VFOIA's meeting requirements by: (i) posting notice on the VSB and Commonwealth calendars and at the VSB front desk at least three days in advance; (ii) ensuring public access to meetings; and (iii) ensuring that minutes are taken and preserved.

- **Meeting Agenda**: Meeting agendas must be posted on the VSB's website *prior to* the meeting. If changes are made to the agenda prior to the meeting, the previously posted agenda should be replaced with the revised agenda. -Effective July 1, 2026.

1. **Quorum**: A *quorum is required for any public body to transact business*. The quorum requirement for VSB boards and committees, unless established by the Va. Code or the Rules of the Supreme Court of Virginia (e.g., the MCLE and Disciplinary Boards), is set by the Council's bylaws which define a quorum as three members of the board or committee or two for boards or committees with three members.
2. In-person Quorum Requirement: For most meetings, this requires ***three*** *members to meet,* ***in person****, in the same location for the business to be discussed or conducted*. Once the quorum meets in person, other members may join virtually, subject to certain criteria; but a quorum must be physically assembled and present for any VSB business to be discussed and/or decided.
3. Exception to In-person Quorum Requirement (disability):

a. If a member cannot attend in-person due to a "temporary or permanent disability or other medical condition" and joins virtually, that member is considered part of the in-person quorum.

b. If a member cannot attend in person due to caretaking responsibilities for a family member with a disability, that member is considered part of the in-person quorum. The in-person quorum allowance for virtual attendance does not apply to members when a medical condition of a member's family member requires the member to provide care prevents in-person attendance. The family member must have a disability requiring the care.

c. "Caregiver" is defined as: "an adult who provides care for a person with a disability as defined in § 51.5-40.1. A caregiver shall be either related by blood, marriage, or adoption to or the legally appointed guardian of the person with a disability for whom he is caring."

-Effective July 1, 2025.

4. Exception to In-person Quorum Requirement (all-virtual meeting): The only time a quorum is not required to be physically present is when the board/committee holds an all-virtual meeting; however, these meetings are subject to the limitations that (i) ***no more than 50%*** of the meetings may be all virtual each calendar year and (ii) ***two*** virtual meetings *may not be held in succession* (not subject to the calendar year distinction). As such, members attending any meeting, that is not all virtual, in person is imperative to be able to transact business. Without a quorum, the meeting may not be held.

- **Inadvertent In-person Meetings (rule of 3)**: Please be aware that a discussion among any ***three*** *or more members* of a board/committee about the VSB business is a public meeting under VFOIA, which requires appropriate notice and access. This is generally called "The Rule of Three." If three members are together, please do not discuss the business of your board or committee.

- **Inadvertent electronic meetings (email**: Email exchanges between three or more board or committee members (or two if a subcommittee has only three members) ***may*** be considered a VFOIA meeting - which would require notice and public access. To avoid an inadvertent electronic meeting, do ***not*** e-mail *more than one other member* of the board or committee about VSB business; and please ***do not hit reply all*** if other members of the committee or board are copied on any e-mail about VSB business. Please blind copy your committee (bcc) or board members when emailing a group of members.

- **Audio-Visual Meetings (video requirement)**: For audio-visual meetings (Hybrid or All Remote), members must keep their video on to be counted as present. When a member's *video is off*, the

member, including those joining due to a disability or caretaking responsibilities for a person with a disability preventing attendance, (i) are ***not*** counted as present, (ii) are ***not*** able to vote, and (iii) are captured in the meeting minutes as "monitoring the meeting through electronic means."

- **Action on Agenda Item Added After the Meeting Starts**: If, *after the meeting is called to order*, an item is *added to the agenda*, the board or committee ***may not take final action*** on that items added ***unless*** the item is (i) time sensitive or (ii) the subject of a closed meeting. Note: "Final action" does not include: (i) referral to a committee or advisory body; (ii) deferral to a future meeting for action; (iii) direction to staff to provide further information; or (iv) issuance of a commending or memorial proclamation.

-Effective July 1, 2026.

Resources:

You may also visit the VSB website for information on requester's rights and VSB's responsibilities under VFOIA. Additionally, helpful reference materials and discussions on VFOIA are provided in the Virginia FOIA Council's website and on issues related to the VPRA in the Library of Virginia's *A Guide to the Virginia Public Records Act*.

The VSB values your contributions and could not function without the time and dedication of our volunteers. We recognize the valuable service you provide, and we hope that you reach out to us as you need information and support.

TAB 11

F. Policy on Individual Remote Participation in Meetings and All-Virtual Meetings
Pursuant to Virginia Code Section 2.2-3708.3

The Virginia State Bar (VSB) is committed to providing public access, both in person and through electronic communication means, to its public meetings. To that end, the VSB, through its Council, hereby adopts this policy to reflect its implementation of the Virginia Freedom of Information Act as that act applies to open meetings of public bodies. This policy shall apply strictly and uniformly, without exception, to all members of committees, subcommittees, or other entities of any public bodies that are part of the VSB.

As of October 11, 2024, the relevant statute is Va. Code § 2.2-3708.3. However, this policy applies until rescinded, revoked, or revised, regardless of any changes in the numbering of the relevant statute.

1. Individual Member Remote Participation ("Hybrid" in-person/remote meetings)

An individual member of a VSB public body may use remote participation instead of attending a public meeting in person if, before the public meeting, the member notifies the public body chair that one of the following applies:

1. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or
2. A medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance; or the member is a caregiver, as defined in Va. Code § 2.2-3700, who must provide care for a person with a disability at the time the public meeting is held thereby preventing the member's physical attendance; or
3. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
4. The member is unable to attend due to a personal matter and identifies with specificity the nature of the personal matter. The member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

The public body must approve such participation through electronic communication means and record in its meeting minutes a general description of the remote location from which the member participated, but the remote location need not be open to the public. If the public body approves the member's remote participation, the public body shall include in its minutes the reason for the member's participation by electronic communication means. If the reason for the member's remote participation is a personal matter, the minutes shall include the specific nature of the personal matter cited by the member.

If the VSB public body disapproves the member's remote participation, such disapproval shall be recorded in the minutes with specificity.

For the purposes of determining whether a quorum is physically assembled, an individual member of a public body who is (i) a person with a disability as defined in Va. Code § 51.5-40.1 that prevents the member's physical attendance or (ii) a caregiver who must provide care for a person with a disability at the time the public meeting is held preventing the member's physical attendance and uses remote participation counts toward the quorum as if the individual were physically present. A member is considered absent and not counted for the purposes of a quorum for any portion of the meeting during which (i) audio-visual technology is available and the visual communication is voluntarily disconnected or otherwise fails or (ii) audio communication involuntarily fails.

2. All-Virtual Meetings ("All remote" participation)

The VSB adopts this policy for all-virtual meetings consistent with Va Code § 2.2- 3708.3.C. This section shall apply strictly and uniformly, without exception, to all members of committees, subcommittees, or other entities of any VSB public bodies except for any VSB public bodies with the authority to deny, revoke, or suspend a professional or occupational license.

The chair of the VSB public body will decide if the public body will hold an all-virtual meeting, provided that the public body does not convene an all-virtual meeting more than two times per calendar year or 50 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, and the VSB public body will not convene two consecutive all-virtual meetings. If the VSB public body convenes by an all-virtual meeting, the VSB public body will adhere to the notice requirements and technical requirements enumerated in Va. Code § 2.2-3708.3.C, including, but not necessarily limited to:

1. Providing public notice as to whether the meeting will be in-person or all-virtual;

Virginia State Bar

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

Memorandum

Date: July 1, 2026

To: Council and Executive Committee Members

From: Janet P. Van Cuyk, Acting Executive Director

Re: 2026-27 Meetings, Receptions and Dinners

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12 noon, Thursday, September 10, 2026, Executive Committee Meeting
- VSB Bank of America Building 3rd fl. Conference Room, Richmond

11:00 a.m., Thursday, October 29, 2026, Executive Committee Meeting
- Kingsmill Resort, 1010 Kingsmill Road, Williamsburg

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
- Kalahari Resorts & Conventions, 6109 Patriot Highway, Woodford

9:00 a.m., Wednesday, June 2, 2027, Council Meeting
- Kalahari Resorts & Conventions, 6109 Patriot Highway, Woodford

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: **February 28, 2026, 9:00 a.m.**
Location: **The Omni Hotel, 100 S. 12th Street, Richmond**

The VSB Council met on Saturday, February 28, 2026. At 9:00 a.m., President K. Brett Marston called the meeting to order. Sixty (60) committee members attended in-person, satisfying the meeting quorum requirement in Part I, Art. V, Sec. 2 of the Bylaws of the Virginia State Bar (VSB). Member attendance was taken using the Poll Everywhere voting tool. The electronic attendance report is appended to these minutes. There was no remote participation.

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 17	Adam D. Elfenbein
Circuit 2	Bretta Zimmer Lewis	Circuit 17	G. L. “Rex” Flynn, Jr.
Circuit 2	Steven G. Owen	Circuit 18	David C. Hagan
Circuit 7	Patrick C. Murphrey	Circuit 18	Sebastian M. Norton
Circuit 4	Kristan B. Burch	Circuit 19	Gabrielle A. Best Husband
Circuit 4	Charlene A. Morring	Circuit 19	Kyung N. “Kathryn” Dickerson
Circuit 4	W. Caswell Richardson	Circuit 19	John E. Foster
Circuit 5	Sean P. Dolan	Circuit 19	Gifford R. Hampshire
Circuit 6	Derek A. Davis	Circuit 19	Chidinma U. Harley
Circuit 8	Veronica E. Meade	Circuit 19	Paul H. Melnick
Circuit 9	Andrew J. Dean	Circuit 19	Alison R. Mullins
Circuit 10	E. M. Wright, Jr.	Circuit 19	Luis A. Perez
Circuit 12	Adrienne George-Eliades	Circuit 19	Juli M. Porto
Circuit 12	Anne L. Roddy	Circuit 19	Debra L. Powers
Circuit 13	Carson A. Cox	Circuit 19	Gobind S. Sethi
Circuit 13	Kyle R. Elliott	Circuit 19	Robert B. “Bob” Walker
Circuit 13	Alicia R. Johnson	Circuit 19	Brianna B. Weiner
Circuit 13	Karissa T. Kaseorg	Circuit 20	Leslie Y. Barnes
Circuit 14	William J. Egen	Circuit 21	O. Randolph Rollins
Circuit 14	Stephanie E. Grana	Circuit 22	Michael A. Nicholas
Circuit 14	Joel R. McClellan	Circuit 23	Kevin W. Holt
Circuit 15	Mackenzie K. Babichenko	Circuit 24	Hope R. Townes

*Approved June 4, 2026

Circuit 15 Allen F. Bareford
Circuit 16 Ann Marie Park
Circuit 17 Carole H. Capsalis
Circuit 30 D. Susie Baker
Circuit 31 Seema D. Ruchandani
Member at Large Craig E. Ellis
Member at Large Jacob R. Lambert
Member at Large Douglas B. Marshall
Member at Large Molly E. Newton
Member at Large Joanna L. Suyes
Circuit 25 David B. "Brian" Richardson
Circuit 26 Peter K. McDermott II
Circuit 28 Bruce H. Russell II
Member at Large Lonnie D. "Chip" Nunley III
Member at Large Nicole E. Upshur
Member at Large Lisa A. Wilson
Diversity Section Chair Debra L. Powers
Senior Lawyers Section Chair Barbara S. Anderson
Young Lawyers Section Chair Simone T. Williams

Absent:

Circuit 2	Jeremiah A. "Jake" Denton IV	Circuit 19 Gina L. Schaecher
Circuit 3	Matthew R. Foster	Circuit 20 Marie E. Washington
Circuit 13	Mark D. Dix	Circuit 23 Daniel P. Frankl
Circuit 13	Shameka L. Harris	Circuit 27 W. Grant Back
Circuit 13	Jonathan M. Petty	Circuit 29 Bradley D. Fleming
Circuit 16	Richard H. Howard-Smith	Member at Large James W. Hundley
Circuit 17	David E. Sher	

Circuit 19 and Local and Specialty Bars Section Chair Nicholas J. Gehrig

Council Invitees and Guests:

Aaron L. Cook	Virginia Association of Criminal Defense Lawyer
G.L. "Rex" Flynn, Jr.	Old Dominion Bar Association
David J. Gogal	Virginia Law Foundation
Alison G. M. Martin	Virginia Law Foundation
Kevin E. Martingayle	Chair, VSB Mandatory Continuing Legal Education Board
David B. Neumeyer	Past Chair, former VSB EGAD Study Committee
Valerie O'Brien	Virginia Trial Lawyers Association
K. Danielle Payne	Virginia Association of Criminal Defense Lawyers
John M. Robb III	Energy Bar Association, Southern Chapter
Amy V. Sales	Local Government Attorneys Association
Reid F. Trautz	Chair, VSB Technology and the Future Practice of Law Committee
Michael W. Robinson	Chair, VSB Legal Ethics Committee

Also attending:

Cameron M. Rountree	VSB	Executive Director and Chief Operating Officer
Janet P. Van Cuyk	VSB	Deputy Executive Director
Renu M. Brennan	VSB	Bar Counsel
DaVida M. "Dee" Davis	VSB	Director of Regulatory Compliance
Nancy L. Donner	VSB	Meetings Coordinator
Jordan A. Harris	VSB	Meetings Coordinator
Emily F. Hedrick	VSB	Ethics Counsel
Crystal T. Hendrick	VSB	Director of Finance and Procurement
Lauren P. Langley	VSB	Deputy Director of Regulatory Compliance
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

I. Reports

A. President's Report

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

B. President-Elect's Report

Susan Tarley reported on the activities of the National Council of Bar Presidents Midyear Meeting, and the American Bar Association's House of Delegates meeting, held in San Antonio, Texas, February 5-7, 2026

C. Executive Director's Report and Legislative Activity Report

Cameron Rountree reported on matters relating to the VSB and staff. A copy of the Executive Director's Report for February 2026 was included in the materials provided to Council.

