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- LexisNexis Training, FREE CLE registration flyer
- 2004 Beat the Odds® order form and table reservation form

Hear Ye! Hear Ye!

News from the Prince William County Bar Association

Volume IX Issue III

April 2004

Presidents Message

By Scott Bailey

Well, it is now official. The Bailey/Whittington Chili Dog Event has been scheduled for May 5, 2004. We will gather at the Vienna Inn starting around 7:30, and the official event will kick off around 8:00. Please remember, this is not a reservation type place, so if you want to join in, show up early. It is the hope of both myself and my worthy opponent that many of you will take this opportunity to place gentleperson's bets on the outcomes and numbers, with the proceeds of any such wagers going to charity. I can't think of a finer recipient than our own Bar Foundation, but that is in your hands. This is not, as someone recently suggested, "two fat guys starved for attention eating a bunch of hot dogs." This will, I hope, become an annual event, something which will unite both our east/west brethren, as well the courthouse crowd and their office practice counterparts, into a cohesive bar. What better way to cement this newfound unity than by wagering on who will become sick the fastest on cheap greasy food? None, for my money.

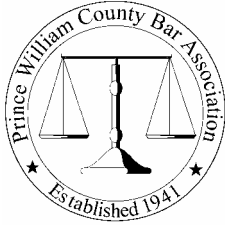
Those of you who missed the last bar luncheon missed an excellent talk by our State Bar President, Jeannie Dahnk. Jeannie congratulated our association on its pervasive presence in the newest Bar publication, "Legally Informed." Our association is, according to her, one of the foremost in the state in community outreach and member services initiatives, and even a cursory glance at this pamphlet bears that out.

Please make every effort to attend the next luncheon, April 2, at Jake's. Chief Justice Hassell will be our speaker. I would hope that we have a good crowd to welcome our relatively new Chief Justice, and with this in mind would encourage you all to actually RSVP so that we can get an accurate count. Those of you in regular attendance know that John O'Brien has really gone out of his way to make these lunches topnotch meals. Several of the items we have been served are now permanent additions to the menu. Vive les guinea pigs!!

I would also like to take this space to do something I rarely do, and that is make an actual plug for a program. John Whittington heads our Fee Dispute Resolution group, and is in dire need of lay professionals to help round out this valuable service, which mediates fee disputes between attorneys and their clients. If you know of anyone who owes you a favor or is a soft touch for community service, please get them connected with John. He really needs help, and in the long run it will benefit us all.

Speaking of John, he and several others have recently presented CLE's to our membership. John and Tracy Hudson recently presented a CLE on personal injury practice. Ray Pring gave a presentation on bankruptcy, Phillip Mulford on Mediation, and Judge O'Brien, joined by myself and Bob Coleman, presented a luncheon CLE on the Juvenile Drug Court. This has been a very successful program overall through the years, providing you with cheap hours and the bar with a little mad money. Anyone who would like to present a topic, don't be shy; step up to the plate.

Continued, Page 2



Prince William County
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Craig D. Johnston
Bar Council Rep. 2001-04
(703) 368-9196

Report from Bar Council

Craig D. Johnston, Bar Council Rep.

CALL FOR NOMINATIONS TO LOCAL DISCIPLINARY COMMITTEE

There will be three vacancies this year on our local State Bar Disciplinary Committee. A very important part of the State Bar's function is carried on by local disciplinary committees, which consider what action is appropriate to take in response to complaints against local attorneys. The positions are each for a three year term, commencing July 1, 2004, with an option for one additional term. I would ask that anyone who is interested in one of these positions, or who would like to nominate another for one, please call or fax Craig Johnston at 703-368-9196 (phone) or 703-361-0092 (fax).

Adult Detention Center Policy

By Major Charles "Skip" Land, Acting Superintendent

We are writing to inform the Bar Association of a policy change at our facility. Effective, May 1, 2004 attorneys will no longer be required to maintain an identification badge at the jail in order to visit a client. Attorneys will be asked to present a valid Virginia bar card and a photo ID in order to gain entry. Attorneys from outside of Virginia will be referred to the agency Director of Security, or a Shift Commander, for approval to visit.

We are making this change in an effort to make the entry process more efficient and would welcome any feedback from attorneys wishing to comment.

