

Virginia Lawyer Register

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Brian Gay	Virginia Beach, VA	October 29, 2010		n/a
Dean Spiro Kalivas	Seattle, WA	October 26, 2010		n/a
Suspension — Failure to Comply with Subpoena				
Joseph Louis Tantoh Tibui	San Diego, CA	Effective Date October 26, 2010	Lifted November 3, 2010	n/a
Bradley Douglas Wein	Richmond, VA	October 29, 2010		n/a

*Respondent has noted an appeal with the Supreme Court of Virginia.

Virginia Lawyer Register

The Official Publication of the Virginia State Bar

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The Virginia State Bar publishes the *Virginia Lawyer Register* five times annually. The *Register* is primarily a compilation of disciplinary actions against attorneys licensed to practice law in the commonwealth; administrative suspensions; legal ethics opinions; and proposed amendments to the Rules of the Supreme Court of Virginia. All documents submitted

to the state bar for inclusion in the *Register* are subject to alteration as to typography and formatting, in order to conform to the requirements of the *Register*, without changing the intent of any document.

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DISCIPLINARY SUMMARIES

The following are summaries of disciplinary actions for violations of the Virginia Rules of Professional Conduct (RPC) (Rules of the Supreme Court of Virginia, Part 6, § II, effective January 1, 2000) or other Supreme Court Rules.

Copies of disciplinary orders are available at the web link provided with each summary or by contacting the Virginia State Bar's Clerk's Office at (804) 775-0539 or clerk@vsb.org. VSB docket numbers are provided.

CIRCUIT COURT

SPENCER DEAN AULT

Lovettsville, Virginia

06-070-1371, 06-070-3262, 09-070-078760, 07-070-0688, 08-070-075105

On November 24, 2010, Spencer Dean Ault filed an appeal of the following revocation with the Supreme Court of Virginia.

Effective October 27, 2010, a three-judge panel of the Loudoun County Circuit Court revoked Spencer Dean Ault's license to practice law for violating disciplinary rules that govern competence, diligence, conflict of interest involving prohibited transactions, candor toward a tribunal, truthfulness in statements to others, knowingly making a false statement in a disciplinary matter, and misconduct that reflects adversely on a lawyer's fitness to practice. RPC 1.1; 1.3(a); 1.8(a)(1-3); 3.3(a)(1); 4.1(a); 8.1(a); 8.4(a-c)

<http://www.vsb.org/docs/Ault-111710.pdf>

DISCIPLINARY BOARD

STEVEN SCOTT BISS

Charlottesville, Virginia

07-033-070921

On October 18, 2010, the Virginia State Bar Disciplinary Board issued a public reprimand to Steven Scott Biss for violating a professional rule that governs conflict of interest involving a former client. This was an agreed disposition of misconduct charges. RPC 1.9(a)

<http://www.vsb.org/docs/Biss-101910.pdf>

THOMAS RAY BREEDEN

Manassas, Virginia

07-053-0953

On October 7, 2010, the Virginia State Bar Disciplinary Board imposed a public reprimand on Thomas Ray Breeden for violating disciplinary rules that govern responsibilities of a partner or supervisory lawyer. This was an agreed disposition of misconduct charges. RPC 5.1(c)(1),(2)

<http://www.vsb.org/docs/Breeden-10221-.pdf>

GORDON EARL HANNETT JR.

Floyd, Virginia

09-101-078537

On October 15, 2010, the Virginia State Bar Disciplinary Board issued a public reprimand with terms to Gordon Earl Hannett Jr. for violating professional rules that govern misconduct that reflects adversely on a lawyer's fitness to practice. This is an agreed disposition of misconduct charges. RPC 8.4(b),(c)

<http://www.vsb.org/docs/Hannett-102210.pdf>

PHILIP ALAN LIEBMAN

Virginia Beach, Virginia

09-022-079868, 10-022-080720

On October 25, 2010, the Virginia State Bar Disciplinary Board revoked Philip Alan Liebman's license to practice law. In agreeing to the revocation, Mr. Liebman acknowledged the truth of pending charges that he had violated disciplinary rules that govern diligence, communication, fees, and safekeeping property. Rules Part 6, § IV, ¶ 13-28

