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District Court

Hear Ye! Hear Ye!

News from the Prince William County Bar Association

Volume VIII Issue VI

July 2003

President's Message

By Gail R. Prentiss

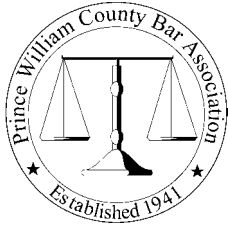
Independence Day is one of those milestone holidays that causes us to pause and take stock. The fireworks provide a powerful reminder of how lucky we are to live in the most free and prosperous country on earth. Summer is at its zenith (or would be had it not been rained out!) and another year has officially passed the halfway mark. Are we contributing to our community and our nation? How are we dealing with the New Year's resolutions we made?

Thanks to the efforts of so many, I can easily answer those questions with pride on behalf of the PWCBA. First, I have the great pleasure of reporting to you that on June 20, 2003, our Bar had the honor of being recognized at the Virginia State Bar Annual meeting for three of its public service projects. The PWCBA received an Award of Merit for our Web site, and Certificates of Achievement for both the Legislative Issues Forum and for the Beat the Odds Banquet. Congratulations and special thanks to all of our members who devoted significant time and energy to these projects (and, of course, to our Executive Director who pulled them all together!). In addition to these award winners, the Bar recently sponsored the annual So You're 18 project for our area high school seniors. Clearly, the work and spirit of our members continues to enhance the Bar's reputation and to enrich our community in a variety of ways. There can be little doubt, however, that the highest contribution of our profession occurs quietly every day in the routine effort our attorneys and judges make to insure that the principles of our justice system become reality.

With respect to the status of the PWCBA's New Year's resolution, we have also made significant progress toward the goal of providing greater value and services to our members. One particular focus was gathering and presenting information and resources to help our membership increase efficiency, productivity and time management. To that end, we have been fortunate to host a variety of knowledgeable speakers during our lunch programs on relevant topics such as risk management, the ANLIR crisis, auditing law offices for compliance with applicable standards, law office technology, computer forensics and the use of foreign language interpreters in court. We also had the honor of legislative updates from the majority of our legislative delegation, including three senators and four delegates. As an added bonus, we were able to offer free CLE credit for some of these programs.

As we look forward to the second half of the year, various exciting plans are underway. On July 15th, the PWCBA will co-host a tri-county reception (along with the Fairfax and Alexandria Bars) at the Country Club of Fairfax for Supreme Court Chief Justice Leroy Hassell, Former Chief Justice Carrico, and Justice Barbara Keenan. I recently had the pleasure of meeting Justice Hassell, and am particularly pleased to announce that he has also graciously agreed to be a guest speaker at an upcoming PWCBA luncheon meeting next spring. Additionally, the PWCBA has recently commissioned the portraits of retired judges Hoss and Gallagher, which we hope to unveil before the end of the year. The luncheon speaker series will continue in its education effort with upcoming programs on A.S.A.P.,

Continued, Page 2



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Res Gestae

By Gail R. Prentiss
President

Gifford Hampshire - for representing the PWCBA on the Executive Committee of the Conference of Local Bar Associations for the VSB, and for accepting the Award of Merit and the Certificates of Achievement on behalf of the PWCBA at the VSB annual meeting.

Paul Nichols, Jack Robbins, Tom Duling, Ronald Robinson, Dan Newland, Dan Morissette, Bryan Guidash, Rob Dickerson, Scott Donovan and Diane Lewis - for the terrific job they did this past year serving as PWCBA Section Liaisons to the Practice Sections of the VSB. They have all agreed to serve another year which means the membership will continue to receive summaries of legislative updates which might impact their practices, and other articles of interest, all published in the monthly newsletter.

President's Message, Continued

benefits available through the VSB, and ethics. In August, Judge Steketee will join Kim Peele, Director of Bull Run ASAP, to speak on that program and legislation affecting same. On the Community Outreach front, several worthwhile projects are on the horizon, including the upcoming Character Counts essay contest, the Candidate's Forum, and the uncontested divorce project. In the meantime, the Public Relations Committee is in the process of developing a flyer on how to work with an attorney, and the *ad hoc* Timesavers Committee is continuing in its efforts to develop a practical handbook of practice tips and timesaving procedures.

Please remember that there is no monthly membership meeting in July due the holiday. Have a safe and happy fourth, and I look forward to seeing you all at the tri-county judicial reception.



Pictured left to right: Bernard J. DiMurro-2002-03 VSB President, Gifford Hampshire, CLBA Executive Committee Member, and Aubrey J. Rosser, Jr., Past Chair, CLBA, as Giff received awards on behalf of the PWCBA at the June annual meeting of the VSB.