PWCBA Board Meeting Summary

By Michael Phipps, Secretary

The Prince William County Bar Association's February Board of Directors Meeting was held on Friday, February 27, 2004 at 4:00 p.m. at Jake's Seafood Restaurant.

Scott Bailey reported that John Whittington is looking for volunteers from the community to serve on the fee dispute resolution committee.

It was proposed that the PWCBA's regular luncheon meeting in May or June be replaced by an evening reception immediately following a forum by our local legislators. In this way the bar membership and the legislators could become better acquainted without the time constraints inherent to the luncheon.

The Board was reminded that the March general membership meeting would feature as our speaker, Virginia State Bar President, Jean Patricia Dahnk and our April general membership meeting would feature as our speaker, The Honorable Leroy Rountree Hassell, Sr., Chief Justice of the Supreme Court of Virginia.

The membership application of Christian P. Maimone was reviewed and the Board approved Mr. Maimone for membership.

President's Message, Continued

And, on the subject of plates, I end with yet another play for the B/WCDE. (I'm sure most of you can figure that out.) I really feel that events like this and our Jake's afterglows on Friday nights are important to us, personally and professionally. Y'all come.

Conference of Local Bar Associations

By Gifford Hampshire, Board Member at large

In early March I traveled to Richmond and Abington to the annual Virginia State Bar Conference of Local Bar Associations (CLBA) Bar Leaders Institute (BLI). This year, the BLI announced the translation of the *So You're 18* Handbook into yet another foreign language: Vietnamese. You may recall that the CLBA offered this Handbook in Spanish last year. Vietnamese is the second largest foreign language group in the Commonwealth. The CLBA has performed a valuable service in making its handbook available to many additional persons who cannot read or write English.

The Prince William Bar continues to be featured prominently at the BLI. Jeannie Dank, Virginia State Bar President, opened the Richmond BLI by recognizing the Prince William Bar as “winning hands-down” in the number of projects sponsored by a local bar. (You may recall that President Dank also voiced approval of our Bar and its works at the March membership luncheon) Prince William was also well represented by **Kristina Keach Spitler**, who spoke on the results of the Membership and Mentoring Committee she chairs. Kris did a great job of outlining for the group how the Committee continues to encourage new Prince William attorneys to join our dynamic Bar and to be mentored on the rules of civility and professionalism that characterize practice in the 31st Judicial Circuit.

The Richmond BLI was also noteworthy for its session on “Professionalism and Civility Issues from the Judicial Point of View” moderated by the Honorable Johanna Fitzpatrick, Chief Judge of the Virginia Court of Appeals. The panel also included the Honorable Thomas D. Horne of the Loudoun County Circuit Court, the Honorable Michael J. Cassidy, of the Fairfax County General District Court, the Honorable Bernard Goodwyn of the Chesapeake Circuit Court and the Honorable Anne B. Holton, of the City of Richmond Juvenile and Domestic Relations Court. Kris and I found valuable to hear from judges how an excess of lawyer zeal will sometimes result in uncivil behavior that actually compromises, rather than advances, the interests of clients. Chief Judge Fitzpatrick, for example, emphasized how invective towards opposing counsel detracts from legal argument on behalf of one’s client, especially given time and page limitations that are common in many courts.

Another interesting perspective came from Judge Horne. He emphasized that civility sometimes does not come easily to those who consider themselves advocates. He encouraged lawyers to count to ten during emotionally charged deposition or courtroom arguments. He observed that zealous advocacy crosses the line of civility in other ways, such as the improper use of discovery for the purpose of overwhelming one’s opponent rather than as a tool for determining the truth.

By the time you read this, I will have returned from the Abington BLI, which will feature the same topic of civility from the judicial point of view, but staffed by judges who sit in or hail from that far end of the Commonwealth, including The Honorable Cynthia D.F. Kinser, Justice, Supreme Court of Virginia. I will make a few notes and pass on the remarks in the next newsletter. Until then, be nice!