<http://www.vsb.org/docs/Liebman-Consent-110510.pdf>

NEAL ORION REID

Richmond, Virginia

09-033-080089

On October 22, 2010, the Virginia State Bar Disciplinary Board suspended Neal Orion Reid's license to practice law for fourteen days, beginning November 19, 2010. He violated disciplinary rules that govern candor towards a tribunal and conduct involving fraud, deceit, dishonesty, or misrepresentation that reflects adversely on an attorney's fitness to practice. This was an agreed disposition of misconduct charges. RPC 3.3(a)(1); 8.4(c)

<http://www.vsb.org/docs/Reid-110810.pdf>

RICHARD GLENN SOLOMON

Falls Church, Virginia

11-000-085437

On November 18, 2010, the Virginia State Bar Disciplinary Board revoked Richard Glenn Solomon's license to practice law. In consenting to the revocation, Mr. Solomon admitted that the Maryland Court of Appeals disbarred him by consent in that state on September 9, 2010. On October 22, 2010, the Disciplinary Board summarily suspended his Virginia license pending a show cause hearing. Rules Part 6, § IV, ¶ 13-28

http://www.vsb.org/docs/Solomon_111810.pdf

DISTRICT COMMITTEE

RICHARD LAWRENCE JAMES MCGARRY

Roanoke, Virginia

09-080-075799

On October 20, 2010, the Virginia State Bar Eighth District Committee issued a public reprimand to Richard Lawrence James McGarry for violating disciplinary rules that govern fairness to an opposing party or counsel and truthfulness in statements to others. RPC 3.4(j); 4.1(a),(b)

<http://www.vsb.org/docs/McGarry-110510.pdf>

For easier access to the documents cited in this magazine, the *Virginia Lawyer Register* is posted with live Internet links at http://www.vsb.org/docs/valawyer magazine/Register_2011-01.pdf.

NOTICES TO MEMBERS

“NOT IN GOOD STANDING” SEARCH AVAILABLE AT VSB.ORG

The Virginia State Bar has added a new feature to its Attorney Records Search at <http://www.vsb.org/attorney/attSearch.asp>: the ability to search active Virginia lawyers’ names to see if they are not eligible to practice because their licenses are suspended or revoked.

The “Attorneys Not in Good Standing” search function was designed in conjunction with the VSB’s new permanent bar cards.

Lawyers are put on not-in-good-standing (NGS) status for administrative reasons — such as not paying dues or fulfilling continuing legal education requirements — and when their licenses are suspended or revoked for violating professional rules.

The NGS search can be used by the public with other attorney records searches — “Disciplined Attorneys” and “Attorneys without Malpractice Insurance” — to check on the status and disciplinary history of a lawyer.

NOMINATIONS SOUGHT FOR VSB COMMITTEES

Virginia State Bar President-elect George Warren Shanks invites Virginia lawyers to volunteer for committees essential to the self-regulation of the legal profession. Appointments generally will be for three-year terms that run from July 1, 2011, through June 30, 2014.

A list of committee vacancies is included with the application form at http://www.vsb.org/docs/cmte_form.pdf and on page 8. To be considered for an appointment, fax the form to the bar at (804) 775-0501 or e-mail it to breeden@vsb.org by March 1, 2011. Questions should be addressed to Valerie Breeden, at (804) 775-0551 or breeden@vsb.org. Persons of diversity are encouraged to apply.

PROPOSED RULE 7.2(C)(4) REMOVED FROM CONSIDERATION

The Virginia State Bar Standing Committee on Legal Ethics has removed from consideration a proposed Rule 7.2(c)(4) of the Rules of Professional Conduct, after the Virginia attorney general opined that the proposal would violate the state’s “capping and running” statute, Virginia Code §§ 54.1-3939 and 54.1-3941.

The Ethics Committee requested the opinion based on public comments received about the proposal. The proposed Rule 7.2(c)(4) and corresponding Comment [8], also withdrawn, would have allowed nonexclusive lead sharing arrangements between lawyers and other nonlawyer professionals. It was part of proposed changes to Rules 7.1-7.5, Lawyer Advertising and Solicitation, that will be considered by the VSB Council on February 26, 2011.