Cameron Rountree also presented the report on legislative activity to increase compensation for Guardians ad Litem pursuant to Section IV, Part 6, Paragraph 9(j) of the Rules of the Supreme Court of Virginia. The Report on 2026 Legislative Activity to Increase Compensation for Guardian ad Litems (GALs), dated February 27, 2026, was included in the meeting materials provided to Council.

D. Financial Report

Crystal Hendrick presented the VSB Financial Report as of December 31, 2025. The December 2025 report was included in the meeting materials provided to Council.

E. Bar Counsel Report

Renu Brennan reported on the activities in the Office of Bar Counsel. The Disciplinary System report, dated January 30, 2026, was included in the materials provided to Council.

F. Local and Specialty Bars Section Report

Bruce Russell reported on the activities of the Local and Specialty Bars Section (LSBS). A copy of the Report of the LSBS, submitted by chair Nicholas J. Gehrig and dated February 28, 2025, was included in the meeting materials provided to Council.

G. Diversity Section Report

Debra Powers presented the report on the activities of the Diversity Section. The Report of the Diversity Section Chair, dated February 3, 2026, was included in the meeting materials provided to Council.

H. 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 February 28, 2026, was included in the meeting materials provided to Council.

I. Young Lawyers Section Report

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

J. Technology and the Future Practice of Law Committee Report (TFPL)

Reid Trautz reported on the education initiatives of the TFPL Committee to "educate Virginia lawyers on ethical and best practices for incorporating AI into their practices." A copy of the memo Report on AI Education Initiatives, dated February 28, 2026, was included in the materials provided to Council.

K. Entry, Growth, and Distribution of Virginia Attorneys Report (EGAD)

David Neumeyer reported on updates to the 2025 EGAD Report. A copy of the memo Report on the Entry, Growth, and Distribution of Virginia Attorneys Report, dated February 2, 2026, was included in the materials provided to Council.

L. Mandatory Continuing Legal Education Board (MCLE) Report

Kevin Martingayle and DaVida Davis reported on Amendments to MCLE Regulations 102, 103 and 104. The memo dated February 27-28, 2026, Mandatory Continuing Legal Education Board Regulations and Opinions Revised December 15, 2025, was included in the meeting materials provided to Council.

II. Action Items

A. Approval of the Minutes of the October 24, 2025 Meeting

Brett Marston presented a draft of the minutes of the October 24, 2025 meeting in Roanoke. A draft copy of the minutes was included in the meeting materials provided to Council.

A motion was made by Michael York, and seconded by Alison Mullins, to approve the minutes of the October 24, 2025 meeting in Roanoke.

Council approved the minutes of the October 24, 2025 meeting in Roanoke, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

B. Approval of the FY 2027 Proposed Budget

Lonnie "Chip" Nunley presented the request for approval of the FY 2027 Proposed Budget as approved by the Budget and Finance Committee. A copy of the FY 2027 Proposed Budget, dated February 2, 2026, was included in the meeting materials provided to Council.

After a discussion, a motion was made by John Foster, and seconded by Bruce Russell, to vote to approve the FY 2027 Proposed Budget and to petition the Supreme Court to adopt the proposed budget.

Council voted to approve the FY 2027 Proposed Budget and to petition the Supreme Court to adopt the proposed budget., and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes

C Approval of Nominating Committee Recommendations for Appointments

Michael York presented the request for approval of the Nominating Committee Recommendations for 2026-2027. A copy of the Nominating Committee Report dated February 27-28, 2026, was included in the materials provided to the Executive Committee.

- American Bar Association
  - Nominating Committee Recommendation for Appointment:
    - Weiner, Brianna B.

A motion was made by Alison Mullins, and seconded by Gregory Hunter, to approve the Nominating Committee recommendation for appointment to the American Bar Association House of Delegates.

Council voted to approve the Nominating Committee recommendation for appointment to the American Bar Association House of Delegates, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

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- Clients' Protection Fund Board
  - Nominating Committee Recommendations for Appointment:
    - Tarley, Jr., John
  - Nominating Committee Recommendations for Reappointment
    - Bentley, Lori J.
    - Gibney, Yvonne S.
    - Simmons, Liza S.

A motion was made by John E. Foster, and seconded by Gregory Hunter, to approve the recommendations of the Nominating Committee for appointments to the Clients' Protection Fund Board.

Council voted to approve the Nominating Committee recommendation for appointment to the Clients' Protection Fund Board, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

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- Council Members at Large
  - Nominating Committee Recommendations for Appointment:
    - Davies, Peter H.
    - Lawson, Jill K.
  - Nominating Committee Recommendation for Reappointment:
    - Newton, Molly E.

A motion was made by Patrick Murphrey, and seconded by Gregory Hunter, to accept the Nominating Committee recommendations for Council Members-at-Large and to

petition the Supreme Court for member appointments to Council.

Council voted to approve the Nominating Committee recommendation for Council Member-at-Large and to petition the Supreme Court for member appointments to Council, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

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- Disciplinary Board
  - Committee Recommendations for Appointment
    - McCandless, Jason L.
    - Stephenson, Tambera D., lay member
    - Worster III, Robert M.
  - Committee Recommendations for Reappointment
    - Boyce, Dawn E.
    - Nash, Mary Beth
    - Smith, Theodore, lay member
    - Wilks, Reiss F.

A motion was made by Alison Mullins, and seconded by Gregory Hunter, to accept the recommendations of the Nominating Committee and to petition the Supreme Court for member appointments to the Disciplinary Board.

Council voted to approve the Nominating Committee recommendations and petition the Supreme Court for appointments to the Disciplinary Board, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

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- Mandatory Continuing Legal Education Board
  - Nominating Committee Recommendations for Appointment
    - Leslie, Christopher C.
  - Nominating Committee Recommendations for Reappointment
    - Armstrong, Thomas H.
    - Martingayle, Kevin E.
    - Stephenson, Scott A.

A motion was made by Ann Marie Park, and seconded by Gregory Hunter, to accept the recommendations of the Nominating Committee and to petition the Supreme Court for member appointments to the Mandatory Continuing Legal Education Board.

Council voted to accept the recommendations of the Nominating Committee and to petition the Supreme Court for appointments to the Mandatory Continuing Legal Education Board, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

D. Approval of Disciplinary District Committee Nomination

Cameron Rountree presented the recommendation for a disciplinary district committee appointment to the Fifth District Disciplinary Committee, Section III. A copy of the memo Request for Approval of Appointment to Disciplinary District Committee, dated February 27-28, 2026, was included in the meeting materials provided to Council.

A motion was made by Ann Marie Park, and seconded by Gregory Hunter, to vote to approve attorney nominee Matthew A. Crist, for appointment to the Fifth District Disciplinary Committee, Section III.

Council voted to approve nominees for attorney nominee Matthew A. Crist, for appointment to the Fifth District Disciplinary Committee, Section III., and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

E. Approval of Amendments to VSB Section Bylaws and Solicitation or Receipt of Grants and Other Funds.

Mallory Ralston presented a request for approval to repeal the existing governing section bylaws, and to adopt proposed changes, effective February 28, 2026. A memorandum dated February 27-28, 2026, VSB Section and Former Conference Bylaws Amendments, was included in the meeting materials provided to Council.

A motion was made by John Foster, and seconded by Alison Mullins, to vote to approve the request to repeal the existing governing bylaws, and adopt the proposed changes, effective February 28, 2026, for the sections listed below:

- Administrative Law Section (last amended in 2004).
- Antitrust, Franchise and Trade Regulation Section ("Antitrust Law") (last amended in 1991).
- Antitrust Law Section to change its name to the "Antitrust and Consumer Protection Section," effective immediately (February 28, 2026).
- Business Law Section (last amended in 2015).
- Construction Law & Public Contracts Section (last amended in 2009).
- Corporate Counsel Section (last amended in 2009).
- Criminal Law Section (last amended in 2019).
- International Practice (last amended in 2012).
- Real Property Section (last amended in 2010).
- Taxation Section (last amended in 2001).
- Taxation Section to change its name to the "Taxation Law Section", effective immediately (February 28, 2026).
- Trusts & Estates Section (last amended in 2011).
- Young Lawyers Section (last amended October 2025).

Council voted to approve the request to repeal the existing governing bylaws, and adopt the proposed changes, effective February 28, 2026, for the sections listed below, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes

- Administrative Law Section (last amended in 2004)

- Antitrust, Franchise and Trade Regulation Section ("Antitrust Law") (last amended in 1991)
- Antitrust Law Section to change its' name to the "Antitrust and Consumer Protection Section," effective immediately (February 28, 2026).
- Business Law Section (last amended in 2015).
- Construction Law & Public Contracts Section (last amended in 2009).
- Corporate Counsel Section (last amended in 2009).
- Criminal Law Section (last amended in 2019).
- International Practice (last amended in 2012).
- Real Property Section (last amended in 2010).
- Taxation Section (last amended in 2001).
- Taxation Section to change its name to the "Taxation Law Section", effective immediately.
- Trusts & Estates Section (last amended in 2011).
- Young Lawyers Section (last amended October 2025).

And the motion passed.

F. Approval of Amendments to Rule of Professional Conduct 1.9(c)

Michael Robinson presented the request for approval of an amendment to Rule of Professional Conduct 1.9(c) as approved by the Legal Ethics Committee. A copy of the memo, Proposed Rule of Professional Conduct 1.9(c) – Conflict of Interest-Former Client, dated February 28, 2026, was included in the meeting materials provided to Council.

After a discussion, a motion was made by John Foster, and seconded by Chidinma Harley, to approve the request to amend Rule of Professional Conduct 1.9(c) and petition the Supreme Court to approve the proposed changes.

Council voted to approve the request to amend Rule of Professional Conduct 1.9(c) and to petition the Supreme Court to approve the proposed changes, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

G. Approval of Amendments to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules

Michael Robinson presented the request for approval of proposed amendments to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules, as approved by the Legal Ethics Committee. A copy of the memo, Proposed UPL Rules, dated February 28, 2026, was included in the meeting materials provided to the Executive Committee.

After a discussion, a motion was made by Ann Marie Park, and seconded by Bruce Russell, to table the request to amend the proposed amendments to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules.

Council voted twenty-six (26) yes, thirty-five (35) opposed, with Brett Marston abstaining, to table the request to amend the proposed amendments to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules, and the motion failed. Members voted

using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

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After more discussion, a motion was made by Ann Marie Park, and seconded by Chidinma Harley, to amend the proposed amendments to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules, as follows:

1. Ann Marie Park moved to amend the proposal as follows:
   - **i.** Unstrike and move the following language
     Insert
     Court clerks shall not engage in providing legal advice, recommendations or opinions as part of the court clerk's assistance.–
   - **ii.** Insert before "*self-help center staff*"
     Insert
     "*court-approved*"

2. A friendly motion was made by Debra Powers, and seconded by Chidinma Harley, to amend the proposed amendment, adding the following changes:

   - **i.** Insert in the reinserted sentence, after "*Court clerks*"
     Insert
     , law librarians, court-approved navigators, or court-approved self-help center staff
   - **ii.** Deleted the reference to "*court clerk's*" in the last part of the reinserted sentence, after "part of the"
     Strike
     court clerk's

Council voted fifty-five (55) yes, six (6) opposed, with Brett Marston abstaining, to reconsider the amendments to the proposed amendments to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

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After a final discussion, a motion was made by Gifford Hampshire, and seconded by Stephanie Grana, to approve the following amendments to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules, and petition the Supreme Court for adoption:

EXCEPTIONS: Non-lawyers and/or Foreign Lawyers (as defined by Part 6, § II, Rule 5.5, Rules of Supreme Court of Virginia) may engage in any of the

following actions, even though they may constitute the practice of law:

O. ~~Providing assistance as a court clerk to litigants in completing for filing, forms prescribed by the Supreme Court of Virginia or other tribunal; information shall be limited to description of forms, instructions for use, and required sections to complete. Court clerks shall not engage in providing legal advice, recommendations or opinions as part of the court clerk's assistance.~~ Assisting a person as a court clerk, law librarian, court-approved navigator, or court-approved self-help center staff by answering questions or otherwise assisting to identify, select, or complete any form prescribed by the Supreme Court of Virginia or other tribunal, including explaining the meaning of any terms or language used in the form; assisting a person to understand the information needed to complete the form; reviewing the finished form to determine whether the form contains all required information; and by providing assistance to complete the form if the court clerk, law librarian, court-approved navigator, or court-approved self-help center staff believes the person is unable to do so because of disability, literacy, or language barriers. For purposes of this exception, "navigator" is defined as an individual who is not court staff, does not act within an attorney-client relationship, and provides direct assistance to a person with civil legal problems as part of a formal program. Court clerks, law librarians, court-approved navigators, or court-approved self-help center staff shall not otherwise engage in providing legal advice, recommendations, or opinions as part of the assistance.

