# Virginia Lawyer Register

The Official Publication of the Virginia State Bar

www.vsb.org

Vol. 59/No. 8 | March 2011

# In this issue:

- 2 Disciplinary Proceedings
- 3 Disciplinary Summaries
  - Circuit Courts
  - Disciplinary Board
- 4 Disciplinary Summaries
  - District Committees
- 5 Reinstatement Petitions
  - Joseph Dee Morrissey
  - Salvage DeLacy Stith
- 6 Proposal for Public Comment
  - Bylaws of the Virginia State Bar and Council, Part II, Article VIII Standing Committees

- 7 Approved Rule Changes
  - Rules of the Virginia Supreme Court Part 6, § IV, ¶ 17
     Mandatory Continuing Legal Education Rule
- 7 Notice to Members
  - License Forfeitures
- 8 Nominations Sought for Special Board and Committee Vacancies

### DISCIPLINARY PROCEEDINGS

Respondent's Name	Address of Record	Action	Effective Date	page
Circuit Court Jason Matthew Head George Anthony Yancey	Virginia Beach, VA Norfolk, VA	Suspension w/Terms–30 days Public Reprimand	December 16, 2010 October 27, 2010	3
, ,				
Disciplinary Board				
Gerald Manly Bowen	Herndon, VA	Revocation	September 24, 2010	3
Reuben Voll Greene	Richmond, VA	Suspension w/Terms-60 days	January 27, 2011	3
Sara Davis Harman	Henrico, VA	Suspension–3 years	December 10, 2010	3
Jason Matthew Head	Virginia Beach, VA	CRESPA Registration Revoked	December 10, 2010	3
		CRESPA Penalty	December 10, 2010	3
		Suspension-20 days	January 1, 2011	3
Sol Zalel Rosen	Arlington, VA	Revocation	December 7, 2010	4
Carlotta Bernice Thompson	Richmond, VA	Revocation	December 9, 2010	4
Bradley Douglas Wein	Richmond, VA	Suspension-6 months	September 24, 2010	4
, 0		Suspension–4 years	September 24, 2010	4
District Committees				
Mark Michael Kantro	Norfolk, VA	Public Reprimand w/Terms	December 21, 2010	4
Donald Francis Lynch III	Richmond, VA	Public Admonition	December 1, 2010	4
Suspension—Failure to Pay Disciplinary Costs		Effective Date	Lifted	
Denis Joseph McCarthy	Blackstone, VA	January 19, 2011		
Dennis Lamar Montgomery	Suffolk, VA	October 2, 1996	December 22, 2010	n/a
Joseph Dee Morrissey	Henrico, VA	June 21, 2001	December 28, 2010	n/a
Suspension—Failure to Comply with Subpoena		Effective Date	Lifted	
James Fred Sumpter	Midlothian, VA	January 5, 2011	January 27, 2011	n/a

# Virginia Lawyer Register

The Official Publication of the Virginia State Bar

Editor: Rodney A. Coggin Assistant Editor: Dawn Chase Design & Production: Madonna G. Dersch

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.

Virginia Lawyer (USPS 660-120, ISSN 0899-9473) is published ten times a year in alternating formats by the Virginia State Bar, Eighth & Main Building, 707 East Main Street, Suite 1500, Richmond, Virginia 23219-2800; telephone (804) 775-0500. Subscription Rates: \$18.00 per year for nonmembers. This material is presented with the understanding that the publisher and the authors do not render any legal, accounting, or other professional service. It is intended for use by attorneys licensed to practice law in Virginia. Because of the rapidly changing nature of the law, information contained in this publication may become outdated. As a

result, an attorney using this material must always research original sources of authority and update information to ensure accuracy when dealing with a specific client's legal matters. In no event will the authors, the reviewers, or the publisher be liable for any direct, indirect, or consequential damages resulting from the use of this material. The views expressed herein are not necessarily those of the Virginia State Bar. Periodical postage paid at Richmond, Virginia, and other offices.

#### POSTMASTER:

Send address changes to Virginia State Bar Membership Department Eighth & Main Building 707 East Main Street, Suite 1500 Richmond, Virginia 23219-2800 The following are summaries of disciplinary actions for violations of the Virginia Rules of Professional Conduct (RPC) (Rules of the Virginia Supreme Court Part 6, § II, eff. Jan. 1, 2000) or another of the Supreme Court Rules (Rules).