Details: http://www.vsb.org/pro-guidelines/index.php/rule_changes/item/amendment-to-rule-7.4-revised-pursuant-to-ag-opinion/

Attorney General’s opinion: <http://www.oag.state.va.us/OPINIONS/2010opns/10-103-Gould.pdf>

FEBRUARY COUNCIL PROPOSAL — PUBLIC COMMENT REQUESTED

The following proposal is published for public comment and is scheduled to be considered at the Virginia State Bar Council meeting on February 26, 2011. Comments should be submitted to Karen A. Gould, Executive Director, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, VA 23219, no later than end of business on the day of deadline.

AMENDMENTS TO 1A:5, PART I, §§ (G), (H) *VIRGINIA CORPORATE COUNSEL*

Deadline for comment: February 14, 2011

The rule, proposed by a Virginia State Bar-Virginia Bar Association Task Force, would lift limitations and expand opportunities for Virginia corporate counsel to do pro bono work, and would state that all legal services provided by Virginia corporate counsel are subject to the Virginia Rules of Professional Conduct. The comment deadline is February 14, 2011.

Details: The Report of the Joint VSB-VBA Corporate Counsel Pro Bono Task Force follows on page 5. It also can be found at http://www.vsb.org/docs/VSB-VBA-TaskForceFinalReport_11-8-10.pdf. The rule as it exists now is posted at <http://www.courts.state.va.us/courts/scv/rulesofcourt.pdf>.

ADMINISTRATIVE SUSPENSIONS

As required by the Rules of the Virginia Supreme Court Part Six, § IV, ¶ 19, the Virginia State Bar has posted a list of members who were administratively suspended on October 8, 2010, for failure to comply with the Rules of the Supreme Court of Virginia, Part Six, § IV, ¶¶ 11 and/or 16, 18, or 19; or the Code of Virginia, §§ 54.1-3912 or 54.1-3913.1. These attorneys were notified of their suspensions using their last address of record with the Virginia State Bar; however, in some instances, this has not been effective. To assist the Virginia State Bar in re-establishing contact with these attorneys, anyone having knowledge of the present location and practice status of persons on this list should contact the VSB Membership Department. This list was last updated by the Membership Department on November 30, 2010.

Details: <http://www.vsb.org/site/members/administrative-suspensions/>

HAVE YOU MOVED? *KEEPING IN TOUCH WITH THE VSB*

To check or change your address of record with the Virginia State Bar, take the following steps:

Go to the VSB Member Login at <https://member.vsb.org/vsbportal/>. Go to “Membership Information,” where your current address of record is listed. To change, go to “Edit Official Address of Record,” click the appropriate box, then click “next.” You can type your new address, phone numbers, and e-mail address on the form.

Contact the VSB Membership Department (membership@vsb.org) or (804) 775-0530 with questions.

REPORT OF THE JOINT VSB/VBA CORPORATE COUNSEL *PRO BONO* TASK FORCE

INTRODUCTION

This group was appointed in June, 2010, to investigate and recommend changes to Supreme Court Rule 1A:5, which allows Virginia corporate counsel admitted in States other than Virginia to do *pro bono* work. The Task Force was appointed by the leadership of the Virginia State Bar and The Virginia Bar Association. The first and only meeting to date of the Task Force was on July 20, 2010. This report will list the recommendations of the Task Force and our report supporting those changes to the law. In suggesting amendments to the rules, the Task Force wanted to increase the number of lawyers eligible to provide *pro bono publico* services while ensuring that such lawyers are subject to adequate professional guidelines regarding competence in the handling of such matters. Although not every member was present, the recommendation was approved unanimously by those present in person or on the telephone. The results and recommendations have been sent to all of the members, including those not present on July 20.

RECOMMENDATIONS

We recommend that Section (g) of the current Rule be replaced by the following:

- (g) Notwithstanding the restrictions set out in Part I(f) above on the scope of practice, a lawyer certified pursuant to Part I of this rule may and is encouraged to provide voluntary *pro bono publico* services in accordance with Rule 6.1 of the Virginia Rules of Professional Conduct.