Council voted forty-six (46) yes, thirteen (13) opposed, with Brett Marston abstaining, to table the vote on the proposed amendments to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules, and to petition the Supreme Court, and the motion passed. Members voted using the Poll Everywhere voting tool. The electronic voting results are appended to these minutes.

H. Adjournment

There being no other business for Council, at 12:37 p.m. the meeting was adjourned.

Attendance Poll for Council Meeting - February 28, 2026

Results Summary

Response	Count
Yes	58
Total	58

Count	Created At	Screen name	Response
1	2/28/2026 10:09	Rex Flynn	Yes
2	2/28/2026 10:09	Kyle Elliott	Yes
3	2/28/2026 10:09	Stephanie Grana	Yes
4	2/28/2026 10:09	Juli Porto	Yes
5	2/28/2026 10:09	Debra Powetz	Yes
6	2/28/2026 10:09	Will Egen	Yes
7	2/28/2026 10:08	Peter McDermott	Yes
8	2/28/2026 10:08	DJ Hansen	Yes
9	2/28/2026 10:08	Gobind Sethi	Yes
10	2/28/2026 10:08	Bruce Russell	Yes
11	2/28/2026 10:08	Carole Capsalis	Yes
12	2/28/2026 10:08	Brett Marston	Yes
13	2/28/2026 10:08	Dale Pittman	Yes
14	2/28/2026 10:08	Chidinma Harley	Yes
15	2/28/2026 10:08	Patrick C. Murphrey	Yes
16	2/28/2026 10:08	Mackenzie Babichenko	Yes
17	2/28/2026 10:08	Veronica Meade	Yes
18	2/28/2026 10:08	Derek Davis	Yes
19	2/28/2026 10:08	Gifford Hampshire	Yes
20	2/28/2026 10:08	Joanna Suyes	Yes
21	2/28/2026 10:08	Anne Roddy	Yes
22	2/28/2026 10:08	Lisa Wilson	Yes
23	2/28/2026 10:08	Simone Williams	Yes
24	2/28/2026 10:08	Craig E Ellis	Yes
25	2/28/2026 10:08	Alison Mullins	Yes
26	2/28/2026 10:08	Ann Marie Park	Yes
27	2/28/2026 10:08	Susie Baker	Yes
28	2/28/2026 10:08	Hope Townes	Yes
29	2/28/2026 10:08	Greg Hunter	Yes
30	2/28/2026 10:08	W. Grant Back	Yes
31	2/28/2026 10:08	E M Wright Jr	Yes
32	2/28/2026 10:08	Bob Walker	Yes
33	2/28/2026 10:08	Susan Tarley	Yes
34	2/28/2026 10:07	Joel McClellan	Yes

Count	Created At	Screen name	Response
35	2/28/2026 10:07	Molly Newton	Yes
36	2/28/2026 10:07	D Brian Richardson	Yes
37	2/28/2026 10:07	Bretta Lewis	Yes
38	2/28/2026 10:07	Adam Elfenbein	Yes
39	2/28/2026 10:07	Allen Bareford	Yes
40	2/28/2026 10:07	Andrew Dean	Yes
41	2/28/2026 10:07	Seema	Yes
42	2/28/2026 10:07	David Hagan	Yes
43	2/28/2026 10:07	Leslie Barnes	Yes
44	2/28/2026 10:07	Kevin W. Holt	Yes
45	2/28/2026 10:07	Randy Rollins	Yes
46	2/28/2026 10:07	Sebastian Norton	Yes
47	2/28/2026 10:07	Paul Melnick	Yes
48	2/28/2026 10:07	Carson Cox	Yes
49	2/28/2026 10:07	Kristan Burch	Yes
50	2/28/2026 10:07	Jonathan Petty	Yes
51	2/28/2026 10:07	Nicole Upshur	Yes
52	2/28/2026 10:07	Steven Owen	Yes
53	2/28/2026 10:07	John Foster	Yes
54	2/28/2026 10:07	Michael A Nicholas	Yes
55	2/28/2026 10:07	Karissa Kaseorg	Yes
56	2/28/2026 10:07	Chip Nunley	Yes
57	2/28/2026 10:07	Sean P. Dolan	Yes
58	2/28/2026 10:07	Jacob Lambert	Yes

Action Item A. Do you approve of the Minutes from the October 24, 2025 Meeting?

Results Summary

Response	Count
Yes	61
No	0
Abstain	3
Total	64

Count	Created At	Screen name	Response
1	2/28/2026 10:10	Bradley Marshall	Yes
2	2/28/2026 10:10	Barbara S. Anderson	Yes
3	2/28/2026 10:10	Derek Davis	Yes
4	2/28/2026 10:10	Rex Flynn	Yes
5	2/28/2026 10:10	Kristan Burch	Yes
6	2/28/2026 10:10	Stephanie Grana	Yes
7	2/28/2026 10:10	Gabrielle A. Best Husband	Yes
8	2/28/2026 10:10	Bruce Russell	Yes
9	2/28/2026 10:10	Craig E Ellis	Yes
10	2/28/2026 10:10	Randy Rollins	Yes
11	2/28/2026 10:10	Susie Baker	Yes
12	2/28/2026 10:10	Simone Williams	Yes
13	2/28/2026 10:10	Luis Perez	Yes
14	2/28/2026 10:10	Susan Tarley	Yes
15	2/28/2026 10:10	Caswell Richardson	Yes
16	2/28/2026 10:10	Molly Newton	Yes
17	2/28/2026 10:10	Carson Cox	Yes
18	2/28/2026 10:10	Debra Powers	Yes
19	2/28/2026 10:10	W. Grant Back	Yes
20	2/28/2026 10:10	Brett Marston	Yes
21	2/28/2026 10:10	Will Egen	Yes
22	2/28/2026 10:10	Steven Owen	Yes
23	2/28/2026 10:10	Chip Nunley	Yes
24	2/28/2026 10:10	Leslie Barnes	Yes
25	2/28/2026 10:10	Dale Pittman	Yes
26	2/28/2026 10:10	Andrew Dean	Yes
27	2/28/2026 10:10	Chidinma Harley	Yes
28	2/28/2026 10:10	Joel McClellan	Yes
29	2/28/2026 10:10	Hope Townes	Yes
30	2/28/2026 10:10	Bob Walker	Yes
31	2/28/2026 10:10	D Brian Richardson	Yes
32	2/28/2026 10:10	Mackenzie Babichenko	Yes
33	2/28/2026 10:10	Charlene Morring	Yes
34	2/28/2026 10:10	Adam Elfenbein	Yes

Count	Created At	Screen name	Response
35	2/28/2026 10:10	Gobind Sethi	Yes
36	2/28/2026 10:10	John Foster	Yes
37	2/28/2026 10:10	Alison Mullins	Yes
38	2/28/2026 10:10	Karissa Kaseorg	Yes
39	2/28/2026 10:10	Greg Hunter	Yes
40	2/28/2026 10:10	E M Wright Jr	Yes
41	2/28/2026 10:10	Joanna Suyes	Yes
42	2/28/2026 10:10	Sean P. Dolan	Yes
43	2/28/2026 10:10	Anne Roddy	Yes
44	2/28/2026 10:10	Carole Capsalis	Yes
45	2/28/2026 10:10	Juli Porto	Yes
46	2/28/2026 10:10	Patrick C. Murphrey	Yes
47	2/28/2026 10:10	Kevin W. Holt	Yes
48	2/28/2026 10:10	Michael A Nicholas	Yes
49	2/28/2026 10:10	Sebastian Norton	Yes
50	2/28/2026 10:10	Seema	Yes
51	2/28/2026 10:10	Paul Melnick	Yes
52	2/28/2026 10:10	Ann Marie Park	Yes
53	2/28/2026 10:10	Kyle Elliott	Yes
54	2/28/2026 10:10	Jacob Lambert	Yes
55	2/28/2026 10:10	David Hagan	Yes
56	2/28/2026 10:10	Allen Bareford	Yes
57	2/28/2026 10:10	Gifford Hampshire	Yes
58	2/28/2026 10:10	Peter McDermott	Yes
59	2/28/2026 10:10	Jonathan Petty	Yes
60	2/28/2026 10:10	DJ Hansen	Yes
61	2/28/2026 10:10	Bretta Lewis	Yes
62	2/28/2026 10:11	Nicole Upshur	Abstain
63	2/28/2026 10:10	Veronica Meade	Abstain
64	2/28/2026 10:10	Lisa Wilson	Abstain

Action Item B. Do you approve of the FY 2027 Proposed Budget?

Results Summary

Response	Count
Yes	64
No	1
Abstain	0
Total	65

Count	Created At	Screen name	Response
1	2/28/2026 10:23	Dale Pittman	Yes
2	2/28/2026 10:22	Alison Mullins	Yes
3	2/28/2026 10:22	Adrienne George-Eliades	Yes
4	2/28/2026 10:22	Andrew Dean	Yes
5	2/28/2026 10:22	Bruce Russell	Yes
6	2/28/2026 10:22	Randy Rollins	Yes
7	2/28/2026 10:22	Gabrielle A. Best Husband	Yes
8	2/28/2026 10:22	Joanna Suyes	Yes
9	2/28/2026 10:22	Lisa Wilson	Yes
10	2/28/2026 10:22	Chip Nunley	Yes
11	2/28/2026 10:22	Caswell Richardson	Yes
12	2/28/2026 10:22	E M Wright Jr	Yes
13	2/28/2026 10:22	Jacob Lambert	Yes
14	2/28/2026 10:22	Hope Townes	Yes
15	2/28/2026 10:22	Simone Williams	Yes
16	2/28/2026 10:22	Brett Marston	Yes
17	2/28/2026 10:22	Derek Davis	Yes
18	2/28/2026 10:22	Mackenzie Babichenko	Yes
19	2/28/2026 10:22	Juli Porto	Yes
20	2/28/2026 10:22	Will Egen	Yes
21	2/28/2026 10:22	Carole Capsalis	Yes
22	2/28/2026 10:22	Charlene Morring	Yes
23	2/28/2026 10:22	John Foster	Yes
24	2/28/2026 10:22	Craig E Ellis	Yes
25	2/28/2026 10:22	Adam Elfenbein	Yes
26	2/28/2026 10:22	W. Grant Back	Yes
27	2/28/2026 10:22	Karissa Kaseorg	Yes
28	2/28/2026 10:22	Debra Powers	Yes
29	2/28/2026 10:22	Leslie Barnes	Yes
30	2/28/2026 10:22	Bob Walker	Yes
31	2/28/2026 10:22	Kevin W. Holt	Yes
32	2/28/2026 10:22	Michael A Nicholas	Yes

Count	Created At	Screen name	Response
33	2/28/2026 10:22	Carson Cox	Yes
34	2/28/2026 10:22	Allen Bareford	Yes
35	2/28/2026 10:22	Seema	Yes
36	2/28/2026 10:22	Patrick C. Murphrey	Yes
37	2/28/2026 10:22	Veronica Meade	Yes
38	2/28/2026 10:22	Chidinma Harley	Yes
39	2/28/2026 10:22	Molly Newton	Yes
40	2/28/2026 10:22	Kristan Burch	Yes
41	2/28/2026 10:22	D Brian Richardson	Yes
42	2/28/2026 10:22	Sebastian Norton	Yes
43	2/28/2026 10:22	Ann Marie Park	Yes
44	2/28/2026 10:22	DJ Hansen	Yes
45	2/28/2026 10:22	Peter McDermott	Yes
46	2/28/2026 10:22	Jonathan Petty	Yes
47	2/28/2026 10:22	Luis Perez	Yes
48	2/28/2026 10:22	Kyle Elliott	Yes
49	2/28/2026 10:22	Susie Baker	Yes
50	2/28/2026 10:22	Paul Melnick	Yes
51	2/28/2026 10:22	Bradley Marshall	Yes
52	2/28/2026 10:22	Barbara S. Anderson	Yes
53	2/28/2026 10:22	Nicole Upshur	Yes
54	2/28/2026 10:22	Stephanie Grana	Yes
55	2/28/2026 10:22	David Hagan	Yes
56	2/28/2026 10:22	Bretta Lewis	Yes
57	2/28/2026 10:22	Steven Owen	Yes
58	2/28/2026 10:22	Greg Hunter	Yes
59	2/28/2026 10:22	Gobind Sethi	Yes
60	2/28/2026 10:22	Anne Roddy	Yes
61	2/28/2026 10:22	Susan Tarley	Yes
62	2/28/2026 10:22	Gifford Hampshire	Yes
63	2/28/2026 10:22	Sean P. Dolan	Yes
64	2/28/2026 10:22	Joel McClellan	Yes
65	2/28/2026 10:22	Rex Flynn	No

Action Item C1. Do you approve of the Nominating Committee Recommendation for the American Bar Association of House of Delegates?

