

Virginia Lawyer

VOL. 73/NO. 2 • August 2024

The Annual Meeting Issue

The Constitutionality of
Virginia's Mask Laws

Trust but Verif-AI:
AI and Your
Law Practice

VIRGINIA LAWYER ASSOCIATION

The Organization of the Virginia State Bar



President Michael M. York

One Reporter Walks into Five Bars: The Journalist and the Lawyer

by Deirdre Hanley Norman

There's an old joke in newspaper journalism: "It's a tough job with long hours and low pay, but at least everyone hates you." Like journalists, lawyers know all too well the reality of bearing the brunt of animosity when delivering news no one wants to hear or being the lightning rod taking the heat in acrimonious disagreements. So, imagine being both.

Michael M. York, the Virginia State Bar's 86th president, graduated from the University of North Carolina Law School in 1978, but unlike his peers, York pursued journalism. He moved to Kentucky to work as a reporter for the *Lexington Herald-Leader* (taking both the Kentucky and North Carolina Bar exams in 1979). By 1986, he had won the Pulitzer Prize for Investigative Reporting¹ for uncovering a "pay for play" operation inside the University of Kentucky's powerhouse men's basketball program.

Back then, college basketball coaches regarded Kentucky as the sport's Darth Vader when it came to obeying NCAA rules, York says. But in Kentucky, UK basketball was almost a religion. Kentucky Wildcat fans were furious, and, according to the *New York Times*, the *Herald-Leader* received threats, advertising boycotts, and numerous angry letters including one to the publisher that said, "Dear Sir: May the sprays of a million polecats fall upon your presses and linger there through eternity. Go Big Blue!"² York has the letter framed in his office.

A graduate of the University of Kentucky's journalism school, York and colleague Jeffrey Marx spent almost seven months on the story that found many of the players were receiving cash and improper gifts from a group of boosters.

Says York, "It may seem quaint now, but in those days, it was a serious rule violation for players to accept money or

gifts from boosters, and yet Kentucky had used that tactic probably as effectively as any school in the country to foster their program."

York credits *Herald-Leader* editor John S. Carroll for giving reporters the time and resources to do the story right. "John was a mentor and has been a major inspiration," York said. The *New York Times* described Carroll in his 2015 obituary as "one of the most influential newspaper editors of his era" who saw journalists "almost as public servants and a free press as essential to a self-governing nation."³

York agrees, "As both a lawyer and former journalist, I have been part of two professions not always viewed in favorable terms, but both are essential to sustaining our democracy."

He had been covering federal courts for the *Washington Post* from a small office in the federal courthouse with easy access to judges, and a number of them encouraged him, as he says, "to practice rather than preach."

It wasn't all Pulitzers and hate mail for York in Lexington, however. It was there he met fellow reporter Becky Todd of Richmond, Kentucky. York says she asked him to marry her on their first date, but Becky says, "Well, I said to him, 'I think we would make good partners.'"

And Becky was right. Married some 41 years and three children (Emily, James, and Natalie) later, the two former reporters have crafted a partnership where they finish each other's sentences, agree to disagree, and laugh about the car rides where Becky asked York prep questions for two more bar exams—the

District of Columbia and the U.S. Virgin Islands. York refers to Becky as his "managing partner."

After their marriage, Becky became a stepmother to Emily, and the couple moved to the D.C. area, where York became the Lexington paper's Washington correspondent. The Yorks later moved to Vienna, where they've lived in the same house for nearly 37 years.

Born in High Point, North Carolina, his father's hometown, York lived in Georgia when he was a toddler, then moved to Richmond, where he spent his early grade-school years and welcomed a brother. The family then settled in Roanoke for seven years. York played tenor saxophone in the jazz band and baseball in his two years at Patrick Henry High School before his father, a grocery store accountant, was transferred to Louisville, Kentucky, at the beginning of his junior year. His mother, whose parents were textile mill workers, worked as a tailor.

Like most people who end up being president of the Virginia State Bar, York always had a proclivity toward leadership and service. York entered his third year of high school like most new kids: friendless and disoriented. Unlike most new kids, he saw an opportunity and the next spring ran for Student Government Association president, with the idea of creating a program to welcome new kids to the school and help all students find summer jobs. York was elected, just as he would later be elected president of his UNC law school class.

York says he got hooked on journalism at 19 years old as a college reporter traveling on the press plane at the end of the 1972 presidential campaign with Democratic candidate U.S. Sen. George McGovern. After a *Tampa Tribune* summer internship, York was offered a job to start upon his December college

graduation. Then a recession hit, and the paper instituted a hiring freeze.