“So, You’re 18” Project Scheduled for Law Day

By Kathleen L. Farrell, Community Outreach Committee

The PWCBA's annual "So, You're 18" project is gearing up for the Law Day presentation in area high schools. The Community Outreach Committee is seeking members to go into the area high schools to educate seniors on the laws that await them as they turn 18. We provide the volunteers with a suggested format for the presentation, along with booklets published by the VSB to be distributed to the students, and usually arrange for teams of two attorneys for each presentation. **Anyone interested in participating, please contact Katie at Kathy Farrell’s office at (703) 335-9390 or by email at kfarrell@va-lawyers.com. We will have a sign up sheet available at the April luncheon meeting.**

2004

Standing Committee Chairs

Daniel G. Hayes
Budget and Audit
(703) 369-4738

Catherine S. Croft
CLE
(703) 335-9390

Kathleen Latham Farrell
Community Outreach
(703) 335-9390

Casey R. Stevens
Criminal Law
(703) 897-1777

Donna M. McIntosh
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Barbara M. Stough
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D. Scott Bailey
Judicial Liaison
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Paul F. Nichols
Judicial Screening
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Angela Lemmon Horan
Legislative Affairs
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Helen E. Marmol
Library
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Kristina Keech Spitler
Membership & Mentoring
(703) 369-4738

Amy Ashworth
Nominations
(703) 330-3200

Rusty von Keller
Pro bono
(703) 361-2299

D. Scott Bailey
Professionalism
(703) 792-6050

Wendy A. Alexander
Public Relations
(703) 330-7400

Prince William County Bar Association, Inc.

Office Hours

9:00 AM to 12:00 Noon
Monday through Friday
Afternoons by Appointment
Telephone (703) 393-2306
Fax (703) 331-5683

The PWCBA Office is located on the lower level of the Judicial Center in Circuit Court Archives.

Information about many of the **Bar Association's programs and services** is available through our web site at www.pwcba.org.

Guidelines for Submissions to *Hear Ye! Hear Ye!*

Submissions should be directed to the attention of Alissa N. Hudson, Executive Director, PWCBA via email to info@pwcba.org, or fax to (703) 331-5683, or may be mailed to her c/o Prince William County Bar Association, Inc., P.O. Box 31, Manassas, VA 20108. All submissions are due by 5:00 PM on the 10th of the month preceding publication and must include a contact name and phone number.

"**Letters to the Editor**" may be submitted for publication by members in good standing of the PWC Bar, and must not exceed 500 words in length. "Letters" may be edited for clarity or space conformity. All submissions must have a contact name and phone number, and will include the author's name in the newsletter.

For inquiries regarding classified or display advertising, contact the PWCBA office at (703) 393-2306, to request a copy of the most recent rate card, or visit the bar on line at www.pwcba.org under "About the Bar", "Advertising and Sponsorships".

This newsletter is printed by Battlefield Kwik Kopy.

New Children's Corner in J&DR District Court Waiting Area

By Alice Rowan, Children's Corner Task Group

The first floor of the Courthouse now has a bright, colorful new room. The room is filled with smiling fish, sunlit water, and even a character that will remind you of a certain famous sponge. But - no sharks. This Children's Corner is a project that has been developed by Judge Janice Brice and members of the Bar and the County government. The Children's Corner Task Group has been meeting for over a year to address the issues and concerns associated with accommodating children in the Juvenile and Domestic Relations Court.

For years, professionals, who work in J&DR Court, have recognized the difficulty in carrying on business while children are present. They have encouraged parents and guardians, who are involved in court proceedings, to find responsible child care providers rather than bring children to court. Despite this, some parents bring children with them, often because they lack the money or the resources for child care. Sometimes, children must be brought to court as they are a part of the proceedings. The Task Group developed the Children's Corner to deal with this reality. With an anticipated opening later this year, the Children's Corner is a place where children will be able to relax with age-appropriate toys, quiet play, and friendly adult supervision while their parents conduct business in court. Judges and attorneys will be able to operate more efficiently without the distraction of children around them.

Some have questioned whether a Children's Corner is appropriate for a courthouse. The Task Group is addressing these concerns by developing a detailed set of rules, policies, and procedures. County Safety Supervisor Dave Wenzel is working with the Group to ensure safety rules such as appropriate age, size, and wellness requirements; proper ratio of children to staff; a method for ensuring identification of children who are checked in; requiring parents to show proof of their business in court that day; limiting the time the children may remain; and many other issues. Facilities Construction Chief Lou Ann Purkins and Buildings & Grounds Chief Bob Weiss are addressing construction and design issues. The Group is working with area volunteer leaders to recruit experienced child care providers to volunteer their time. The Group may solicit grants and donations to provide a steady number of paid staff to provide "play care" during open hours. *Continued, pg. 5*



Mural in the Children's Corner, painted by Stonewall Jackson High School Art Students.