Results Summary

Response	Count
Yes	63
No	0
Abstain	1
Total	64

Count	Created At	Screen name	Response
1	2/28/2026 10:26	Craig E Ellis	Yes
2	2/28/2026 10:26	Simone Williams	Yes
3	2/28/2026 10:26	Gobind Sethi	Yes
4	2/28/2026 10:26	Rex Flynn	Yes
5	2/28/2026 10:26	Kyle Elliott	Yes
6	2/28/2026 10:26	Paul Melnick	Yes
7	2/28/2026 10:26	Chip Nunley	Yes
8	2/28/2026 10:26	Luis Perez	Yes
9	2/28/2026 10:26	Caswell Richardson	Yes
10	2/28/2026 10:26	Molly Newton	Yes
11	2/28/2026 10:26	Steven Owen	Yes
12	2/28/2026 10:26	Bretta Lewis	Yes
13	2/28/2026 10:26	Kristan Burch	Yes
14	2/28/2026 10:26	Sean P. Dolan	Yes
15	2/28/2026 10:26	E M Wright Jr	Yes
16	2/28/2026 10:26	Derek Davis	Yes
17	2/28/2026 10:26	Lisa Wilson	Yes
18	2/28/2026 10:26	Adam Elfenbein	Yes
19	2/28/2026 10:26	Seema	Yes
20	2/28/2026 10:26	Peter McDermott	Yes
21	2/28/2026 10:26	Charlene Morring	Yes
22	2/28/2026 10:26	Juli Porto	Yes
23	2/28/2026 10:26	Bradley Marshall	Yes
24	2/28/2026 10:26	Bob Walker	Yes
25	2/28/2026 10:26	Brett Marston	Yes
26	2/28/2026 10:26	Nicole Upshur	Yes
27	2/28/2026 10:26	Veronica Meade	Yes
28	2/28/2026 10:26	Karissa Kaseorg	Yes
29	2/28/2026 10:26	Randy Rollins	Yes
30	2/28/2026 10:26	W. Grant Back	Yes

Count	Created At	Screen name	Response
31	2/28/2026 10:26	Joanna Suyes	Yes
32	2/28/2026 10:26	Will Egen	Yes
33	2/28/2026 10:26	Kevin W. Holt	Yes
34	2/28/2026 10:26	Greg Hunter	Yes
35	2/28/2026 10:26	Carole Capsalis	Yes
36	2/28/2026 10:26	Debra Powers	Yes
37	2/28/2026 10:26	Jonathan Petty	Yes
38	2/28/2026 10:26	Leslie Barnes	Yes
39	2/28/2026 10:26	Andrew Dean	Yes
40	2/28/2026 10:26	John Foster	Yes
41	2/28/2026 10:26	Michael A Nicholas	Yes
42	2/28/2026 10:26	D Brian Richardson	Yes
43	2/28/2026 10:26	Carson Cox	Yes
44	2/28/2026 10:26	Gabrielle A. Best Husband	Yes
45	2/28/2026 10:26	Dale Pittman	Yes
46	2/28/2026 10:26	Jacob Lambert	Yes
48	2/28/2026 10:26	Susie Baker	Yes
49	2/28/2026 10:26	Bruce Russell	Yes
50	2/28/2026 10:26	Sebastian Norton	Yes
51	2/28/2026 10:26	Allen Bareford	Yes
52	2/28/2026 10:26	Ann Marie Park	Yes
53	2/28/2026 10:26	David Hagan	Yes
54	2/28/2026 10:26	Patrick C. Murphrey	Yes
55	2/28/2026 10:26	Susan Tarley	Yes
56	2/28/2026 10:26	Stephanie Grana	Yes
57	2/28/2026 10:26	Adrienne George-Eliades	Yes
58	2/28/2026 10:26	Joel McClellan	Yes
59	2/28/2026 10:26	Anne Roddy	Yes
60	2/28/2026 10:26	Hope Townes	Yes
61	2/28/2026 10:26	Chidinma Harley	Yes
62	2/28/2026 10:26	Barbara S. Anderson	Yes
63	2/28/2026 10:26	Alison Mullins	Yes
64	2/28/2026 10:26	DJ Hansen	Yes
65	2/28/2026 10:26	Mackenzie Babichenko	Abstain

Action Item C2. Do you approve of the Nominating Committee Recommendations for the Clients' Protection Fund Board?

Results Summary

Response	Count
Yes	60
No	0
Abstain	2
Total	62

Count	Created At	Screen name	Response
1	2/28/2026 10:27	Rex Flynn	Yes
2	2/28/2026 10:27	Simone Williams	Yes
3	2/28/2026 10:27	Debra Powers	Yes
4	2/28/2026 10:27	Andrew Dean	Yes
5	2/28/2026 10:27	Gabrielle A. Best Husband	Yes
6	2/28/2026 10:27	Craig E Ellis	Yes
7	2/28/2026 10:27	Kyle Elliott	Yes
8	2/28/2026 10:27	Caswell Richardson	Yes
9	2/28/2026 10:27	Molly Newton	Yes
10	2/28/2026 10:27	Adam Elfenbein	Yes
11	2/28/2026 10:27	Steven Owen	Yes
12	2/28/2026 10:27	Luis Perez	Yes
13	2/28/2026 10:27	Paul Melnick	Yes
14	2/28/2026 10:27	Dale Pittman	Yes
15	2/28/2026 10:27	Nicole Upshur	Yes
16	2/28/2026 10:27	Bruce Russell	Yes
17	2/28/2026 10:27	Alison Mullins	Yes
18	2/28/2026 10:27	Kevin W. Holt	Yes
19	2/28/2026 10:27	Randy Rollins	Yes
20	2/28/2026 10:27	Jacob Lambert	Yes
21	2/28/2026 10:27	Will Egen	Yes
22	2/28/2026 10:27	Charlene Morring	Yes
23	2/28/2026 10:27	Brett Marston	Yes
24	2/28/2026 10:27	Lisa Wilson	Yes
25	2/28/2026 10:27	Hope Townes	Yes
26	2/28/2026 10:27	Bob Walker	Yes
27	2/28/2026 10:27	Derek Davis	Yes
28	2/28/2026 10:27	Bradley Marshall	Yes
29	2/28/2026 10:27	Veronica Meade	Yes
30	2/28/2026 10:27	Carole Capsalis	Yes
31	2/28/2026 10:27	Kristan Burch	Yes

Count	Created At	Screen name	Response
32	2/28/2026 10:27	Ann Marie Park	Yes
33	2/28/2026 10:27	D Brian Richardson	Yes
34	2/28/2026 10:27	Chip Nunley	Yes
35	2/28/2026 10:27	E M Wright Jr	Yes
36	2/28/2026 10:27	Juli Porto	Yes
37	2/28/2026 10:27	Joanna Suyes	Yes
38	2/28/2026 10:27	Seema	Yes
39	2/28/2026 10:27	Susie Baker	Yes
40	2/28/2026 10:27	Anne Roddy	Yes
41	2/28/2026 10:27	W. Grant Back	Yes
42	2/28/2026 10:27	Michael A Nicholas	Yes
43	2/28/2026 10:27	Jonathan Petty	Yes
44	2/28/2026 10:27	Barbara S. Anderson	Yes
45	2/28/2026 10:27	Gifford Hampshire	Yes
46	2/28/2026 10:27	DJ Hansen	Yes
47	2/28/2026 10:27	Allen Bareford	Yes
48	2/28/2026 10:27	Karissa Kaseorg	Yes
49	2/28/2026 10:27	Sebastian Norton	Yes
50	2/28/2026 10:27	Adrienne George-Eliades	Yes
51	2/28/2026 10:27	Patrick C. Murphrey	Yes
52	2/28/2026 10:27	Leslie Barnes	Yes
53	2/28/2026 10:27	Greg Hunter	Yes
54	2/28/2026 10:27	Joel McClellan	Yes
55	2/28/2026 10:27	John Foster	Yes
56	2/28/2026 10:27	Stephanie Grana	Yes
57	2/28/2026 10:27	Sean P. Dolan	Yes
58	2/28/2026 10:27	David Hagan	Yes
59	2/28/2026 10:27	Carson Cox	Yes
60	2/28/2026 10:27	Chidinma Harley	Yes
61	2/28/2026 10:27	Mackenzie Babichenko	Abstain
62	2/28/2026 10:27	Susan Tarley	Abstain

Action Item C3. Do you approve of the Nominating Committee Recommendations for Council Member at Large?

Results Summary

Response	Count
Yes	64
No	0
Abstain	1
Total	65

Count	Created At	Screen name	Response
1	2/28/2026 10:28	Gobind Sethi	Yes
2	2/28/2026 10:28	Derek Davis	Yes
3	2/28/2026 10:28	Caswell Richardson	Yes
4	2/28/2026 10:28	Debra Powers	Yes
5	2/28/2026 10:28	Mackenzie Babichenko	Yes
6	2/28/2026 10:28	Luis Perez	Yes
7	2/28/2026 10:28	Bradley Marshall	Yes
8	2/28/2026 10:28	Bretta Lewis	Yes
9	2/28/2026 10:28	Bruce Russell	Yes
10	2/28/2026 10:28	Seema	Yes
11	2/28/2026 10:28	Brett Marston	Yes
12	2/28/2026 10:28	Anne Roddy	Yes
13	2/28/2026 10:28	Craig E Ellis	Yes
14	2/28/2026 10:28	Alison Mullins	Yes
15	2/28/2026 10:28	Susan Tarley	Yes
16	2/28/2026 10:28	Lisa Wilson	Yes
17	2/28/2026 10:28	Charlene Morring	Yes
18	2/28/2026 10:28	Paul Melnick	Yes
19	2/28/2026 10:28	Rex Flynn	Yes
20	2/28/2026 10:28	Randy Rollins	Yes
21	2/28/2026 10:28	Karissa Kaseorg	Yes
22	2/28/2026 10:28	Steven Owen	Yes
23	2/28/2026 10:28	Joel McClellan	Yes
24	2/28/2026 10:28	Carole Capsalis	Yes
25	2/28/2026 10:28	Simone Williams	Yes
26	2/28/2026 10:28	Kevin W. Holt	Yes
27	2/28/2026 10:28	Chip Nunley	Yes
28	2/28/2026 10:28	David Hagan	Yes
29	2/28/2026 10:28	W. Grant Back	Yes
30	2/28/2026 10:28	Sebastian Norton	Yes
31	2/28/2026 10:28	Jacob Lambert	Yes

Count	Created At	Screen name	Response
32	2/28/2026 10:28	Leslie Barnes	Yes
33	2/28/2026 10:28	Allen Bareford	Yes
34	2/28/2026 10:28	Joanna Suyes	Yes
35	2/28/2026 10:28	Michael A Nicholas	Yes
36	2/28/2026 10:28	Ann Marie Park	Yes
37	2/28/2026 10:28	Kyle Elliott	Yes
38	2/28/2026 10:28	Bob Walker	Yes
39	2/28/2026 10:28	John Foster	Yes
40	2/28/2026 10:28	DJ Hansen	Yes
41	2/28/2026 10:28	Dale Pittman	Yes
42	2/28/2026 10:28	Gabrielle A. Best Husband	Yes
43	2/28/2026 10:28	Gifford Hampshire	Yes
44	2/28/2026 10:28	Peter McDermott	Yes
45	2/28/2026 10:28	Sean P. Dolan	Yes
46	2/28/2026 10:28	Carson Cox	Yes
47	2/28/2026 10:28	Veronica Meade	Yes
48	2/28/2026 10:28	Susie Baker	Yes
49	2/28/2026 10:28	Nicole Upshur	Yes
50	2/28/2026 10:28	Will Egen	Yes
51	2/28/2026 10:28	Adam Elfenbein	Yes
52	2/28/2026 10:28	Chidinma Harley	Yes
53	2/28/2026 10:28	Kristan Burch	Yes
54	2/28/2026 10:28	Adrienne George-Eliades	Yes
55	2/28/2026 10:28	Juli Porto	Yes
56	2/28/2026 10:28	Patrick C. Murphrey	Yes
57	2/28/2026 10:28	Hope Townes	Yes
58	2/28/2026 10:28	D Brian Richardson	Yes
59	2/28/2026 10:28	E M Wright Jr	Yes
60	2/28/2026 10:28	Barbara S. Anderson	Yes
61	2/28/2026 10:28	Greg Hunter	Yes
62	2/28/2026 10:28	Andrew Dean	Yes
63	2/28/2026 10:28	Jonathan Petty	Yes
64	2/28/2026 10:28	Stephanie Grana	Yes
65	2/28/2026 10:28	Molly Newton	Abstain

Action Item C4. Do you approve of the Nominating Committee Recommendations for the Disciplinary Board?