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

### CIRCUIT COURTS

### JASON MATTHEW HEAD

Virginia Beach, Virginia

Effective December 16, 2010, a three-judge panel in the Virginia Beach Circuit Court suspended Jason Matthew Head's license to practice law for thirty days and imposed terms for violating professional rules that govern diligence; communication; safekeeping property; truthfulness in statements to others; communications concerning a lawyer's services, firm names and letterheads; and misconduct involving dishonesty, fraud, deceit, or misrepresentation that reflects adversely on the lawyer's fitness to practice. Violations were found in five cases. Six other cases were dismissed. RPC 1.3(a); 1.4(a); 1.15(a)(1),(2), (e)(1) (i-v); 4.1(a); 7.1(a)(1); 7.5(a); 8.4(c)

http://www.vsb.org/docs/Head-010511.pdf

### GEORGE ANTHONY YANCEY

Norfolk, Virginia

10-022-083268

On November 15, 2010, a three-judge panel in the Norfolk Circuit Court issued a public reprimand to George Anthony Yancey for violating disciplinary rules that govern diligence and terminating representation. The three-judge court affirmed the sanction imposed by the Virginia State Bar's Second District Committee, Section II, for failing to comply with the terms of an earlier disciplinary matter. Rules Part 6, § IV, ¶ 13-16BB

Circuit court order: http://www.vsb.org/docs/Yancey-CC-010311.pdf

District committee order: http://www.vsb.org/docs/Yancey-010311.pdf

### DISCIPLINARY BOARD

### GERALD MANLY BOWEN

Herndon, Virginia

08-051-071879

On September 24, 2010, the Virginia State Bar Disciplinary Board revoked Gerald Manly Bowen's license to practice law for violating professional rules that govern fairness to opposing party and counsel, unauthorized practice of law, failing to respond to a lawful demand for information from the bar, and misconduct that involves dishonesty, fraud, deceit, or misrepresentation. RPC 3.4(d); 5.5(a)(1); 8.1(c); 8.4(a),(c)

http://www.vsb.org/docs/Bowen-Revocation-113010.pdf

#### REUBEN VOLL GREENE

Richmond, Virginia

09-033-076046, 09-033-078166, 10-033-081354, 10-033-080223

Effective January 27, 2011, the Virginia State Bar Disciplinary Board suspended Reuben Voll Greene's license to practice law for sixty days and imposed terms on the suspension for violating professional rules that govern competence, diligence, communication, fees, safekeeping property, fairness to opposing party and counsel, and misconduct that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice. This was an agreed disposition of disciplinary charges. Violations were found in three cases. One case was dismissed on the bar's motion for lack of clear and convincing evidence. RPC 1.1; 1.3(a); 1.4(a); 1.5(a)(1-8); 1.15(a)(1),(2), (e)(1)(i-v), (f)(2),(3),(4)(i),(ii), (5)(i-iii), (6); 3.4(d),(g); 8.4(b)

http://www.vsb.org/docs/Greene-Reuben-020311.pdf

### SARA DAVIS HARMAN

Henrico, Virginia

10-032-080215

Effective December 10, 2010, the Virginia State Bar Disciplinary Board suspended Sara Davis Harman's license to practice law for three years. The board found she violated disciplinary rules that govern competence, diligence, communication, conflict of interest involving a former client, imputed disqualification, declining or terminating representation, and misconduct involving dishonesty, fraud, deceit, or misrepresentation that reflects adversely on the lawyer's fitness to practice. This was an agreed disposition of misconduct charges. RPC 1.1; 1.3(a); 1.4(a),(b); 1.9(a); 1.10(a); 1.16(d),(e); 8.4(c)

http://www.vsb.org/docs/Harman-010311.pdf

### JASON MATTHEW HEAD

Virginia Beach, Virginia

10-000-082957

Effective January 1, 2011, the Virginia State Bar suspended Jason Matthew Head's license to practice law for twenty days for violating requirements of the Consumer Real Estate Settlement Protection Act. The board also fined him \$3,000 and revoked his CRESPA registration, effective December 10, 2010. This was an agreed disposition of CRESPA charges. Virginia Code § 6.1-2.21, § 6.1-2.23; 15 VAC 5-80-30, 5-80-50

http://www.vsb.org/docs/Head-010311.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/valawyermagazine/Register\_2011-03.pdf.