We further recommend that Paragraph (h) of Rule 1A:5, Part I, be changed to read as follows:

- (h) All legal services provided in Virginia by a lawyer certified pursuant to Part I of this rule shall be deemed the practice of law and shall subject the lawyer to all rules governing the practice of law in Virginia, including the Virginia Rules of Professional Conduct and Part 6, Section IV, Paragraph 13 of the Rules of the Supreme Court of Virginia. Jurisdiction of the Virginia State Bar shall continue whether or not the lawyer retains the Corporate Counsel Certificate and irrespective of the lawyer's presence in Virginia.

COMMENTS

It will be simpler to discuss the change in paragraph (h) first since the implications of that change form the basis for the reasoning in making the change to Section (g). In fact, it was the feeling of the Task Force that when the previous amendment was made, Section (h) may have been overlooked. The current provision states that "The provision of legal services to his or her employer" by a lawyer certified under Part I" and the change merely states "All legal services provided in Virginia" by a lawyer certified pursuant to Part I. Clearly, any lawyer doing any legal work in Virginia, whether it is for his employer or for a *pro bono* client, should be covered under all rules governing the practice of law in Virginia. This would, of course, include the Virginia Rules of Professional Conduct. Once this has been established, it means that any lawyer, whether under Part I of this Rule or otherwise doing *pro bono* work in the State of Virginia, is covered by all of the Rules of Professional Conduct. There is no reason why an attorney should be treated differently when doing *pro bono* work or work for his employer.

The change that we recommend to Rule 1A:5(g) is a major change to the current Rule and there is some history which should be discussed. In 2002 and 2003, there were several discussions and much correspondence pertaining to changing the Supreme Court Rules to allow corporate counsel to engage in certain legal functions in the Commonwealth of Virginia. The major part of the Rule that was finally adopted was approved by a letter from Chief Justice Hassell dated May 27, 2003. The proposal, which had been forwarded to the Chief Justice by the Virginia State Bar, included a simple provision which would allow corporate counsel to do *pro bono* work. Although the Supreme Court approved the other provisions of the Rule, it specifically deleted the sentence allowing *pro bono* work by such attorneys. That provision was very similar to the provision that we now propose and stated as follows:

Notwithstanding the foregoing restrictions on the scope of practice, a lawyer certified pursuant to Part I of this Rule may participate and is encouraged to participate, in any *pro bono* program operated and controlled by any Virginia licensed Legal Aid Society.

Following the Court's rejection of the *pro bono* language in the Rule, members of the VSB met informally with the Court as to how to rewrite that provision so that it would be acceptable to the Court. The Court indicated that it did not feel that it would be proper to approve a wide open, unregulated *pro bono* practice by in-house lawyers admitted under this Rule. Apparently the Court was concerned with several aspects of this practice. First, the justices believed that corporate counsel may not be familiar with the type of work performed by Legal Aid attorneys. Secondly, they believed that corporate counsel should be covered under a malpractice policy of insurance. Finally, it appears that at least some members of the Court felt that a "direct supervision" requirement, if included in the Rule, might resolve these concerns.

The Task Force was not informed as to what occurred within the next two and a half years, but the Court approved the current version of Rule 1A:5(g) on May 1, 2006. This version set several restrictions on corporate counsel who wanted to do *pro bono* work and in the opinion of the Task Force, relegated those attorneys to do something other than fully represent *pro bono* clients. The one thing that it did not do was provide more attorneys to the pool of *pro bono* lawyers because of the "direct supervision" aspect of the Rule. Most corporate counsel are of the opinion that the current Rule does not allow them to do real legal work in the *pro bono* area, and the Task Force agrees with that opinion. Although a few people try to do work in the *pro bono* area in the Northern Virginia area, nobody on the Committee was aware of any such activity elsewhere in the State. There was a strong feeling that in order to allow Part I corporate counsel to do *pro bono* work, there would have to be significant changes to the Rule.