Results Summary

Response	Count
Yes	63
No	1
Abstain	0
Total	64

Count	Created At	Screen name	Response
1	2/28/2026 10:29	Barbara S. Anderson	Yes
2	2/28/2026 10:29	Molly Newton	Yes
3	2/28/2026 10:29	Carole Capsalis	Yes
4	2/28/2026 10:29	Rex Flynn	Yes
5	2/28/2026 10:29	Susan Tarley	Yes
6	2/28/2026 10:29	Craig E Ellis	Yes
7	2/28/2026 10:29	Paul Melnick	Yes
8	2/28/2026 10:29	Derek Davis	Yes
9	2/28/2026 10:29	Joel McClellan	Yes
10	2/28/2026 10:29	Dale Pittman	Yes
11	2/28/2026 10:29	Lisa Wilson	Yes
12	2/28/2026 10:29	Jonathan Petty	Yes
13	2/28/2026 10:29	Kevin W. Holt	Yes
14	2/28/2026 10:29	Nicole Upshur	Yes
15	2/28/2026 10:29	Randy Rollins	Yes
16	2/28/2026 10:29	Hope Townes	Yes
17	2/28/2026 10:29	Kristan Burch	Yes
18	2/28/2026 10:29	Brett Marston	Yes
19	2/28/2026 10:29	Mackenzie Babichenko	Yes
20	2/28/2026 10:29	Bradley Marshall	Yes
21	2/28/2026 10:29	Steven Owen	Yes
22	2/28/2026 10:29	Seema	Yes
23	2/28/2026 10:29	Bruce Russell	Yes
24	2/28/2026 10:29	Joanna Suyes	Yes
25	2/28/2026 10:29	Adam Elfenbein	Yes
26	2/28/2026 10:29	David Hagan	Yes
27	2/28/2026 10:29	Greg Hunter	Yes
28	2/28/2026 10:29	Charlene Morring	Yes
29	2/28/2026 10:29	Bob Walker	Yes
30	2/28/2026 10:29	DJ Hansen	Yes

Count	Created At	Screen name	Response
31	2/28/2026 10:29	Gabrielle A. Best Husband	Yes
32	2/28/2026 10:29	Will Egen	Yes
33	2/28/2026 10:29	Karissa Kaseorg	Yes
34	2/28/2026 10:29	W. Grant Back	Yes
35	2/28/2026 10:29	Ann Marie Park	Yes
36	2/28/2026 10:29	Adrienne George-Eliades	Yes
37	2/28/2026 10:29	Veronica Meade	Yes
38	2/28/2026 10:29	Luis Perez	Yes
39	2/28/2026 10:29	Simone Williams	Yes
40	2/28/2026 10:29	Jacob Lambert	Yes
41	2/28/2026 10:29	Allen Bareford	Yes
42	2/28/2026 10:29	Juli Porto	Yes
43	2/28/2026 10:29	Caswell Richardson	Yes
44	2/28/2026 10:29	Susie Baker	Yes
45	2/28/2026 10:29	D Brian Richardson	Yes
46	2/28/2026 10:29	John Foster	Yes
47	2/28/2026 10:29	Bretta Lewis	Yes
48	2/28/2026 10:29	E M Wright Jr	Yes
49	2/28/2026 10:29	Patrick C. Murphrey	Yes
50	2/28/2026 10:29	Kyle Elliott	Yes
51	2/28/2026 10:29	Peter McDermott	Yes
52	2/28/2026 10:29	Andrew Dean	Yes
53	2/28/2026 10:29	Leslie Barnes	Yes
54	2/28/2026 10:29	Gifford Hampshire	Yes
55	2/28/2026 10:29	Anne Roddy	Yes
56	2/28/2026 10:29	Chip Nunley	Yes
57	2/28/2026 10:29	Carson Cox	Yes
58	2/28/2026 10:29	Gobind Sethi	Yes
59	2/28/2026 10:29	Michael A Nicholas	Yes
60	2/28/2026 10:29	Chidinma Harley	Yes
61	2/28/2026 10:29	Sebastian Norton	Yes
62	2/28/2026 10:29	Alison Mullins	Yes
63	2/28/2026 10:29	Stephanie Grana	Yes
64	2/28/2026 10:29	Debra Powers	No

Action Item C5. Do you approve of the Nominating Committee Recomendations for the Mandatory Continuing Legal Education Board?

Results Summary

Response	Count
Yes	65
No	0
Abstain	0
Total	65

Count	Created At	Screen name	Response
1	2/28/2026 10:30	Bretta Lewis	Yes
2	2/28/2026 10:30	Molly Newton	Yes
3	2/28/2026 10:30	Gifford Hampshire	Yes
4	2/28/2026 10:30	Debra Powers	Yes
5	2/28/2026 10:30	Steven Owen	Yes
6	2/28/2026 10:30	Gabrielle A. Best Husband	Yes
7	2/28/2026 10:30	Chip Nunley	Yes
8	2/28/2026 10:30	Lisa Wilson	Yes
9	2/28/2026 10:30	Bradley Marshall	Yes
10	2/28/2026 10:30	Chidinma Harley	Yes
11	2/28/2026 10:30	Randy Rollins	Yes
12	2/28/2026 10:30	Gobind Sethi	Yes
13	2/28/2026 10:30	Greg Hunter	Yes
14	2/28/2026 10:30	Mackenzie Babichenko	Yes
15	2/28/2026 10:30	Craig E Ellis	Yes
16	2/28/2026 10:30	Paul Melnick	Yes
17	2/28/2026 10:30	Ann Marie Park	Yes
18	2/28/2026 10:30	Brett Marston	Yes
19	2/28/2026 10:30	Peter McDermott	Yes
20	2/28/2026 10:30	Andrew Dean	Yes
21	2/28/2026 10:30	Charlene Morring	Yes
22	2/28/2026 10:30	Will Egen	Yes
23	2/28/2026 10:30	Rex Flynn	Yes
24	2/28/2026 10:30	Derek Davis	Yes
25	2/28/2026 10:30	Susie Baker	Yes
26	2/28/2026 10:30	Karissa Kaseorg	Yes
27	2/28/2026 10:30	Juli Porto	Yes
28	2/28/2026 10:30	Kyle Elliott	Yes
29	2/28/2026 10:30	John Foster	Yes
30	2/28/2026 10:30	Caswell Richardson	Yes
31	2/28/2026 10:30	Carole Capsalis	Yes

Count	Created At	Screen name	Response
32	2/28/2026 10:30	Joel McClellan	Yes
33	2/28/2026 10:30	Kevin W. Holt	Yes
34	2/28/2026 10:30	Veronica Meade	Yes
35	2/28/2026 10:30	Carson Cox	Yes
36	2/28/2026 10:30	D Brian Richardson	Yes
37	2/28/2026 10:30	Hope Townes	Yes
38	2/28/2026 10:30	Simone Williams	Yes
39	2/28/2026 10:30	Dale Pittman	Yes
40	2/28/2026 10:30	Adam Elfenbein	Yes
41	2/28/2026 10:30	Nicole Upshur	Yes
42	2/28/2026 10:30	Luis Perez	Yes
43	2/28/2026 10:30	Sean P. Dolan	Yes
44	2/28/2026 10:30	Susan Tarley	Yes
45	2/28/2026 10:30	Allen Bareford	Yes
46	2/28/2026 10:30	Joanna Suyes	Yes
47	2/28/2026 10:30	Michael A Nicholas	Yes
48	2/28/2026 10:30	Jonathan Petty	Yes
49	2/28/2026 10:30	Patrick C. Murphrey	Yes
50	2/28/2026 10:30	W. Grant Back	Yes
51	2/28/2026 10:30	Bob Walker	Yes
52	2/28/2026 10:30	David Hagan	Yes
53	2/28/2026 10:30	Seema	Yes
54	2/28/2026 10:30	Kristan Burch	Yes
55	2/28/2026 10:30	Barbara S. Anderson	Yes
56	2/28/2026 10:30	Sebastian Norton	Yes
57	2/28/2026 10:30	DJ Hansen	Yes
58	2/28/2026 10:30	Leslie Barnes	Yes
59	2/28/2026 10:30	Bruce Russell	Yes
60	2/28/2026 10:30	E M Wright Jr	Yes
61	2/28/2026 10:30	Adrienne George-Eliades	Yes
62	2/28/2026 10:30	Jacob Lambert	Yes
63	2/28/2026 10:30	Alison Mullins	Yes
64	2/28/2026 10:30	Stephanie Grana	Yes
65	2/28/2026 10:30	Anne Roddy	Yes

Action Item D. Do you approve of the Disciplinary District Committee Nomination?

Results Summary

Response	Count
Yes	64
No	0
Abstain	0
Total	64

Count	Created At	Screen name	Response
1	2/28/2026 10:32	Simone Williams	Yes
2	2/28/2026 10:31	Bretta Lewis	Yes
3	2/28/2026 10:31	Molly Newton	Yes
4	2/28/2026 10:31	Andrew Dean	Yes
5	2/28/2026 10:31	Caswell Richardson	Yes
6	2/28/2026 10:31	Sebastian Norton	Yes
7	2/28/2026 10:31	Seema	Yes
8	2/28/2026 10:31	Carole Capsalis	Yes
9	2/28/2026 10:31	E M Wright Jr	Yes
10	2/28/2026 10:31	Peter McDermott	Yes
11	2/28/2026 10:31	Gobind Sethi	Yes
12	2/28/2026 10:31	Chidinma Harley	Yes
13	2/28/2026 10:31	Steven Owen	Yes
14	2/28/2026 10:31	Gabrielle A. Best Husband	Yes
15	2/28/2026 10:31	Barbara S. Anderson	Yes
16	2/28/2026 10:31	David Hagan	Yes
17	2/28/2026 10:31	Lisa Wilson	Yes
18	2/28/2026 10:31	Chip Nunley	Yes
19	2/28/2026 10:31	Anne Roddy	Yes
20	2/28/2026 10:31	Craig E Ellis	Yes
21	2/28/2026 10:31	Joanna Suyes	Yes
22	2/28/2026 10:31	Brett Marston	Yes
23	2/28/2026 10:31	Kyle Elliott	Yes
24	2/28/2026 10:31	Randy Rollins	Yes
25	2/28/2026 10:31	Ann Marie Park	Yes
26	2/28/2026 10:31	Kevin W. Holt	Yes
27	2/28/2026 10:31	John Foster	Yes
28	2/28/2026 10:31	Greg Hunter	Yes
29	2/28/2026 10:31	Alison Mullins	Yes
30	2/28/2026 10:31	Susan Tarley	Yes
31	2/28/2026 10:31	Paul Melnick	Yes
32	2/28/2026 10:31	W. Grant Back	Yes

Count	Created At	Screen name	Response
33	2/28/2026 10:31	Bruce Russell	Yes
34	2/28/2026 10:31	Adrienne George-Eliades	Yes
35	2/28/2026 10:31	Adam Elfenbein	Yes
36	2/28/2026 10:31	D Brian Richardson	Yes
37	2/28/2026 10:31	Susie Baker	Yes
38	2/28/2026 10:31	Juli Porto	Yes
39	2/28/2026 10:31	Dale Pittman	Yes
40	2/28/2026 10:31	DJ Hansen	Yes
41	2/28/2026 10:31	Nicole Upshur	Yes
42	2/28/2026 10:31	Bob Walker	Yes
43	2/28/2026 10:31	Kristan Burch	Yes
44	2/28/2026 10:31	Jonathan Petty	Yes
45	2/28/2026 10:31	Allen Bareford	Yes
46	2/28/2026 10:31	Joel McClellan	Yes
47	2/28/2026 10:31	Carson Cox	Yes
48	2/28/2026 10:31	Charlene Morring	Yes
49	2/28/2026 10:31	Gifford Hampshire	Yes
50	2/28/2026 10:31	Karissa Kaseorg	Yes
51	2/28/2026 10:31	Veronica Meade	Yes
52	2/28/2026 10:31	Luis Perez	Yes
53	2/28/2026 10:31	Patrick C. Murphrey	Yes
54	2/28/2026 10:31	Jacob Lambert	Yes
55	2/28/2026 10:31	Rex Flynn	Yes
56	2/28/2026 10:31	Will Egen	Yes
57	2/28/2026 10:31	Sean P. Dolan	Yes
58	2/28/2026 10:31	Mackenzie Babichenko	Yes
59	2/28/2026 10:31	Michael A Nicholas	Yes
60	2/28/2026 10:31	Leslie Barnes	Yes
61	2/28/2026 10:31	Debra Powers	Yes
62	2/28/2026 10:31	Bradley Marshall	Yes
63	2/28/2026 10:31	Hope Townes	Yes
64	2/28/2026 10:31	Stephanie Grana	Yes

Action Item E. Do you approve of the Amendments to the Section Bylaws?