### DISCIPLINARY BOARD

#### SOL ZALEL ROSEN

Arlington, Virginia

09-021-078910

On December 7, 2010, the Virginia State Bar Disciplinary Board revoked Sol Zalel Rosen's license to practice law. In consenting to the revocation, Mr. Rosen acknowledged the truth of the material facts of a pending disciplinary matter and that he could not successfully defend against it. Rules Part 6, § IV, ¶ 13-28

http://www.vsb.org/docs/Rosen-Consent-Revoc-010311.pdf

### CARLOTTA BERNICE THOMPSON

Richmond, Virginia

 $08-032-074710,\ 08-032-075416,\ 09-032-076423,\ 09-032-076797,\ 09-032-077036,\ 09-032-077496,\ 09-032-078036,\ 09-032-077730,\ 09-032-077797,\ 09-032-078520,\ 10-032-080899$ 

On December 9, 2010, the Virginia State Bar Disciplinary Board revoked Carlotta Bernice Thompson's license to practice law for violating professional rules that govern diligence, communication, fees, safekeeping property, declining or terminating representation, false statements to a tribunal, failing to respond to the bar's lawful demand for information, and dishonest conduct that reflects adversely on a lawyer's fitness to practice. RPC 1.3(a),(b); 1.4(a); 1.5(a)(1-8); 1.15(a)(1),(2), (c)(3), (e)(1)(i-v), (2)(i-iii); 1.16(a)(1), (c-e); 3.3(a) (1),(4); 8.1(c); 8.4(b),(c)

http://www.vsb.org/docs/Thompson-Revocation-011811.pdf

# Attorney Records Search Features

The Virginia State Bar provides several ways to research an attorney's status and record.

The Attorney Records Search at http://www.vsb.org/attorney/attSearch.asp offers three options:

### DISCIPLINED ATTORNEYS

Provides links to a Virginia attorney's public disciplinary orders.

# Attorneys without Malpractice Insurance

A database of lawyers who have certified that they represent clients drawn from the public and do not carry legal malpractice insurance.

### Attorneys Not in Good Standing

Members of the Virginia State Bar who are not eligible to practice law because their licenses are suspended administratively or suspended or revoked for disciplinary reasons.

### Bradley Douglas Wein

Richmond, Virginia

07-032-0903, 07-032-1855, 08-032-073809

On September 24, 2010, the Virginia State Bar Disciplinary Board suspended Bradley Douglas Wein's license to practice law for four years in one case and six months in another, to run concurrently. The board found he violated professional rules that govern diligence, conflict of interest: general rule, conflict of interest: prohibited transactions, safekeeping property, declining or terminating representation, responsibilities regarding nonlawyer assistants, and misconduct that reflects adversely on the lawyer's honesty, trustworthiness, or fitness to practice. A third case was dismissed for lack of clear and convincing evidence. RPC 1.3(c), 1.7(a)(2); 1.8(a); 1.15(a)(1-2), (b), (c)(3),(4); 1.16(a)(1); 5.3(a),(b),(c)(1),(2); 8.4(a-c)

http://www.vsb.org/docs/Wein-final-120910.pdf

### DISTRICT COMMITTEES

### MARK MICHAEL KANTRO

Norfolk, Virginia

09-021-079252

On December 21, 2010, a Virginia State Bar Second District–Section I Subcommittee issued a public reprimand with terms to Mark Michael Kantro for violating disciplinary rules that govern diligence and fees. This was an agreed disposition of misconduct charges. RPC 1.3(a-c); 1.5(a)

http://www.vsb.org/docs/Kantro-010311.pdf

### DONALD FRANCIS LYNCH III

Richmond, Virginia

09-033-076156

On December 1, 2010, a Virginia State Bar Third District Subcommittee issued a public admonition to Donald Francis Lynch III for violating professional rules that govern diligence and communication. RPC 1.3(a); 1.4(c)

http://www.vsb.org/docs/Lynch-010311.pdf

# 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 at membership@vsb.org or (804) 775-0530 with questions.

The Virginia State Bar Disciplinary Board seeks information about the following petitioners' fitness to practice law. Written comments or requests to testify at a hearing may be submitted to Barbara S. Lanier, Clerk of the Disciplinary System, 707 East Main Street, Suite 1500, Richmond, Virginia 23219, or to clerk@vsb.org by the date of deadline. Comments will become part of the public record.