Bankruptcy Update

By Scott Donovan, Bankruptcy Liaison

Federal income taxes—Can they be discharged? This question, like most asked to us Lawyers, has no easy answer, but it is true that some can be discharged. Income tax debts that result from a tax return filed more than three years ago are generally dischargeable in a Chapter 7 Bankruptcy. A fraudulent return is an obvious exception. A taxpayer will not get this benefit if they failed to file on their own. If the IRS files for you and makes an assessment against you, you lose the right to get a discharge. An offer in compromise may, subject to some tricky rules, toll the three year period from expiring. So before you send your client who is seemingly stuck with old income tax debt out the door, suggest they consider the effect of a Chapter 7 Bankruptcy in their situation.

Virginia State Bar Young Lawyers Conference

By Diane Lewis Waters, 31st Judicial Circuit Representative

CALLING ALL YOUNG LAWYER CONFERENCE MEMBERS – VOLUNTEERS NEEDED!!

Community Law Week is fast approaching (first week of May) and the Young Lawyers Conference is sponsoring activities during first week of May to coincide with Community Law Week to enhance the public's awareness and appreciation of the role of law in American life. This year, the Young Lawyer Conference is presenting the following program: To Win Equality by Law: *Brown v. Board of Education* at 50. If anyone is interested in volunteering for the Community Law Week Project, please call me at 703-369-4738 or send an email to me at dwaters@vfnlaw.com. More details are on the way and will be presented at the April Bar Luncheon.

The Young Lawyers Conference also supports the “So You’re 18” Project being coordinated by the PWCBA Community Outreach Committee. Volunteers are needed to go into the area high schools to educate seniors on the laws that await them as they turn 18. For anyone who has not participated in this program before, it’s easy (booklets published by the VSB are provided to volunteers and the seniors) and the seniors can be quite fun as they can ask some very interesting questions! Interested volunteers can sign up at the April bar luncheon or call Katie at Kathy Farrell’s office at (703) 335-9390 or by email at kfarrell@va-lawyers.com.

Not interested in volunteering – well, at least come to the **YLC Happy Hour at Jake’s on Wednesday, April 7, 2004 at 6 p.m.** At least let me try to change your mind!

Children's Corner, Continued

Other jurisdictions have successfully integrated child care into judicial centers. The Task Group has consulted with similar facilities in New York, California, Washington, Pennsylvania, and North Carolina. Some of these children’s areas are so successful that the state legislatures have provided funding.

The Children’s Corner Task Group anticipates opening the Children’s Corner once policies and procedures are fully developed, the room completed, and child care supervisors recruited and trained. Visit the County’s Weblink to view student volunteers painting the Children’s Corner undersea mural—the student painters have been nominated for “Volunteers of the Quarter.” To volunteer services, furnishings, toys, or money for the Children’s Corner, contact Katrina Graves at DSS - (703) 792-7655. For further information, contact Assistant County Attorney Alice Rowan at (703) 792-6630 or Katrina Graves.



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PRESENTS

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8:00 p.m.
Saturday, May 8th
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Respighi: *Ancient Airs and
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J.S. Bach: *Double Violin
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Announcements

Sharon E. Pandak as received the 2003 Edward J. Finnegan award for Distinguished Service from the Local Government Attorneys of Virginia organization. The award recognizes her "exceptional professionalism". As county attorney since 1989, "she is known for her thorough preparation, well-reasoned positions, professional conduct and zealous advocacy," the LGA's resolution states. Congratulations to Sharon on behalf of the PWCBA!

John Primeau has recently resigned from the Community Criminal Justice board for the 31st Judicial Circuit. The CCJ board expresses their appreciation for the John's six-plus years of service, and his "splendid job representing the PWCBA through his active participation and many contributions to the Board's discussions and endeavors." The Bar thanks John too!