Results Summary

Response	Count
Yes	60
Abstain	1
No	1
Total	62

Count	Created At	Screen name	Response
1	2/28/2026 10:38	Stephanie Grana	Yes
2	2/28/2026 10:38	Lisa Wilson	Yes
3	2/28/2026 10:38	Carole Capsalis	Yes
4	2/28/2026 10:38	Bruce Russell	Yes
5	2/28/2026 10:38	Seema	Yes
6	2/28/2026 10:38	Randy Rollins	Yes
7	2/28/2026 10:38	Chidinma Harley	Yes
8	2/28/2026 10:38	Paul Melnick	Yes
9	2/28/2026 10:38	Gabrielle A. Best Husband	Yes
10	2/28/2026 10:38	Susan Tarley	Yes
11	2/28/2026 10:38	Adam Elfenbein	Yes
12	2/28/2026 10:38	Mackenzie Babichenko	Yes
13	2/28/2026 10:38	Sean P. Dolan	Yes
14	2/28/2026 10:38	Charlene Morring	Yes
15	2/28/2026 10:38	Sebastian Norton	Yes
16	2/28/2026 10:38	Dale Pittman	Yes
17	2/28/2026 10:38	Molly Newton	Yes
18	2/28/2026 10:38	E M Wright Jr	Yes
19	2/28/2026 10:38	Kyle Elliott	Yes
20	2/28/2026 10:38	Allen Bareford	Yes
21	2/28/2026 10:38	Susie Baker	Yes
22	2/28/2026 10:38	Peter McDermott	Yes
23	2/28/2026 10:38	Gobind Sethi	Yes
24	2/28/2026 10:38	Kevin W. Holt	Yes
25	2/28/2026 10:38	David Hagan	Yes
26	2/28/2026 10:38	Bob Walker	Yes
27	2/28/2026 10:38	Nicole Upshur	Yes
28	2/28/2026 10:38	John Foster	Yes
29	2/28/2026 10:38	Brett Marston	Yes
30	2/28/2026 10:38	Will Egen	Yes
31	2/28/2026 10:38	Bradley Marshall	Yes
32	2/28/2026 10:38	Joel McClellan	Yes

Count	Created At	Screen name	Response
33	2/28/2026 10:38	DJ Hansen	Yes
34	2/28/2026 10:38	Gifford Hampshire	Yes
35	2/28/2026 10:38	Karissa Kaseorg	Yes
36	2/28/2026 10:38	Caswell Richardson	Yes
37	2/28/2026 10:38	Craig E Ellis	Yes
38	2/28/2026 10:38	Steven Owen	Yes
39	2/28/2026 10:38	Joanna Suyes	Yes
40	2/28/2026 10:38	Carson Cox	Yes
41	2/28/2026 10:38	Adrienne George-Eliades	Yes
42	2/28/2026 10:38	Luis Perez	Yes
43	2/28/2026 10:38	Patrick C. Murphrey	Yes
44	2/28/2026 10:38	Ann Marie Park	Yes
45	2/28/2026 10:38	Hope Townes	Yes
46	2/28/2026 10:38	Kristan Burch	Yes
47	2/28/2026 10:38	Juli Porto	Yes
48	2/28/2026 10:38	Leslie Barnes	Yes
49	2/28/2026 10:38	D Brian Richardson	Yes
50	2/28/2026 10:38	Chip Nunley	Yes
51	2/28/2026 10:38	Veronica Meade	Yes
52	2/28/2026 10:38	Jacob Lambert	Yes
53	2/28/2026 10:38	Simone Williams	Yes
54	2/28/2026 10:38	Derek Davis	Yes
55	2/28/2026 10:38	Bretta Lewis	Yes
56	2/28/2026 10:38	Anne Roddy	Yes
57	2/28/2026 10:38	Alison Mullins	Yes
58	2/28/2026 10:38	Andrew Dean	Yes
59	2/28/2026 10:38	Barbara S. Anderson	Yes
60	2/28/2026 10:38	Jonathan Petty	Yes
61	2/28/2026 10:38	Michael A Nicholas	No
62	2/28/2026 10:38	W. Grant Back	Abstain

Action Item F. Do you approve of the Proposed Amendment to Rule of Professional Conduct 1.9(c)?

Results Summary

Response	Count
Yes	46
No	16
Abstain	1
Total	63

Count	Created At	Screen name	Response
1	2/28/2026 10:58	Andrew Dean	Yes
2	2/28/2026 10:58	Karissa Kaseorg	Yes
3	2/28/2026 10:58	Seema	Yes
4	2/28/2026 10:58	Steven owen	Yes
5	2/28/2026 10:58	Craig E Ellis	Yes
6	2/28/2026 10:58	E M Wright Jr	Yes
7	2/28/2026 10:58	Will Egen	Yes
8	2/28/2026 10:58	Jacob Lambert	Yes
9	2/28/2026 10:58	Carole Capsalis	Yes
10	2/28/2026 10:58	Dale Pittman	Yes
11	2/28/2026 10:58	Joel McClellan	Yes
12	2/28/2026 10:58	Simone Williams	Yes
13	2/28/2026 10:58	Nicole Upshur	Yes
14	2/28/2026 10:58	Adrienne George-Eliades	Yes
15	2/28/2026 10:58	Gifford Hampshire	Yes
16	2/28/2026 10:58	Gobind Sethi	Yes
17	2/28/2026 10:58	Randy Rollins	Yes
18	2/28/2026 10:58	Debra Powers	Yes
19	2/28/2026 10:58	Brett Marston	Yes
20	2/28/2026 10:58	Chidinma Harley	Yes
21	2/28/2026 10:58	Hope Townes	Yes
22	2/28/2026 10:58	Chip Nunley	Yes
23	2/28/2026 10:58	Veronica Meade	Yes
24	2/28/2026 10:58	Paul Melnick	Yes
25	2/28/2026 10:58	Juli Porto	Yes
26	2/28/2026 10:58	Alison Mullins	Yes
27	2/28/2026 10:58	Mackenzie Babichenko	Yes
28	2/28/2026 10:58	Derek Davis	Yes
29	2/28/2026 10:58	Susie Baker	Yes
30	2/28/2026 10:58	Kristan Burch	Yes
31	2/28/2026 10:58	Kevin W. Holt	Yes
32	2/28/2026 10:58	Gabrielle A. Best Husband	Yes

Count	Created At	Screen name	Response
33	2/28/2026 10:58	Kyle Elliott	Yes
34	2/28/2026 10:58	Bob Walker	Yes
35	2/28/2026 10:58	Ann Marie Park	Yes
36	2/28/2026 10:58	Sean P. Dolan	Yes
37	2/28/2026 10:58	Stephanie Grana	Yes
38	2/28/2026 10:58	Barbara S. Anderson	Yes
39	2/28/2026 10:58	John Foster	Yes
40	2/28/2026 10:58	D Brian Richardson	Yes
41	2/28/2026 10:58	Bretta Lewis	Yes
42	2/28/2026 10:58	Leslie Barnes	Yes
43	2/28/2026 10:58	Bradley Marshall	Yes
44	2/28/2026 10:58	DJ Hansen	Yes
45	2/28/2026 10:58	Susan Tarley	Yes
46	2/28/2026 10:58	Anne Roddy	Yes
47	2/28/2026 10:58	Carson Cox	No
48	2/28/2026 10:58	Bruce Russell	No
49	2/28/2026 10:58	Patrick C. Murphrey	No
50	2/28/2026 10:58	Caswell Richardson	No
51	2/28/2026 10:58	Adam Elfenbein	No
52	2/28/2026 10:58	Sebastian Norton	No
53	2/28/2026 10:58	Molly Newton	No
54	2/28/2026 10:58	Luis Perez	No
55	2/28/2026 10:58	Peter McDermott	No
56	2/28/2026 10:58	W. Grant Back	No
57	2/28/2026 10:58	Jonathan Petty	No
58	2/28/2026 10:58	Rex Flynn	No
59	2/28/2026 10:58	Allen Bareford	No
60	2/28/2026 10:58	Charlene Morring	No
61	2/28/2026 10:58	Greg Hunter	No
62	2/28/2026 10:58	Michael A Nicholas	No
63	2/28/2026 10:58	David Hagan	Abstain

Action Item G1. Do you approve of the Motion to Table the Request to Amend Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules?

Results Summary

Response	Count
Yes	26
No	35
Abstain	1
Total	62

Count	Created At	Screen name	Response
1	2/28/2026 11:24	Greg Hunter	Yes
2	2/28/2026 11:24	Luis Perez	Yes
3	2/28/2026 11:24	John Foster	Yes
4	2/28/2026 11:23	Kyle Elliott	Yes
5	2/28/2026 11:23	Will Egen	Yes
6	2/28/2026 11:23	Adam Elfenbein	Yes
7	2/28/2026 11:23	Bretta Lewis	Yes
8	2/28/2026 11:23	Mackenzie Babichenko	Yes
9	2/28/2026 11:23	DJ Hansen	Yes
10	2/28/2026 11:23	Bob Walker	Yes
11	2/28/2026 11:23	Rex Flynn	Yes
12	2/28/2026 11:23	Kevin W. Holt	Yes
13	2/28/2026 11:23	W. Grant Back	Yes
14	2/28/2026 11:23	Michael A Nicholas	Yes
15	2/28/2026 11:23	D Brian Richardson	Yes
16	2/28/2026 11:23	Andrew Dean	Yes
17	2/28/2026 11:23	Kristan Burch	Yes
18	2/28/2026 11:23	Hope Townes	Yes
19	2/28/2026 11:23	Patrick C. Murphrey	Yes
20	2/28/2026 11:23	Steven owen	Yes
21	2/28/2026 11:23	Charlene Morring	Yes
22	2/28/2026 11:23	Bruce Russell	Yes
23	2/28/2026 11:23	Allen Bareford	Yes
24	2/28/2026 11:23	Peter McDermott	Yes
25	2/28/2026 11:23	Molly Newton	Yes
26	2/28/2026 11:23	Bradley Marshall	Yes
27	2/28/2026 11:24	Karissa Kaseorg	No
28	2/28/2026 11:24	Lisa Wilson	No
29	2/28/2026 11:24	Susan Tarley	No
30	2/28/2026 11:24	Debra Powers	No
31	2/28/2026 11:24	Veronica Meade	No

Count	Created At	Screen name	Response
32	2/28/2026 11:24	Anne Roddy	No
33	2/28/2026 11:24	Carole Capsalis	No
34	2/28/2026 11:24	Nicole Upshur	No
35	2/28/2026 11:24	Ann Marie Park	No
36	2/28/2026 11:24	Chidinma Harley	No
37	2/28/2026 11:24	Leslie Barnes	No
38	2/28/2026 11:23	Randy Rollins	No
39	2/28/2026 11:23	Barbara S. Anderson	No
40	2/28/2026 11:23	Caswell Richardson	No
41	2/28/2026 11:23	Gabrielle A. Best Husband	No
42	2/28/2026 11:23	Paul Melnick	No
43	2/28/2026 11:23	Gifford Hampshire	No
44	2/28/2026 11:23	Juli Porto	No
45	2/28/2026 11:23	Joanna Suyes	No
46	2/28/2026 11:23	Joel McClellan	No
47	2/28/2026 11:23	Sebastian Norton	No
48	2/28/2026 11:23	Sean P. Dolan	No
49	2/28/2026 11:23	Gobind Sethi	No
50	2/28/2026 11:23	Jacob Lambert	No
51	2/28/2026 11:23	Carson Cox	No
52	2/28/2026 11:23	Stephanie Grana	No
53	2/28/2026 11:23	Alison Mullins	No
54	2/28/2026 11:23	Adrienne George-Eliades	No
55	2/28/2026 11:23	E M Wright Jr	No
56	2/28/2026 11:23	Chip Nunley	No
57	2/28/2026 11:23	Simone Williams	No
58	2/28/2026 11:23	Susie Baker	No
59	2/28/2026 11:23	Seema	No
60	2/28/2026 11:23	David Hagan	No
61	2/28/2026 11:23	Craig E Ellis	No
62	2/28/2026 11:23	Brett Marston	Abstain

Action Item G2. Do you approve of the amendments, as amended by Council, to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice Rules?