### JOSEPH DEE MORRISSEY

Deadline for comment: April 13, 2011

Pursuant to Part 6, Section IV, Paragraph 13-25 of the Rules of the Supreme Court of Virginia, Joseph Dee Morrissey petitioned the Supreme Court on July 2, 2010, for reinstatement of his license to practice law. The Virginia State Bar Disciplinary Board will hear the petition on April 22, 2011, at 9 AM at the Workers' Compensation Commission, 1000 DMV Drive, Courtroom A, Richmond. After hearing evidence and oral argument, the Disciplinary Board will make factual findings and recommend to the Supreme Court whether the petition should be granted or denied.

The Virginia State Bar Disciplinary Board revoked Mr. Morrissey's license on April 25, 2003, for failing to comply with the obligations imposed by Part Six, Section IV, Paragraph 13.K.(1) of the Rules of the Supreme Court of Virginia to give timely notice of the suspension of his law license to his clients, opposing counsel, and courts before which matters were pending; to make appropriate arrangements in compliance with the wishes of his clients; and to furnish proof thereof to the Virginia State Bar. This action derived from the suspension imposed upon him in a proceeding styled *Virginia State Bar, ex rel, Third District Committee, Section II, Joseph D. Morrissey*, Chancery No. HK, 1655 (Richmond Cir. Ct. Feb. 18, 2000).

At the time of the hearing that resulted in the revocation of his law license, Mr. Morrissey's prior disciplinary record (received into evidence by the Disciplinary Board at the April 25, 2003 revocation hearing) included three dismissals with terms, one private reprimand, one public reprimand, a six-month suspension, a three-year suspension, and a show-cause summary suspension of his law license based on his disbarment by the United States District Court for the Eastern District of Virginia (the show cause matter was dismissed subject to an agreement described below).

Specifically, Mr. Morrissey's record includes:

- a dismissal with terms in April 1990 that required him to attend the Virginia State Bar Professionalism Course and certify that he would establish and maintain a trust account if he returned to private practice;
- a dismissal with terms in September 1990 that required him to attend two hours of legal ethics training after findings that he represented a criminal defendant in the same matter for which he previously prosecuted him while serving as commonwealth's attorney;
- a dismissal with terms in June 1993 that required him to write a letter
  of apology to the presiding judge in a case in which he, while serving
  as commonwealth's attorney, amended a felony warrant of arrest for
  drunken driving down to misdemeanor reckless driving without leave of
  court;
- a private reprimand in December 1990 for failing to perfect two criminal appeals and for failing to keep the client reasonably informed about them;
- a public reprimand in March 1992 for his involvement, while serving as commonwealth's attorney, in a fist fight with opposing counsel in a criminal trial conducted in the Circuit Court for the City of Richmond (see *Morrissey v. Virginia* State Bar, 260 Va. 472, 488, 538 S.E.2d 677, 680 Va. 2000);
- a six-month suspension in December 1993 for misconduct that constituted "dishonesty, fraud, deceit, or misrepresentation" in arranging a plea bargain in a rape case in which the charge was reduced to a misdemeanor and the defendant's father paid \$25,000 to the victim and \$25,000 to charities designated by Mr. Morrissey while Mr. Morrissey

was serving as commonwealth's attorney, and for concealing this portion of the agreement from the victim, who had indicated to Mr. Morrissey that she wanted more than \$25,000 as an "accord and satisfaction" (See *Morrissey v. Virginia State Bar*, 248 Va. 334, 338, 448 S.E.2nd 615, 617 Va. 1994);