Virginia Defense Force Volunteers Needed: Virginia Defense Force volunteers are special people with special skills. These Virginia Citizens are called to duty in times of disaster when the lives and property of their fellow citizens are threatened. Many members of the VaDF are former military men and women but citizens without armed services experience are also members of the VaDF. The full range of their professional skills are put to the test in answering the call of their neighbors in time of need. Currently, the Defense Force needs LAWYERS, amongst other professions and trades. Take the first step and volunteer! For more information, call toll free at (866) 791-9164 or go to the VaDF web site www.virginiadefenseforce.org/recruiting

Book Club

By Nancy Croteau

This month everyone hated the book, so no one read it, including me. No one cared about the machinations of 19th century half-insane Dominican Republicans no matter how well written the book. It appears lawyers have to suffer reading about people they don't care about in the newspaper and on our jobs so the least we expect from our Book Club is pleasure. Thus, our next meeting will concentrate on pleasure - feed the body and mildly challenge the mind. Join us for lunch at Jake's to talk about The DaVinci Code, the mystery bestseller with a fascinating historical premise, fast-reading prose, and the usual action shenanigans.

Jake's 12:30, April 14, 2004

Up Coming CLEs

From the Prince William County Bar Association

April 23, 2:00 to 3:30 p.m., "Lexis-Nexis Training", FREE CLE on use of new on-line legal research capability in the Law Library, Circuit Courtroom #4, presented by Leanne Battle, 1.5 MCLE pending. See flyer this newsletter.

From the Arlington County Bar Association

April 24, 9:00 a.m. to 4:30 p.m., "The 21st Annual Family Law Seminar" or "How to deal with difficult clients and difficult opposing council", Arlington County Courthouse, 6.0 MCLE. Call (703) 525-4000 for more information.

From the Fairfax Bar Association

April 20, 2004, 5:00 to 8:00 p.m., "Real Estate Law for the New and Non-Real Estate Practitioner", Fairfax County Courthouse Cafeteria, presented by John Frey, Clerk of Fairfax Circuit Court, James Brincefield, Esq., and Heather Enloe, Esq., 3.0 MCLE pending. Call (703) 246-2735 for more information.

Classified Ads

OFFICE SPACE TO SUBLET:

Approx. 1,600 sq. ft. Reception area w/cathedral window, 3 offices, conference room/office, copy room, kitchenette fronting Prince William Parkway in new building adjacent to shopping center and near PWC government center. If interested, contact Nancy at 703-680-4664.

SPACE AVAILABLE: Piedmont Bank Building--2 blocks from courthouse on Grant Avenue and Lee Street; newly finished 880 sq. ft. office and 3900 sq ft. office; free parking; competitive rates. Call Phil Halcomb 703-690-4422

Legal Secretary for Domestic Practice. Full-time, entry level position. Litigation experience helpful. Fax resume to 703-690-7400. Attn: Cheryl

PWCBA Welcomes Newest Members

Robert J. Stoney
Blankingship & Keith, P.C.
4020 University Drive
Suite 312
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Walsh, Colucci, Lubeley, Emrich &
Terpak, P.C.
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Principals: Sharon D. Nelson, Esq. and John W. Simek -
EnCE, CNE, MCSE, MCP+I, NT Certified Independent
Professional and Certified Internetwork Professional,
Member - High Technology Crime Investigation Association

New Members, Continued

Jessica Greis Edwardson
Legal Services of Northern Virginia
Prince William Office
9240 Center Street
Manassas, VA 20110
(703) 368-5711

Charles C. Maddox
DeWilde & Tabot, P.C.
9248 Mosby Street
Manassas, VA 20110
(703) 330-4515

George M. Sonnett, Jr.
Thomas R. Breeden, P.C.
7900 Sudley Road
Suite 301
Manassas, VA 20109
(703) 361-9277

**2003-2004 PWCBA Section
Liaisons to the VSB**

Have you recently become aware of a court decision or a change in the law arising from the current session of the Virginia General Assembly that is going to significantly alter the way you serve your clients? Do you frequently practice in multiple jurisdictions and want a convenient way to compare and contrast procedures? Offer to co-author a helpful article with one of the Bar's section liaisons, and share your wisdom with your colleagues.