SPECIFIC AREAS DISCUSSED

1. Attorneys' Lack of Knowledge in the Areas in Which They Would be Doing *Pro Bono* Work.

Lawyers doing *pro bono* work in many cases will handle matters in areas in which they had little previous experience. However, this is not unique to Part I corporate counsel. The Chairman of the Task Force pointed out that although he had done *pro bono* work well over a thousand hours each year for the past ten years, over ninety percent of this work had been in areas in which he did not practice before his retirement from his law firm. An attorney's expertise in a certain area of law is a concern not only of a *pro bono* client, but of any client the lawyer represents. Being able to provide competent representation to

a client is probably the most important regulation that the Virginia State Bar imposes on attorneys. In fact, it is so important that the very first Rule (Rule 1.1) of the Rules of Professional Conduct states:

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Rules concerning competent representation apply to all lawyers. As in general practice, there are numerous ways that a lawyer can obtain the necessary degree of expertise. Actually, there are probably more ways that the lawyer can obtain this information and experience in the *pro bono* area than there are in other areas of practice. Virtually every program sponsored by a Legal Aid or Bar organization has a training session and most of them also have help lines that the lawyer can use when questions arise. If lawyers weren't allowed to develop the expertise as we have outlined above, there would be very few if any lawyers doing *pro bono* work. Part I corporate counsel would be bound by Rule 1.1 and, therefore, would have an ethical duty to make sure he or she received proper and sufficient training to handle a *pro bono* matter.

2. Supervision and "Direct Supervision."

The Task Force felt that the provisions in the current Rule pertaining to supervision were unnecessary. There is no question that any attorney doing *pro bono* work through a Legal Aid Society or other Bar organization would be doing work that to some extent can be called "supervised" work. But this does not always occur, and in many cases is impractical. When an attorney appears in court alone to represent a client, he or she may be supervised in the sense that he has talked to someone else about the case and received input from someone with more experience than he or she has, but there is no direct supervision. The Rules of Professional Conduct do not require supervision for an attorney practicing in Virginia, and the Task Force believed that there was no reason to require this provision for corporate counsel who have been certified pursuant to Part 1.

It was also the strong belief of the Task Force that Rule 1.1 of the Rules of Professional Conduct alone was sufficient to insure that the attorney was qualified to represent the client in a *pro bono* case. If the attorney needed supervision and did not obtain it, he would be in violation of that Rule. There is no reason to add an additional rule which would essentially have the same requirements for the attorney.

This requirement also imposes an unnecessary logistical barrier. In effect, it requires two lawyers to handle each *pro bono* matter, the Part 1 corporate counsel and the supervising attorney. Not only does this impede the delivery of legal services provided to those in need, it results in the Part 1 corporate counsel believing his or her role is superfluous. It is difficult for two attorneys to coordinate their schedules and service the client together.

3. Limitations on Work the Lawyer Can Do.

Paragraph (g)(2) of the current Rule lists four paragraphs that outline the specific work that the Part I attorney can do and specifically states that he can "perform only the following activities." This results in a practical problem because each matter handled has unique characteristics and each client has their own peculiar needs. It is impossible to predict all of these in advance. In order to represent a *pro bono* client competently and zealously, a Part 1 corporate counsel may encounter a situation that to comply with the rules requiring competent and zealous representation would require him or her to perform activities which are

not among those listed. Therefore, any list of specific activities is unnecessary and may turn out to be unduly restrictive.

4. Obtaining the Written Consent of the Client and Supervising Attorney.

Clients frequently sign a paper before the attorney engages in full representation of the client. This also occurs in many Legal Aid programs, but because of deadlines and other matters, does not always occur in the Legal Aid area. Sufficient documentation is available. In the current Legal Aid environment, it is difficult to conceive of the Legal Aid client seeking help who would not agree to anyone representing him or her. It is agreed that a lawyer should explain his or her current situation as a volunteer or what experience the person has at the preliminary stages of the representation, but there is absolutely no reason that corporate counsel should be treated any differently from a Virginia-licensed lawyer in these circumstances.

The current Rule requires that the written consent and approval be filed and brought to the attention of the presiding Judge. The Task Force was concerned that this may be a violation of some other ethical rule or certainly a principle of professionalism. Bringing to the attention of the Judge that the client is *pro bono* could in certain cases be construed as trying to curry some type of favor with the Judge or hearing officer. In certain circumstances, this is privileged—or at least confidential—information. Any provision pertaining to the client giving consent in writing or bringing any such consent to the attention of the Judge should be left out of any new rule. In fact, it may be improper to include it in the current Rule.