Results Summary

Response	Count
Yes	55
No	6
Abstain	1
Total	62

Count	Created At	Screen name	Response
1	2/28/2026 11:34	Joanna Suyes	Yes
2	2/28/2026 11:34	Carole Capsalis	Yes
3	2/28/2026 11:34	Randy Rollins	Yes
4	2/28/2026 11:34	Andrew Dean	Yes
5	2/28/2026 11:34	Bob Walker	Yes
6	2/28/2026 11:34	Lisa Wilson	Yes
7	2/28/2026 11:34	Dale Pittman	Yes
8	2/28/2026 11:34	Kristan Burch	Yes
9	2/28/2026 11:34	Paul Melnick	Yes
10	2/28/2026 11:34	Will Egen	Yes
11	2/28/2026 11:34	Molly Newton	Yes
12	2/28/2026 11:34	Bruce Russell	Yes
13	2/28/2026 11:34	Peter McDermott	Yes
14	2/28/2026 11:34	Alison Mullins	Yes
15	2/28/2026 11:34	Greg Hunter	Yes
16	2/28/2026 11:34	Hope Townes	Yes
17	2/28/2026 11:34	Gifford Hampshire	Yes
18	2/28/2026 11:34	Sebastian Norton	Yes
19	2/28/2026 11:34	Veronica Meade	Yes
20	2/28/2026 11:34	Gabrielle A. Best Husband	Yes
21	2/28/2026 11:34	Mackenzie Babichenko	Yes
22	2/28/2026 11:34	Kyle Elliott	Yes
23	2/28/2026 11:34	Leslie Barnes	Yes
24	2/28/2026 11:34	Allen Bareford	Yes
25	2/28/2026 11:34	Bradley Marshall	Yes
26	2/28/2026 11:34	Nicole Upshur	Yes
27	2/28/2026 11:34	Barbara S. Anderson	Yes
28	2/28/2026 11:34	Derek Davis	Yes
29	2/28/2026 11:34	Chidinma Harley	Yes
30	2/28/2026 11:34	W. Grant Back	Yes
31	2/28/2026 11:34	Charlene Morring	Yes

Count	Created At	Screen name	Response
32	2/28/2026 11:34	Craig E Ellis	Yes
33	2/28/2026 11:34	E M Wright Jr	Yes
34	2/28/2026 11:34	John Foster	Yes
35	2/28/2026 11:34	Gobind Sethi	Yes
36	2/28/2026 11:34	Debra Powers	Yes
37	2/28/2026 11:34	Susan Tarley	Yes
38	2/28/2026 11:34	Chip Nunley	Yes
39	2/28/2026 11:34	Ann Marie Park	Yes
40	2/28/2026 11:34	Caswell Richardson	Yes
41	2/28/2026 11:34	Adam Elfenbein	Yes
42	2/28/2026 11:34	Sean P. Dolan	Yes
43	2/28/2026 11:34	Carson Cox	Yes
44	2/28/2026 11:34	Karissa Kaseorg	Yes
45	2/28/2026 11:34	Michael A Nicholas	Yes
46	2/28/2026 11:34	Susie Baker	Yes
47	2/28/2026 11:34	Juli Porto	Yes
48	2/28/2026 11:34	D Brian Richardson	Yes
49	2/28/2026 11:34	Stephanie Grana	Yes
50	2/28/2026 11:34	Joel McClellan	Yes
51	2/28/2026 11:34	Simone Williams	Yes
52	2/28/2026 11:34	Adrienne George-Eliades	Yes
53	2/28/2026 11:34	Bretta Lewis	Yes
54	2/28/2026 11:34	David Hagan	Yes
55	2/28/2026 11:33	Seema	Yes
56	2/28/2026 11:34	Anne Roddy	No
57	2/28/2026 11:34	Jacob Lambert	No
58	2/28/2026 11:34	Luis Perez	No
59	2/28/2026 11:34	DJ Hansen	No
60	2/28/2026 11:34	Rex Flynn	No
61	2/28/2026 11:34	Patrick C. Murphrey	No
62	2/28/2026 11:34	Brett Marston	Abstain

Action Item G3. Do you approve and recommend to the Supreme Court of Virginia the proposed changes to Part 6, § I, Paragraph 3(O) of the Rules of Court, Unauthorized Practice of Law, as amended?

Results Summary

Response	Count
Yes	46
No	13
Abstain	1
Total	60

Count	Created At	Screen name	Response
1	2/28/2026 11:36	Kyle Elliott	Yes
2	2/28/2026 11:36	Molly Newton	Yes
3	2/28/2026 11:36	Derek Davis	Yes
4	2/28/2026 11:35	E M Wright Jr	Yes
5	2/28/2026 11:35	Gifford Hampshire	Yes
6	2/28/2026 11:35	Paul Melnick	Yes
7	2/28/2026 11:35	Craig E Ellis	Yes
8	2/28/2026 11:35	Dale Pittman	Yes
9	2/28/2026 11:35	Carole Capsalis	Yes
10	2/28/2026 11:35	Hope Townes	Yes
11	2/28/2026 11:35	Joanna Suyes	Yes
12	2/28/2026 11:35	Lisa Wilson	Yes
13	2/28/2026 11:35	Bob Walker	Yes
14	2/28/2026 11:35	Leslie Barnes	Yes
15	2/28/2026 11:35	Randy Rollins	Yes
16	2/28/2026 11:35	Debra Powers	Yes
17	2/28/2026 11:35	Susan Tarley	Yes
18	2/28/2026 11:35	Caswell Richardson	Yes
19	2/28/2026 11:35	Nicole Upshur	Yes
20	2/28/2026 11:35	Chip Nunley	Yes
21	2/28/2026 11:35	Alison Mullins	Yes
22	2/28/2026 11:35	W. Grant Back	Yes
23	2/28/2026 11:35	Sebastian Norton	Yes
24	2/28/2026 11:35	Adam Elfenbein	Yes
25	2/28/2026 11:35	Veronica Meade	Yes
26	2/28/2026 11:35	John Foster	Yes
27	2/28/2026 11:35	Juli Porto	Yes
28	2/28/2026 11:35	Michael A Nicholas	Yes
29	2/28/2026 11:35	Greg Hunter	Yes
30	2/28/2026 11:35	Barbara S. Anderson	Yes
31	2/28/2026 11:35	Gabrielle A. Best Husband	Yes

Count	Created At	Screen name	Response
32	2/28/2026 11:35	Allen Bareford	Yes
33	2/28/2026 11:35	Adrienne George-Eliades	Yes
34	2/28/2026 11:35	Carson Cox	Yes
35	2/28/2026 11:35	Ann Marie Park	Yes
36	2/28/2026 11:35	Susie Baker	Yes
37	2/28/2026 11:35	Chidinma Harley	Yes
38	2/28/2026 11:35	Charlene Morring	Yes
39	2/28/2026 11:35	Sean P. Dolan	Yes
40	2/28/2026 11:35	Joel McClellan	Yes
41	2/28/2026 11:35	Gobind Sethi	Yes
42	2/28/2026 11:35	Seema	Yes
43	2/28/2026 11:35	Karissa Kaseorg	Yes
44	2/28/2026 11:35	Simone Williams	Yes
45	2/28/2026 11:35	David Hagan	Yes
46	2/28/2026 11:35	Bretta Lewis	Yes
47	2/28/2026 11:36	Bruce Russell	No
48	2/28/2026 11:35	Will Egen	No
49	2/28/2026 11:35	Anne Roddy	No
50	2/28/2026 11:35	Rex Flynn	No
51	2/28/2026 11:35	Kristan Burch	No
52	2/28/2026 11:35	Jacob Lambert	No
53	2/28/2026 11:35	DJ Hansen	No
54	2/28/2026 11:35	Patrick C. Murphrey	No
55	2/28/2026 11:35	D Brian Richardson	No
56	2/28/2026 11:35	Mackenzie Babichenko	No
57	2/28/2026 11:35	Peter McDermott	No
58	2/28/2026 11:35	Andrew Dean	No
59	2/28/2026 11:35	Bradley Marshall	No
60	2/28/2026 11:35	Brett Marston	Abstain

Virginia State Bar

1111 E. Main Street, Suite 700
Richmond, Virginia 24219-0026
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*MINUTES OF THE VIRGINIA STATE BAR EXECUTIVE COMMITTEE MEETING

Date: June 22, 2026, 3:00 p.m.
Virtual: Microsoft Teams Meeting ID 297 924 481 125 902

The VSB Executive Committee met on Monday, June 22, 2026. At 3:00 p.m. President K. Brett Marston called the meeting to order. Thirteen (13) committee members attended the virtual meeting satisfying the quorum requirement in Part I, Art. V, Sec. 2 of the Bylaws of the Virginia State Bar (VSB).

Committee members in attendance:
President K. Brett Marston
President-Elect Susan B. Tarley
Immediate Past President Michael M. York
Member Derek A. Davis
Member Craig E. Ellis
Member Chidinma U. Harley
Member Ann Marie Park
Member Bruce H. Russell II
Member E. M. Wright, Jr.
Diversity Section Chair Debra L. Powers
Local and Specialty Bar Associations Section Chair Nicholas J. Gehrig
Senior Lawyers Section Chair Barbara S. Anderson
Young Lawyers Section Chair Simone T. Wiliams

Also attending:

Brian L. Buniva	2026-27 Diversity Section Chair
Christina A. Compagnone	2026-27 Young Lawyers Section Chair
Council Member at Large Lonnie D. Nunley	2026-27 Budget and Finance Committee Chair
Council Member Gifford R. Hampshire	Circuit 19, 2026-27 Executive Committee Member
Council Member Kristan B. Burch	Circuit 04, 2026-27 Executive Committee Member
Council Member Kyle R. Elliott	Circuit 13, 2026-27 Executive Committee Member
Council Member Mackenzie K. Babichenko	Circuit 15, 2026-27 Executive Committee Member
Mary Rachel Wolfe	2026-27 LSBA Chair
Richard A. Gray	2026-27 Senior Lawyers Section Chair

Approved September 10, 2026

Staff attending:

Janet P. Van Cuyk	VSB Acting Executive Director
DaVida M. Davis	VSB Acting Deputy Executive Director & Director of Regulatory Compliance
Emily F. Hedrick	VSB Ethics Counsel
Crystal T. Hendrick	VSB Director of Finance & Procurement
Shawne D. Moore	VSB Assistant to the Executive Director
Mallory J. Ralston	VSB Director of Bar Programs and Engagement

Discussion

- **Annual Dues Increase and Rule Changes:** Janet Van Cuyk, Chip Nunley, Derek Davis, and other committee members discussed the proposed increase in annual dues for Virginia State Bar members, recommended changes to Rule 11, and the rationale behind the amounts, with input from the Budget and Finance Committee and feedback from the group including Ann Park, Rachel Wolf, and Brian Buniva.
    - **Rule 11 Cap Alignment:** Janet Van Cuyk explained that the committee recommends aligning the rule-based cap for dues with the statutory cap, raising the maximum from $250 to $350 for active members and $175 for associate members, and removing the reserve threshold language that previously limited when the Supreme Court could approve a dues increase.
    - **Budget and Finance Committee Recommendation:** Chip Nunley detailed the committee's analysis of reserve balances and operational deficits, noting that the recommended $50 increase for active members and $25 for associates would only temporarily resolve deficits, and that a higher increase would have been more fiscally prudent, but the committee considered political and reputational factors in their decision.
    - **Comparative Bar Dues Data:** Chip Nunley provided context by comparing Virginia's dues to other mandatory state bars, showing Virginia is among the lowest, and referenced recent increases in West Virginia, with Rachel Wolf confirming West Virginia's dues rose steeply to $450.
    - **Timeline and Next Steps:** Janet Van Cuyk outlined the process: public comment is open until August 17, constituent meetings and targeted outreach will occur, and the Budget and Finance Committee will review comments before the Executive Committee and Council vote in October, with the Supreme Court's approval required and the increase expected to take effect in July 2027 for the 2028 fiscal year.
    - **Questions and Concerns:** Brian Buniva raised concerns about document pagination and the timing of the dues change, Ann Marie Park and Derek Davis voiced support for a larger increase from a fiscal perspective, and Chip Nunley suggested further outreach to legislators regarding the possibility of a higher increase, with Brett Marston and Janet Van Cuyk noting the need to follow the established process and Supreme Court approval.