Scott H. Donovan
Bankruptcy
(703) 257-1159

Thomas D. Duling
Business Law
(703) 690-6800

Daniel J. Morissette
Criminal Law
(703) 369-1987

Paul F. Nichols
Family Law
(703) 690-7800

Ronald A. Robinson
General Practice
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Jack A. Robbins, Jr.
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Robert B. Dickerson
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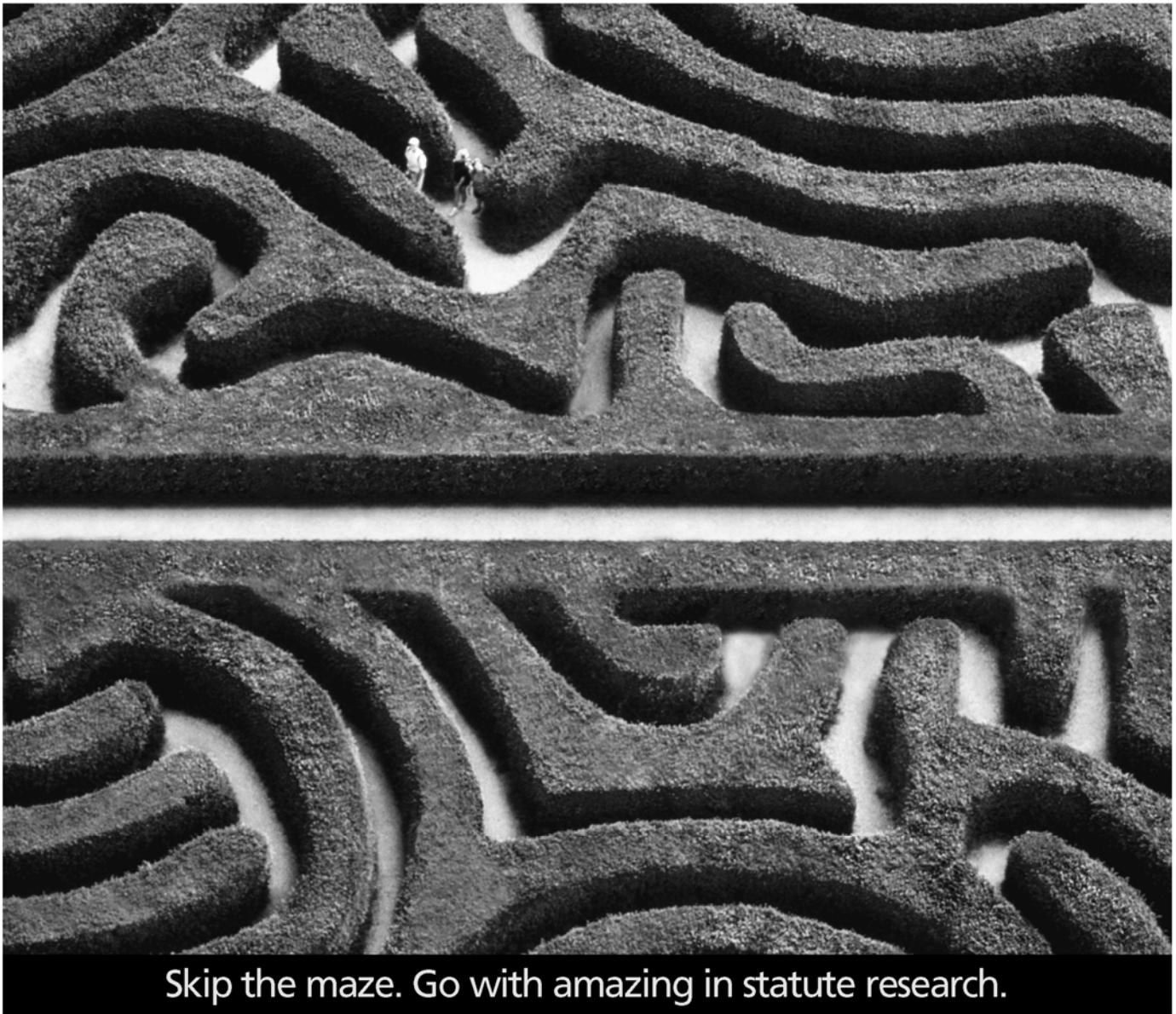
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Upcoming Dates:

April 2, 12:30 p.m., general luncheon meeting at Jake's Seafood Restaurant. Special Guest, the Honorable Leroy R. Hassell, Sr., Chief Justice of the Supreme Court of Virginia.