- a three-year suspension in December 1999 deriving from his conviction on two counts of contempt for violating Local Rule 57 (C) of the United States District Court for the Eastern District of Virginia (making public statements about the identity, testimony or credibility of prospective witnesses), for which he was sentenced to ninety days' imprisonment followed by three years of probation, and a third citation of contempt for his angry outburst directed at the presiding judge during a sentencing hearing in the Chesterfield County Circuit Court (see *Morrissey v. Virginia State Bar*, 260 Va. at 477, 538 S.E.2d at 679); and
- a show-cause summary suspension of his law license in October 2002 deriving from his disbarment from practice in the U.S. District Court for the Eastern District of Virginia, effective December 21, 2001, in which the court addressed the matters set forth above and Mr. Morrissey's subsequent violations of the conditions of probation (attempting to circumvent the conditions of probation and lying to probation officer), resulting in an additional ninety-day jail sentence and the revocation of his probation. See *In re: Joseph D. Morrissey*, 305 F.3d 211 (4th Cir. 2002). In return for Mr. Morrissey's withdrawal of the appeal of the April 2003 revocation of his law license, the Virginia State Bar agreed to dismiss the show cause matter.

In his July 2, 2010, petition, Mr. Morrissey states that his license to practice law has been suspended or revoked for ten years; that he earned a master of laws degree, graduating with honors, from Trinity College, Dublin, in 2003; that he was scheduled to take the Multistate Professional Responsibility Exam on August 6, 2010, and was nearing completion of sixty hours of continuing legal education credits, at least ten of which were in ethics or professionalism; that he has kept abreast of the law as a teacher, student, and state legislator; that he taught law school at the Dublin Institute of Technology for two years (2001-2003); that he was a lecturer of law at Portobello College, Ireland (2001-2002); that in Australia he taught law school at the University of Adelaide and the University of Western Sydney; and that he serves as a delegate in the Virginia General Assembly. He attached letters from law school officials describing his student record and teaching and advocacy abilities.

Copies of Mr. Morrissey's disciplinary orders are available from the clerk at clerk@vsb.org or (804) 775-0539.

### SALVAGE DELACY STITH

Deadline for comment: May 11, 2011

Pursuant to Part 6, Section IV, Paragraph 13-25 of the Rules of the Supreme Court of Virginia, Salvage DeLacy Stith petitioned the Court on June 10, 2010, for reinstatement of his license to practice law. The Virginia State Bar Disciplinary Board will hear the petition on May 20, 2011, at 9 AM at the State Corporation Commission, Tyler Building, 1300 East Main Street, Second Floor, Courtroom A, Richmond. After hearing evidence and oral argument, the Disciplinary Board will make factual findings and recommend to the Supreme Court whether the petition should be granted or denied.

The Virginia State Bar Disciplinary Board revoked Mr. Stith's license on June 24, 1994, for improper record keeping that resulted in overdrafts of his trust account, and for neglect of client legal matters in three criminal cases in which he failed to appeal properly.

At the time of the hearing that resulted in his disbarment, Mr. Stith's prior disciplinary record included three private reprimands, two public reprimands, a three-year suspension, a twelve-month suspension, and an agreed disposition of other wrongdoing.

Specifically, Mr. Stith's record includes:

• a private reprimand in 1978 for failure to perfect an appeal;

- an agreed disposition in 1983 in which he agreed not to make loans to clients and not to endorse clients' names to settlement checks;
- a private reprimand in 1984 for commingling funds and failing to maintain his trust account properly;
- a private reprimand in 1986 for mishandling a case;
- a public reprimand in 1987 for neglect of a divorce matter;
- a three-year suspension in 1987 for making loans to himself out of his trust account;
- a public reprimand in 1993 for failure to perfect an appeal; and
- a twelve-month suspension in 1993 for continuing to represent a client after he had been discharged by the client.

This is Mr. Stith's fourth petition for reinstatement. The first was denied by the Supreme Court on May 19, 1999, as insufficient to support a referral to the

Disciplinary Board. The second was denied by the Court without opinion on October 2, 2001; on that occasion a Disciplinary Board panel recommended reinstatement, with two members filing a written dissent. The third was denied by the Court on June 18, 2007, without opinion, following a board recommendation that reinstatement be denied.