New Civil Filing Fees From J & DR District Court

From Frances Hedrick

There will be a new civil filing fee in the Juvenile and Domestic Relations District Court effective July 1, 2003. A copy of the new section 16.1-69.48:5 is included as an insert in this newsletter. The civil filing fee is applicable to the initial filing of: (1) petitions for custody - Va. Code Section 16.1-241. A3; (2) petitions for visitation - Va. Code Section 16.1-241 A3; and (3) Relief of custody filed by Guardian (not parent) Va. Code Section 16.1-241 A3. Filing Fees are \$25.00 per petition per child.

CLE Update

By Catherine S. Croft

FREE CLE CREDITS ARE AVAILABLE TO INDIVIDUALS WHO WILL VOLUNTEER TO WORK THE REGISTRATION DESK FOR CLES SPONSORED BY THE PWCBA. THIS IS EASILY ACCOMPLISHED BY A PERSON WHO IS ALREADY PLANNING ON TAKING THE CLE. PLEASE CONTACT CATHY CROFT AT (703) 335-9390 TO INQUIRE.

MCLE REQUIREMENT: All active members must certify attendance at 12.0 hours of CLE including (2.0) Ethics hours for the MCLE Reporting Period (November 1 - October 31).

MCLE DEADLINE: October 31, 2003 Failure to complete 12 CLE hours including 2 hours in ethics/professionalism by October 31, 2003 will result in a \$50 non-compliance fee. (Part 6, Section IV, paragraph 19, Rules of the Virginia Supreme Court)

MCLE REPORTING DEADLINE: December 15, 2003 - Failure to certify the required 12 CLE hours including 2 hours in ethics/professionalism by December 15, 2003 will result in a \$50 late filing fee. (Part 6, Section IV, paragraph 19, Rules of the Virginia Supreme Court)

The web site to check status of your CLE credits is www.vsb.org

Upcoming CLEs Sponsored by the PWCBA:

July 18, 2003, "Your Firm Fitness Checkup", presented by Janean Johnston, Esq., Law Office Audits Program Administrator for the VSB, 2:00-4:00 p.m., Circuit Courtroom #4, 2 MCLE credits pending. See registration flyer in this newsletter.

August 1, 2003, "Annual ASAP Update", presented by Kimball T. Peele, Director Bull Run ASAP and the Honorable Peter W. Steketee, Chief Judge, General District Court, during the regularly scheduled August luncheon meeting, 1:00 to 1:30 p.m., Jake's Seafood Restaurant, Old Town Manassas, 0.5 MCLE credits pending.

August 22, 2003, "Business Valuations", presented by Bill Duvall, CPA, 2:00-4:00 p.m., Circuit Courtroom #4, 2 MCLE credits pending.

There are no CLEs scheduled for the month of July for the Fairfax, Alexandria or Arlington Bar Associations.

2003

Standing Committee Chairs

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Fax (703) 331-5683

The PWCBA Office is located on the lower level of the Judicial Center in the Circuit Court Archives. Alissa N. Hudson, the Executive Director, is generally available at the Judicial Center on Friday mornings. At other times, you may contact her by telephone as noted.

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

Submissions can be faxed to the attention of Alissa N. Hudson, Executive Director, Prince William County Bar Association at (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. Be sure to include a contact name and phone number with all submittals in case there are questions.

“**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, and request a copy of the most recent rate card.

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PWC Bar Foundation Update

By Tracy C. Hudson

The following is a summary of the May 22, 2003 meeting.

The 2003 BTO banquet realized a profit of \$1200.00 with the additional income coming from ticket sales. These monies will be given to the Bar Association to hold for use for next year’s BTO banquet, as ticket sales will be undertaken by the PWCBA. The total grant amount from the Foundation for the 2003 BTO banquet was \$21,000.00.

Some silent auction bidders have not paid for their items. They will be sent reminder letters.

The 2004 BTO program has already received a pledge of \$3,000.000 from the Knights of Columbus. The Virginia Law Foundation has provided a grant to the PWCBA for \$2,500.00 for the 2004 BTO program as well.

The Foundation is also considering alternative fund raising programs.

Criminal Law Committee

By Casey R. Stevens

The Criminal Law Committee met at Jake's Restaurant. In attendance were: Casey Stevens, William Boge, Daniel Morissette, D. Scott Bailey, Anthony Kostelecky, Steve Grist, Shawn Allen, Ann Godson, and Lisa Baird.

The committee discussed the foreign language phone line system currently being utilized in the District Courts. The strongest complaints concerned the delay between statement and translation. This significant delay all too often includes repeats of the English question or answer necessitated by the translator. All agreed that there is concern both practical and legal regarding its use, however, given the current economic down turn it is unlikely that other than on a case by case basis could these concerns be realistically addressed. The Committee encourages our colleagues and the bench to challenge the use of the FLPLS when due process or other significant trial concerns arise.

The Criminal Law Committee approved an E-mail newsletter to address concerns and to point out observations which affect us all. Any member attorney practicing criminal law who would like to receive the newsletter please send an e-mail to caseyrstevenspc@staffned.com stating "please subscribe to criminal law committee newsletter" The newsletter will contain the concerns and observations of those receiving the newsletter. We are attempting to establish an exchange of information regarding the habits, likes and dislikes of the various judges, practice tips for criminal lawyers, war stories, etc. that will assist each of us in our practice before the Prince William County Courts.