April 12, deadline for submittals for May issue of *Hear Ye! Hear Ye!*

April 13 & 14, Spring Judicial Conference, District Courts. Clerk's offices open.

April 27, 12:30 p.m., Family Law committee meeting, Allen Newcomb's office.

April 29, 6:00 p.m., 2004 Beat the Odds ® Award Banquet, Heritage Hunt Country Club.

May 1, Law Day



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Remember to RSVP for the Friday, April 2nd General Luncheon Meeting. Special Guest, The Honorable Leroy R. Hassell, Sr., Chief Justice of the Supreme Court of Virginia. Please RSVP by calling Bev Lial at the Commonwealth's Attorneys Office at (703) 792-6250 or the Bar office at (703) 393-2306, by 5:00 p.m., Wednesday, March 31st

Lunch prices are \$7.00 per member and \$13.00 per guest.



Hear Ye! Hear Ye!
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A Publication of the Prince William County Bar Association

The Prince William County Bar Association, Inc.
Presents

LexisNexis Training

A Continuing Legal Education Seminar

April 23, 2004
2:00 to 3:30 p.m.
Circuit Courtroom #4
PWC Judicial Center
9311 Lee Avenue
Manassas, VA 20110

This CLE is FREE
Registration is still required to
ensure we have enough materials
on hand.

Presented by: Leanne Battle

**This will be a basic session on the operation of the
LexisNexis legal research software that will be
available in the new law library.**



MCLE approval is pending for 1.5 Credits for this presentation

Please use the form below to pre-register for the LexisNexis CLE

4-23-04

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FIRM: _____

ADDRESS: _____ Phone # _____

Please return this registration form to Alissa N. Hudson, Executive Director, Prince William County Bar Association, Inc., P.O. Box 31, Manassas, VA 20108. If you are making a late decision to attend, you may fax your reservation form to (703) 331-5683 by 5:00 PM 4/22/04. Of course, we always plan for a few walk-in registrants, (any reservations received after 5:00 PM on 4/22/04 will be considered walk-in), but cannot guarantee the availability of materials. This form may be photocopied.



Join Us For the Celebration!

The Prince William County Bar Association's
2004 *Beat the Odds*® Awards Banquet

Celebrating the Remarkable Achievements
Of Local Youth Who Have Overcome Hardship and Adversity
To Achieve Educational and Social Progress

Thursday, April 29, 2004

6:00 p.m.

**Heritage Hunt County Club
6901 Arthur Hills Drive
Gainesville, Virginia**

Tickets \$29.00 per person

Reception, Dinner, Entertainment & Award Ceremony

Door Prize: Digital Camera

Tickets on Sale thru April 22, 2004

Order Tickets Online or by Mail

→→→→ See Reverse for Further Info ←←←←←

Tickets Not Available At the Door

Reserved Tables Available
For Tickets Purchased in Blocks of Eight

Beat the Odds® is a Program Sponsored by the
Prince William County Bar Association
With Funds Provided by The Prince William County Bar Foundation,
a 501 (c) (3) Non-profit Organization, with the Financial Contributions
From Private and Corporate Donors



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6901 Arthur Hills Drive
Gainesville, Virginia**

TO ORDER YOUR TICKETS ONLINE:

Visit the bar association's web site at PWCBA.org

On the Home Page, click on [ABOUT THE BAR](#) tab

Click on [THE PRINCE WILLIAM CO. BAR FOUNDATION](#)

Click on [BEAT THE ODDS](#)

Order your tickets using [Pay Pal](#).

ORDER TICKETS BY MAIL:

_____ I want a reserved table. **Please send me EIGHT TICKETS at \$29.00 each and reserve a table for me and my guests. My check payable to the PWCBA for \$232.00 is enclosed.**

_____ Please send me _____ ticket(s) at \$29.00 each. My check payable to the PWCBA is enclosed.

Mail Order Form, your check payable to the PWCBA, and self-addressed stamped envelope to:

PWCBA BEAT THE ODDS 2004
c/o Amy M. Ashworth
9119 Church Street
Manassas, VA 20110

OR

PWCBA BEAT THE ODDS 2004
c/o Jennifer B. Weiss
12610 Lake Ridge Drive
Woodbridge, VA 22192