In his June 10, 2010, petition, Mr. Stith states that it has been seventeen years since his revocation; he taught for sixteen years on the faculty of Elizabeth City State University and retired as an associate professor with tenure in the Social Sciences Department; and he has kept abreast of legal developments by attending continuing legal education programs at annual conventions of the Old Dominion Bar Association and by reading legislative digests and appellate opinions of the Virginia Court of Appeals and the Supreme Court of Virginia.

Copies of Mr. Stith's disciplinary orders are available from the clerk at clerk@vsb.org or (804) 775-0539.

### PROPOSAL FOR PUBLIC COMMENT

The following proposal is published for public comment and is scheduled to be considered at the Virginia State Bar Council meeting on June 16, 2011. Comments should be submitted in writing to Karen A. Gould, Executive Director, Virginia State Bar, 707 E. Main Street, Suite 1500, Richmond, VA 23219, no later than end of business on the day of deadline.

# Bylaws of the Virginia State Bar and Council Part II, Article VIII

### STANDING COMMITTEES

Deadline for comment: May 10, 2011

The proposal would change from three to two the number of Virginia State Bar Council members required to serve on the Standing Committees on Legal Ethics and Unauthorized Practice of Law.

Text of proposed changes (new language indicated by underlining):

Sec. 1. Committee on Legal Ethics — There shall be a standing committee to be appointed by the president and to be known as the Committee on Legal Ethics. The committee shall consist of nine active members of the bar, at least three two of whom shall be members of the Council. All powers and duties of the Council with respect to legal ethics, not otherwise delegated or reserved, shall be exercised and discharged by the committee.

Members shall be appointed to three-year terms. No member shall serve more than two consecutive three-year terms. A member appointed to fill an unexpired term shall be eligible to serve two additional full three-year terms. An eligible member wishing to be reappointed 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.

Sec. 2. Committee on Unauthorized Practice of Law — There shall be a standing committee to be appointed by the president and to be known as the Committee on the Unauthorized Practice of Law. The committee shall consist of nine members. Seven of the members shall be active members of the bar, at least three two of whom shall be members of the Council. Two of the members shall be non-lawyers. All powers and duties of the Council with respect to the unauthorized practice of the law, not otherwise delegated or reserved, shall be exercised and discharged by the committee.

Members shall be appointed to three-year terms. No member shall serve more than two consecutive three-year terms. A member appointed to fill an unexpired term shall be eligible to serve two additional full three-year terms. An eligible member wishing to be reappointed 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.

Details: Proposal posted online at http://www.vsb.org/pro-guidelines/index.php/rule\_changes/item/amendments-to-bylaws-for-vsb-standing-committees/

# LEGAL ETHICS HOTLINE

The Virginia State Bar answers lawyer's legal ethics questions in two ways:

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

### APPROVED RULE CHANGE

# Rules of the Virginia Supreme Court Part 6, § IV, ¶ 17

### MANDATORY CONTINUING LEGAL EDUCATION RULE

Effective: January 7, 2011

The Supreme Court of Virginia approved amendments to the Mandatory Continuing Legal Education Rule that:

- increase the number of MCLE Board members required to approve new regulations or amendments from three (a majority of a board quorum) to seven (a majority of the twelve-member board);
- require the board to submit proposed regulations to the Virginia State Bar Council for advice and comment before they are adopted; and
- authorize the council to reject, by a two-thirds vote of council members
  present and voting, board-approved new or amended regulations. This
  authority begins with regulatory changes by the board on or after July
  1, 2010. A rejection would result in suspension of enforcement of the
  regulation until it has been approved or modified by the Supreme Court.

Details: http://www.vsb.org/pro-guidelines/index.php/rule\_changes/item/amendments-to-paragraph-17-regarding-mcle-rule/

### LICENSE FORFEITURES

The names of Virginia State Bar members who have forfeited their licenses to practice law for failure to pay annual membership fees are posted at <a href="http://www.vsb.org/site/members/license-forfeitures/">http://www.vsb.org/site/members/license-forfeitures/</a>. Forfeiture is governed by \$54.1-3914, Code of Virginia. The list is current as of February 4, 2011.

# THE VSB E-NEWS

Have you been receiving the Virginia State Bar E-News?