5. Should the Presiding Officer Determine the Extent of the Part I Attorney's Participation?

The Task Force is not aware of any other provision in Virginia law or Rules where a Judge or hearing officer can determine the extent of an attorney's participation in a proceeding. The Judge can bar the attorney under certain circumstances, but other than that, can impose no limitations on the attorney's participation. There is no need for such a provision in the current Rule. Either the Part I corporate attorney can act as an attorney in these cases or not at all. If the Judge were to exercise such a right, it's very possible that the *pro bono* client would feel mistreated and have a very strong argument that the Judge acted improperly.

6. Should Certified Part I Attorneys Represent Themselves as Licensed to Practice Law Generally?

Obviously, certified Part I attorneys are not licensed to practice law generally in the Commonwealth of Virginia, and for attorneys to represent themselves as such is a misrepresentation. This would violate other Rules of Professional Conduct (Rules 5.5, 7.1 and 8.4) which would cover all of those attorneys, and it is unnecessary to put an additional provision in the current Rule.

7. Malpractice Insurance.

The current Rule does not require that the attorney have malpractice insurance. Possibly this is because of a very restrictive requirement that the work be done under the direct supervision of another attorney. Although only the other attorney might be liable if there was malpractice, it's important to point out that no Virginia rule or law requires that attorney to have malpractice insurance. A quick review of long time Legal Aid leaders in Virginia (Henry McLaughlin, Alex Gulotta, John Whitfield, Steve Dickinson and Henry Woodward)) has indicated that no one is aware of any malpractice claim ever

being made against a Legal Aid volunteer. As a practical matter, the financial amount involved and the nature of the work is such that the likelihood of such a case being brought is low.

Still, the Task Force does feel that it would be prudent for attorneys doing *pro bono* work to be covered by some type of malpractice insurance. Currently anyone who does work as a volunteer for any Legal Aid Society in the Commonwealth of Virginia would be covered by that organization's malpractice insurance. Also, the Richmond Clearinghouse, which provides non-litigation representation to charitable corporations, carries a policy of insurance for all of its volunteers. Some corporations also carry insurance that would cover any *pro bono* work provided by their in-house attorneys. The Task Force, after the meeting, was advised that The Virginia Bar Association's Committee on Corporate Counsel is making up a list of organizations which provide malpractice insurance for its volunteers.

Except for residential real estate settlement attorneys, the Virginia State Bar does not currently require individual attorneys to have malpractice coverage for the legal work they do. Considering the extremely low risk involved in *pro bono* work, it would be unfair to require corporate counsel who do *pro bono* work to have malpractice insurance. Still the Task Force recommends that they do so.

CONCLUSION

There are over 800 lawyers who have been certified as Registered Virginia Corporate Counsel under Rule 1A:5 Part I. Legal Aid administrators tell us that only 20% of the need for *pro bono* services can be met currently. This Rule change would be a significant step in solving this problem while ensuring that such lawyers are subject to adequate professional guidelines regarding competence.

This recommended Rule change and this Report have now been approved by all members of the Task Force. We strongly urge the adoption of the recommended Rule.

Joint VSB/VBA Corporate Counsel *Pro Bono* Task Force

John M. Oakey, Jr., Chairman

Joint VSB-VBA *Pro Bono* Task Force Members

John M. Oakey Jr., chair

Bernard J. DiMuro, vice chair

Susan W. Atkinson

Andrea L. Bridgeman

Stephen E. Dickinson

John D. Epps

Andrew G. Fisher

G. Franklin Flippin

Carol R. Gibbons

Ronald E. Kuykendall

Jennifer L. McClellan

Alison M. McKee

Renae R. Patrick

John M. Scheib

Robert J. Stoney

Staff liaisons:

Karen A. Gould, VSB executive director

James M. McCauley, VSB ethics counsel

Maureen K. Petrini, VSB access to legal services director

Guy K. Tower, VBA executive director

FINAL LEGAL ETHICS OPINIONS

LEO 1850

OUTSOURCING OF LEGAL SERVICES

Opinion: <http://www.vacle.org/opinions/1850.htm>

LEO 1846-AMENDED

IS IT ETHICAL FOR A LAWYER TO BECOME A MEMBER OF A LEAD-SHARING ORGANIZATION?