- **Dues Renewal Process and Section Membership:** Janet Van Cuyk and Davida Davis provided updates on the dues renewal process, including changes to the renewal form, section membership statistics, and the addition of a $2 contribution for local and specialty bar associations, with input from Debra Powers and Mallory Ralston on communication strategies.

  - **Renewal Portal Launch:** Davida Davis reported a soft opening of the dues renewal portal on June 10, followed by official launch on June 17, resulting in over 10,000 members completing renewals and $2.1 million collected, with no significant issues encountered.
  - **Section Membership Changes:** Janet Van Cuyk described changes to the renewal form highlighting the new sections (Senior Lawyers Section, Young Lawyers Section, and Diversity Section) at the top to encourage membership and provided current membership numbers for each section.
  - **Local and Specialty Bar Contribution:** Davida Davis explained the addition of a $2 contribution option for local and specialty bar associations, noting that 621 members had already contributed, and confirmed the technical implementation of this change.
  - **Communication and Outreach:** Debra Powers requested a membership-wide reminder to join sections and contribute, offering to help design the communication, while Janet Van Cuyk and Mallory Ralston discussed targeted requests, website banners, and inclusion in the e-news as ongoing strategies to promote section membership.

- **Legal Services Corporation of Virginia Board Appointments:** Janet Van Cuyk presented the action item for reappointment and appointment of Class A and Class B members to the Legal Services Corporation of Virginia Board, with questions from Brian Buniva about Cameron Rountree's eligibility and clarification provided by Janet and Shawne.
  - **Appointment Details:** Janet Van Cuyk requested approval for the reappointment of five Class A members (Jack L. Harris, Dale W. Pittman, Stephen D. Rosenthall, Cameron M. Rountree, Joseph E. Spruill III) and appointment of three Class B members (Edgar Aranda-Yanoc, Amy Strite) to serve the remainder of their terms, explaining the need for consistency with articles of incorporation.
  - **Executive Director Representation:** Brian Buniva questioned Cameron Rountree's reappointment due to deployment, and Janet clarified that the Executive Director is required by bylaws, and as acting executive director, Janet can attend in Cameron's stead, maintaining continuity.

- **Section Funding and FY28 Budget Planning:** Barbara Anderson asked about the ability to commit to current funding levels for the four sections in FY28, and Janet Van Cuyk explained that the approved amounts would be the starting point for next year, subject to changes as needed.
  - **Budget Continuity:** Janet Van Cuyk stated that the general dues appropriations for sections approved this year would continue as the starting point for FY28, unless discontinued or adjusted, and recommended section leaders act under the assumption of continued funding unless informed otherwise.

- **Council Member Updates and Special Elections:** Janet Van Cuyk announced upcoming special elections for four council vacancies, including clarification on term lengths and circuit assignments, with input from Barbara Anderson and Davida Davis.
  - **Special Election Details:** Janet Van Cuyk explained that a historically difficult-to-fill seat in the 17th Circuit will be filled for a three-year term ending in 2029, ensuring proper rotation and representation, with Barbara Anderson clarifying circuit locations.

- **Approval of Meeting Minutes:** Bruce Russell and Derek Davis moved and seconded approval of the June 3, 2026 Executive Committee meeting minutes, which was unanimously passed by eligible voting members.
    - **Minutes Approval Process:** The committee reviewed and approved the minutes from the previous meeting, with Bruce Russell moving and Derek Davis seconding, and all eligible members voting in favor.

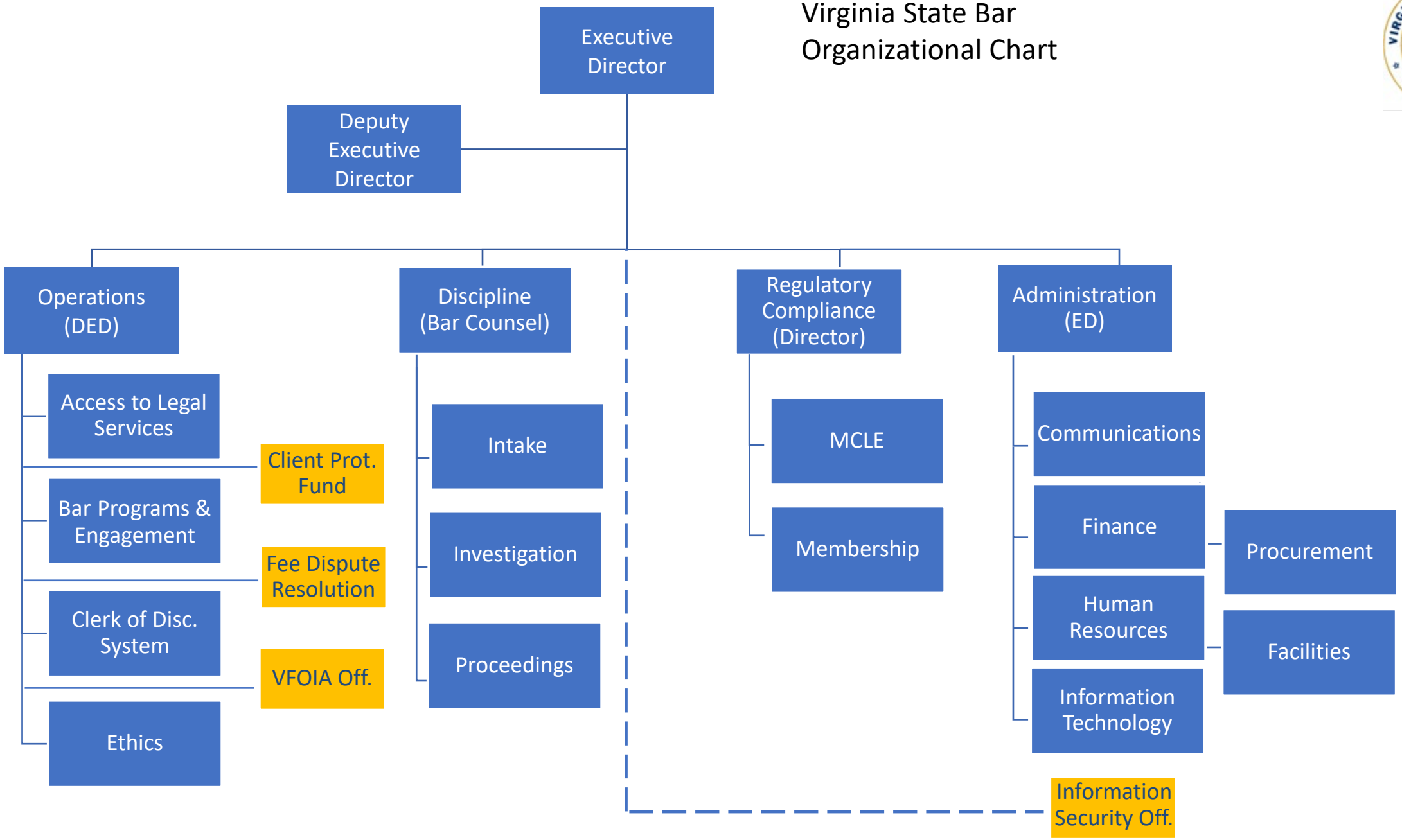
Follow-up tasks:

- **Section Membership and Dues Contribution Promotion:** Coordinate and send a targeted communication or e-news blast to all Virginia State Bar members reminding them to enroll in the Diversity and Senior Lawyers sections and to contribute the $2.00 to the Local and Specialty Bar Associations. (Janet, Sue, Debra)
- **Budget and Finance Committee Meeting Scheduling:** Schedule and hold a Budget and Finance Committee meeting prior to the October Executive Committee meeting to review public comments and reassess recommendations as needed. (Derek)
- **Section Funding Planning for FY28:** Review and communicate potential funding levels for the four sections (formerly conferences) to assist section chairs in planning FY28 budgets and grant requests. (Budget and Finance Committee)

There being no other business for the Committee, at 4:15 p.m., the meeting was adjourned.

TAB 12

Virginia State Bar Organizational Chart



As of: July 27, 2026

Virginia State Bar

An agency of the Supreme Court of Virginia



2026–27 Council Directory

Virginia State Bar Executive Committee Meetings and Council 2026–27

9/10/26 ..... Executive Committee Meeting
10/29/26 ..... Executive Committee Meeting
10/29/26 ..... Council Reception and Dinner
10/30/26 ..... Council Meeting
02/26/27 ..... Executive Committee Meeting
02/26/27 ..... Council Reception and Dinner
02/27/27 ..... Council Meeting
04/13/27 ..... Executive Committee Meeting
06/02/27 ..... Executive Committee Meeting
06/02/27 ..... Council Reception and Dinner
06/03/27 ..... Council Meeting
06/02–05/27 ..... Annual Meeting

Virginia State Bar Office Telephone Directory

Main Number ..... (804) 775-0500

Communications ..... (804) 775-0588

Complaints against attorneys
Richmond local ..... (804) 775-0570

Ethics Hotline ..... (804) 775-0564

Fee Dispute Resolution ..... (804) 775-9423

Finance ..... (804) 775-0526

Lawyer Referral
Richmond local ..... (804) 775-0808
Statewide and outside Virginia 1-800-552-7977

Local/Specialty Bar Relations ..... (804) 775-0521

Mandatory Continuing Legal Education ..... (804) 775-0577

Meetings ..... (804) 775-0515

Pro Bono ..... (804) 775-0522

Professionalism Course ..... (804) 775-0515

Regulatory Compliance ..... (804) 775-0530

Voice/TTY: ..... 711 or (800) 828-1120

Foreword

The Virginia State Bar Council is responsible for establishing policy for the Virginia State Bar. Council members are elected by their fellow lawyers in the thirty-one judicial circuits of Virginia. Each circuit is entitled to at least one representative on the council. Under the Rules of the Supreme Court of Virginia, "Any circuit having as of the 15th day of March in any year more than 500 active members in good standing who are domiciled or principally practice their profession in such circuit shall be entitled to one additional member of the Council for each additional 500 members or major fraction thereof."

In addition to the elected Council members, nine at-large members are appointed by the Supreme Court of Virginia. The president of the Young Lawyers Section, the chair of the Senior Lawyers Section, the chair of the Local & Specialty Bar Section, and the chair of the Diversity Section serve as ex officio members of the Council. The Council at present consists of eighty-three members, including three officers.

In the following list, numbers in parentheses after a name indicate the circuit the member represents. The numbers following the locality represent the year the member's term ends and the term they are currently serving. A 'U' instead of a term number means they are finishing a term vacated by someone and are eligible to run for elected terms afterward. [EC] indicates membership on the VSB Executive Committee as well as the Council.

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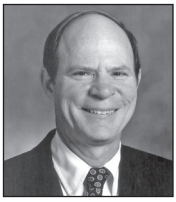
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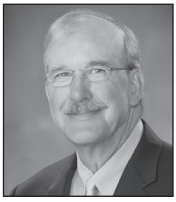
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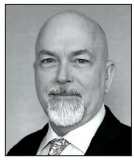
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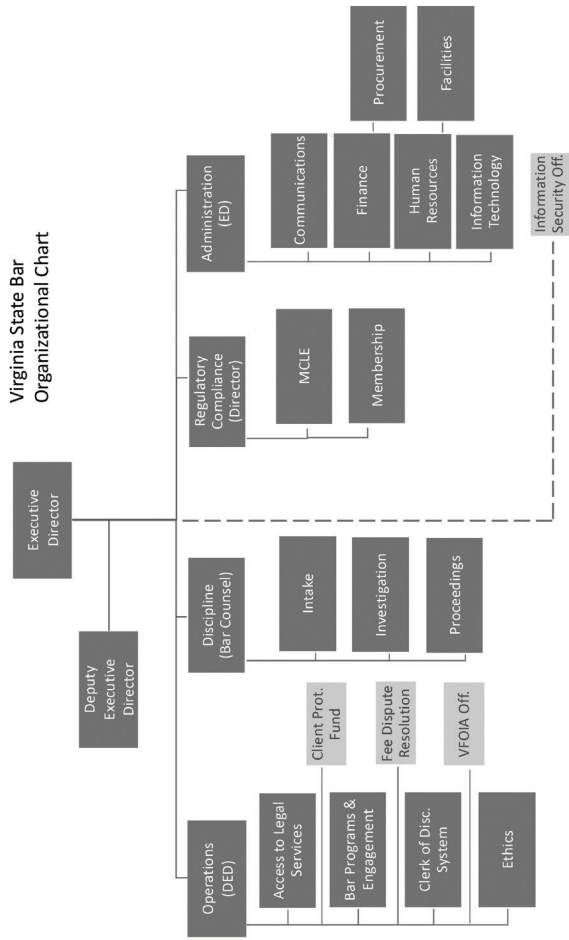
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