It is sent once a month and is a brief summary of deadlines, programs, rule changes, and news.

The E-News is e-mailed to all VSB members except those who opt out.

If your Virginia State Bar E-News is being blocked by your spam filter, contact your e-mail administrator and ask to have the VSB. org domain added to your permissions list.

### ATTORNEY NAME CHANGES

To change your name of record with the Supreme Court of Virginia and the Virginia State Bar, do the following:

- Fill out an "Attorney Name Change" petition. The petitions one for name change by circuit court order and another for name change by marriage are posted at http://www.courts.state.va.us/courts/scv/forms.html.
- Send to the Supreme Court with a copy of the certificate of marriage or court order. The address is at the bottom of the forms.
- Include a check for \$14 if you want a new certificate of qualification, or \$10 if you don't want a certificate.

Name changes take about a month to process.

Questions should be addressed to the Supreme Court Clerk's Office at 786-2251.

# Webcast Space Available for Indigent Defense Seminar

Criminal defense lawyers can still sign up for the webcasts of "Indigent Criminal Defense: Advanced Skills for the Experienced Practitioner" on Friday, April 29, 2011. Space is available at Blue Ridge Community College in Weyers Cave and the Wytheville Meeting Center.

The live program in Richmond is full.

This is the seventh year for the continuing legal education program, which is open without charge to public defenders and court-appointed counsel who have been certified by the Virginia Indigent Defense Commission to represent indigent criminal defendants. Advance registration is required.

The program is sponsored by the Chief Justice and other justices of the Supreme Court of Virginia, the Chief Justice's Indigent Training Initiative, and the Virginia State Bar. For details, see <a href="http://www.vsb.org/special-events/indigent-defense/">http://www.vsb.org/special-events/indigent-defense/</a>.

# Nominations Sought for Board And Committee Vacancies

Volunteers are needed to serve the Virginia State Bar's boards and committees. The Nominating Committee will refer nominees to the VSB Council for consideration at its June meeting.

Vacancies in 2011 are listed below. All appointments or elections will be for the terms specified, beginning on July 1, 2011.

### EXECUTIVE COMMITTEE

6 vacancies (of which 4 current members are eligible for reelection and 2 current members are not eligible for reelection). Filled from ranks of the council for 1-year terms, by council election.

### CLIENTS' PROTECTION FUND BOARD

3 lawyer vacancies (2 current lawyer members from the Third and Eighth disciplinary districts are not eligible for reelection, and 1 current lawyer member is eligible for reelection). May serve 2 consecutive 3-year terms. Elected by council.

# JUDICIAL NOMINATIONS COMMITTEE

4 vacancies and 2 member-at-large vacancies (of which 1 vacancy is to be filled by a member from the 6th, 11th 12th, 13th or 14th judicial circuits; the 2nd vacancy is to be filled by a member from the 17th or 18th judicial circuits, the 3rd vacancy is be filled by a member from the 10th 21st, 22nd or 24th judicial circuits, the 4th vacancy must be filled by a member from the 27th, 28th, 29th or 30th judicial circuits; and 2 member-at-large members are not eligible for reelection). May serve 1 full 3-year term. Elected by council.

### Virginia Law Foundation Board

2 lawyer vacancies and 1 lay member vacancy (of which 2 current lawyer members are not eligible for reelection; and 1 lay member is eligible for reelection). May serve 2 consecutive 3-year terms. Elected by VLF Board on recommendation of council.

### VIRGINIA CLE COMMITTEE

6 lawyer vacancies (of which 4 lawyer members are eligible for reelection to 1-year terms and 2 lawyer members are not eligible for reelection to 1-year terms). Elected by VLF Board on recommendation of council.

# AMERICAN BAR ASSOCIATION DELEGATES

4 vacancies (of which 2 present delegates are eligible for reelection, 1 present delegate is not eligible for reelection; and 1 present Young Lawyers Conference delegate is not eligible for reelection). May serve 3 consecutive 2-year terms. Elected by council.

Nominations, along with a brief résumé, should be sent by April 29, 2011, to

VSB Nominating Committee,

c/o Valerie Breeden, Virginia State Bar 707 East Main Street, Suite 1500, Richmond, VA 23219-2800.