So York moved to D.C., where he drove a cab and was even briefly the chauffeur to the ambassador of Bangladesh. “I had taken the LSAT in Tampa, so I decided to apply to law schools,” York says. The leader of a trade association who was a passenger in York’s cab gave him a newsletter job that he held before heading off in the fall for Chapel Hill.

Would he have gone to law school if the first journalism job offer had come through? “Hard to know,” York says. “But I’ve been fortunate and grateful for the way things unfolded.”

His legal training helped York at the *Washington Post*, where he was hired as part of an investigative team covering D.C. Mayor Marion Barry during numerous controversies, including his alcohol and cocaine addictions.

Reporting on Barry, who once famously said of himself, “I may not be perfect, but I’m perfect for Washington,”⁴ took York to the U.S. Virgin Islands at least once a month for a year. Barry was eventually arrested for crack cocaine use and possession in a 1990 FBI and D.C. Police sting operation. York covered Barry’s trial and conviction, which became front-page news around the world.

“It was a three-year intense assignment for me and too much time away from home,” York said. “But I think the *Post*, as the newspaper covering an important story and navigating the complicated racial undercurrents, did exemplary work with the reporting.”

Other assignments for the *Post* included being the first American reporter to write about the former Soviet Union’s state airline, Aeroflot. “And when I let an editor know of the dismal pass rate of students taking the D.C. Bar Exam, he insisted I take the bar exam and write about it,” York said. “That’s how I was able to be admitted into the D.C. Bar 15 years after law school.”

Eventually, York decided to leave reporting and establish a litigation practice in Washington, D.C. He had



1. Mike, Becky, and baby James.
2. Mayor Marion Barry and Mike after a tennis match, signed: “To Mike York—a good tennis partner and ‘sometimes’ good reporter. Seriously it has been good knowing you.”
3. Mike with his Aunt Janice Sparks and cousin Lynn York at a UNC basketball game.
4. Mike’s news media badge.



TO Mike York -
a good tennis partner and
“sometimes” good reporter. Seriously
It has been good knowing you.
Marion Barry
8-8-90



been covering federal courts for the *Washington Post* from a small office in the federal courthouse with easy access to judges, and a number of them encouraged him, as he says, “to practice rather than preach.”

When his friend, former federal prosecutor Steve Wehner, asked him to join a new law firm, York made the move. He met Wehner years earlier in Philadelphia on a reporting assignment when Wehner’s office was investigating a drug and gun smuggling operation involving some former Lexington, Kentucky, police officers.

York joined Wehner and his wife, Kay Brown, to start Wehner & York in

1994. Marion Barry’s lawyer, R. Kenneth Mundy, sent York a bottle of champagne (and later moved York’s admission into the U.S. Supreme Court Bar). “Welcome to the good guys,” Mundy wrote on the congratulatory card.

“Steve and Kay were very generous to help me get started, and thankfully Becky had a great job and was very supportive, as it took a while to attract any clients,” York said.

His skills as a reporter helped build his litigation practice, and the small

2024–2025 VSB President



1. The extended York family celebrating his Aunt Janice's 90th birthday.
2. Mike and Becky's wedding.
3. Daughter Natalie and Mike on a ferry in Scotland.
4. Mike and daughter Emily at Wrigley Field to see the Cubs vs the Nationals.



firm grew. Sadly, Wehner died in a car accident in January 2000, just before the start of a major civil case defending a large law firm against a malpractice claim.

"It was a tragic loss, and a difficult time," York said. He decided to close the firm's D.C. and West Virginia offices and stay in his small Reston office, helping his associates until they found other jobs. He had recently finished the paperwork to be admitted to the Virginia State Bar and waived in that year. York kept the firm name as a tribute to his late partner, even as he transitioned to being a solo practitioner.

York counts himself fortunate that his Reston location of 25 years led to his close friendship with former VSB President Jay B. Myerson. The two share office space and a love of baseball.

York was a pioneer in the litigation communications field. "I had an opportunity to do things that most new practitioners wouldn't have because I had been a reporter and I was able to help clients with media coverage in high-profile cases, criminal investigations and administrative actions," York says. "I spent way too much time in trials and away from my family, but

it was important work and a real legal education." More recently, his work has been local.

In 2007, York decided to run for VSB Council in the 19th Judicial Circuit. He lost by a handful of votes. York says he was disappointed, "but things work out." In 2011, he was named to the Judicial Candidate Evaluation Committee. "That was where I got really hooked on bar service," he says. "And I learned an important lesson—former VSB President Jon Huddleston appointed me to that important committee even though we'd never met. He wanted new people. So, I followed his example this year when I made committee appointments with a lot of new names."