On December 29, 2010, the Virginia State Bar Standing Committee on Legal Ethics revised LEO 1846 to reference the Virginia attorney general's opinion of December 7, 2010. (See "Proposed Rule 7.2(c)(4) Removed from Consideration," page 4.)

Opinion: <http://www.vacle.org/opinions/1846.htm>

SAVE THE DATE: INDIGENT DEFENSE SEMINAR

The Seventh Annual "Indigent Criminal Defense: Advanced Skills for the Experienced Practitioner" seminar will take place April 29, 2011, in Richmond, Weyers Cave, and Wytheville.

The continuing legal education program is open without charge to public defenders and attorneys who accept court-appointed representations. Details and registration forms will be available online in January 2011.

ATTORNEYS MAY SUBMIT ETHICS QUESTIONS BY E-MAIL

The Virginia State Bar now responds to lawyer's ethics questions submitted by e-mail, as well as telephone.

E-mail: Go to <http://www.vsb.org/site/regulation/ethics/> and click the blue box, "E-mail Your Ethics Questions."

Phone: Call (804) 775-0564 and leave a voice mail. Your call will be returned. The ethics staff tries to respond to questions on the same business day they are received.

President-elect Shanks Seeks Members for Virginia State Bar Committees With Terms Commencing July 1, 2011

To: Members of the Bar
From: George Warren Shanks, President-elect

As you know, much of the work of the Virginia State Bar is done through its committees, and we need members willing to serve. Appointments will generally be for a three-year term, running from July 1, 2011, to June 30, 2014, with the possibility of another three-year term to follow. The work of the committees is time consuming and in most cases requires committee members to set aside substantial time to fulfill the requirements of the job.

To encourage participation - and recognizing the time constraints - members are generally limited to serving on only one committee. The number of available positions is quite limited, but I will attempt to accommodate as many people as possible.

The committees are as follows:

Standing Committees:*

- ◆ Budget & Finance
- ◆ Professionalism
- ◆ Lawyer Discipline
- ◆ Unauthorized Practice of Law
- ◆ Legal Ethics

Special Committees:

- ◆ Access to Legal Services
- ◆ Lawyer Referral
- ◆ Bench-Bar Relations
- ◆ Midyear Legal Seminar
- ◆ Communications
- ◆ Personal Insurance for Members
- ◆ Information Technology
- ◆ Resolution of Fee Disputes
- ◆ Lawyer Malpractice Insurance
- ◆ Technology and the Practice of Law

*Lawyer member vacancies on Standing Committees are limited due to requirements for a specific number of Executive Committee and Council members to serve on each committee.

If you would like to be considered for appointment to any of the VSB committees listed, please complete the form below or download the form at <http://www.vsb.org/site/about> and return it to the Virginia State Bar office by March 1, 2011 by mail, fax or e-mail to Valerie L. Breeden:

Virginia State Bar
707 East Main Street, Suite 1500
Richmond, VA 23219-2800
fax: (804) 775-0501; breeden@vsb.org

VSB Committee Preference Form (term commencing July 1, 2011) (Please type or print)

Name: VSB Attorney No.:

Address:

City/State/Zip: Phone No.: Email:

Choice	Committee Name	Have you ever served on this committee?	Length of Service
1st Choice	<input style="width: 250px;" type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input style="width: 50px;" type="text"/>
2nd Choice	<input style="width: 250px;" type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input style="width: 50px;" type="text"/>
3rd Choice	<input style="width: 250px;" type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input style="width: 50px;" type="text"/>

Check here if you have never served on a VSB committee.

To assist us in the committee selection process, please provide the following information:

Private Practice Corporate Counsel

Primary area of practice: Other

Government attorney

Commonwealth City/County Federal

Attach a separate sheet with additional comments (i.e., qualifications and reason for wanting to serve).