After that initial loss, York ran for VSB Council four times, won three terms, and served on a number of VSB committees (see sidebar). In his year as president, York hopes to focus on civility and decency in the profession and why civility is vital to our system of justice.

"I've had the rare good fortune to practice alongside some of the greats of our time. And to a person, the men and women who are put in that great category are among the most civil and decent."

York says he is eager to jump into

the role as VSB President. "It's humbling, but there's also a lot of challenging work ahead," he says. "We will stay busy traveling the state, talking with as many local bar groups as we can, spreading the mission of the VSB and encouraging more lawyers to get involved."

When not working, York likes spending time with his wife at their White Stone home on the Rappahannock River, enjoying family (including two grandchildren) and friends, and helping his almost 92-year-old aunt, who moved to the Northern Neck last year. York also enjoys playing the fiddle he took up a few years ago and notes his children are all musical. He's also a docent at the National Air and Space Museum's Udvar-Hazy Center (he learned to fly during law school).

When York ponders the professional journey that took him from journalism to leading the VSB, he often thinks of a long-ago visitor who showed up at his courthouse office days before he left the *Post*.

"It was Maurice Dunie, a former *Washington Post* reporter who had occupied my same office when the federal courthouse first opened in late 1952," York said. "He left his reporting

career to become an assistant U.S. attorney in D.C., then went into private practice some years later in Maryland. ‘It all worked out fine,’ he told me, and he had no regrets.”

York says it felt like a visit from a guardian angel, particularly because he and his close college friends have a long running practice of referring to each other as “Maurice” in honor of the Steve Miller Band hit “The Joker” and its line: “Some people call me Maurice...”

Dunie’s advice was so pivotal for York that he was moved to write an article for his church about his “Angel Named Maurice.”

“He appeared at a time when I appreciated the reassurance that this major career transition wasn’t a crazy idea,” says York. “And it all *has* worked out fine.”

Endnotes

- 1 “The 1986 Pulitzer Prize Winner in Investigative Reporting,” The Pulitzer Prizes, www.pulitzer.org, 1986, <https://www.pulitzer.org/winners/jeffrey-marx-and-michael-m-york>.
- 2 Douglas Martin, “Creed C. Black, Newspaper Executive, Dies at 86,” *New York Times*, nytimes.com, Aug. 17, 2011, <https://www.nytimes.com/2011/08/18/business/media/creed-c-black-newspaper-executive-dies-at-86.html>.
- 3 Jonathan Mahler, “John Carroll, Editor Who Reinvigorated *The Los Angeles Times*, Is Dead at 73,” *New York Times*, nytimes.com, June 14, 2015, <https://www.nytimes.com/2015/06/15/business/media/john-carroll-former-editor-of-los-angeles-times-dies-at-73.html>.
- 4 Godfrey Hodgson, “Marion Barry obituary,” *Guardian*, theguardian.com, Nov. 14, 2014, <https://perma.cc/UW56-9EEQ>.

Michael M. York

Founding Partner, Wehner & York, P.C.

Virginia State Bar:

Executive Committee
 VSB Council 19th Circuit
 Legal Ethics Committee, Chair
 Budget and Finance Committee
 Judicial Candidate Evaluation Committee
 Better Annual Meeting Committee
 Bench–Bar Relations Committee
 ABA Delegate

Admission to Practice:

Commonwealth of Virginia
 District of Columbia
 U.S. Virgin Islands

Professional Affiliations:

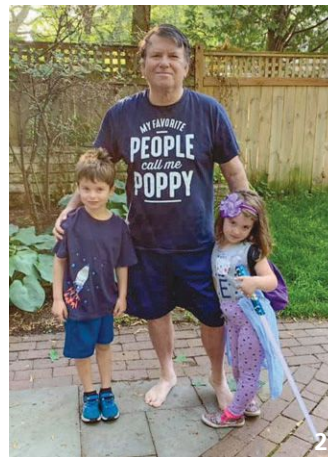
Virginia Law Foundation (VLF), Fellow
 VLF Continuing Legal Education Committee
 Virginia Bar Association
 Virginia Association of Criminal Defense Lawyers
 Northern Neck Bar Association
 Old Dominion Bar Association
 American Bar Association House of Delegates

Education:

J.D., University of North Carolina School of Law
 B.A., University of Kentucky

Family:

Becky Todd York, wife
 Father of three children: Emily, James, and Natalie



1. Mike attending fiddle camp on Isle of Skye, Scotland.
2. Mike with his two grandchildren.
3. Mike at Key West Airport during his honeymoon.
4. Mike’s first job in the newspaper business.