Concern for the adequate representation of indigent defendants was addressed and the Committee will be studying ways to assist the bench in protecting indigent defendants' 6th amendment rights.

The Criminal Law Committee agreed that we should meet quarterly. The next meeting will be held at Jake's Restaurant on Friday July 18 at 4:00 p.m.

Family Law Committee

By Barbara Stough

The Family Law Committee met and discussed on going projects. Amy Ashworth completed a draft of the GAL brochure to hand out to pro se's. The Family Law Committee will review the content at its June 24th meeting.

The JDR waiting room committee is calling for input from the membership, see related article in this newsletter.

The JDR conciliation program is still under consideration with John Whittington taking the lead with input from Judge Becker and Gail Prentiss.

The annual uncontested divorce CLE is being planned for October 15, 2003, late afternoon timeframe. This is the third year in a row that the Family Law Committee has organized a CLE to provide FREE training for those attorneys supporting the Uncontested Divorce Project, in exchange for doing two pro bono, uncontested divorces for legal aid over the next twelve months.

Library Checking on Space Options; Still Down-Sizing

By Helen E. Marmoll

As we attempt to convert to a Virginia book library with electronic access to all else, as well as Virginia sources, we find that the space we are being allotted in the new building seriously limits most functions, including our revamped plans. The Library will be checking with the appropriate county officials to attempt to rectify this situation. We are keeping in mind that the reduced book library was intended to specifically meet the needs of the Bar, both with resources and with meeting and study areas.

Dismantling of library is proceeding. VA CLE's older than 5 – 7 years are being discarded. They are being placed on display in boxes on the work table next to the Michies Jurisprudence. Feel free to take what you might be able to use from the boxes. Some attorneys have made donations to the law library for items chosen. Feel free to make checks payable to: "PWC Law Library" if you choose to make a contribution.

Bound Shepard's Citations will be disposed of next. Shepard's is available on-line on Lexis-Nexis. Many of you are using CD-ROM Products on the computers and you may continue to do so, space and time permitting.

Some bar members have requested regional reporters and treatises which are to be discarded as decoration for offices. Bar members will have to box and ship the reporters at their expense. The Library will also accept donations as in the case of the CLEs. Feel free to make checks payable to: "PWC Law Library" if you choose to make a contribution.

Our Librarian also stands ready to train anybody who wishes such training on the computer. We have two computers at this time and, therefore, the training will be done in pairs, allowing plenty of time for individual instruction. Also, "cheat sheets" are available to assist with research shortcuts. Please call the Librarian if you wish a training session.

Also, an update on making a copier available as many of you suggested -- so far, we are running into technical problems, unable to match the machine with the vendor card provider; but we are continuing to explore this possibility.

2003-2004 PWCBA Section Liaisons to the VSB

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Jack A. Robbins, Jr.
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Robert B. Dickerson
Local Government
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Bryan H. Guidash
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References and vita on request.
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Proposed Children's Waiting Area in J & DR District Ct.

By Casey R. Stevens

The Ad Hoc Committee regarding the proposed Children's Waiting Area is soliciting comments regarding the Bar members' perception of a need for and potential scope of a children's waiting area in the Juvenile Court.

The committee is currently investigating the feasibility of various options ranging from a waiting area where children and their parents can wait separate from others waiting in Juvenile Court to a day care center where children would be supervised by paid and volunteer staff.

Comments, from any member of the bar, regarding the need and scope of such a waiting area are appreciated. Please forward your comments prior to July 14, 2003 to caseyrstevenspc@staffnet.com

Classifieds

Drug Court Attorney Position Available: Purpose and background: The Juvenile Drug Court is seeking a defense attorney to provide post-adjudicatory representation to juvenile offenders who participate in the Drug Court program.

Award Criteria: The applicant must be an attorney with at least five years experience, licensed in Virginia state courts, who is a member of the Prince William Bar Association and has prior experience in Prince William County Juvenile and Domestic Relations Court both as defense counsel and as a Guardian Ad Litem.

Scope of Work: The contractor shall: meet with the Drug Court Team in preparation for weekly court appearances, communicate regularly with drug court participants and their families, review school, police, substance abuse and mental health records concerning participants, communicate the concerns of the participants to the Drug Court Team. The attorney would function in the manner of a Guardian ad Litem as opposed to the traditional role of defense counsel. It is anticipated that the work will involve three to five hours a week.

Period of Performance: July 2003- July 2004.

Method of Compensation: A contract for one year of service for a fixed-price of \$20,000. Contractor to submit time sheets for amount of time spent on each case.

Any interested party should submit a resume and cover letter expressing reasons for interest in the position to:

Prince William County Drug Court Team
c/o Ms. Frances Hedrick
Clerk, Juvenile and Domestic Relations Court
9311 Lee Avenue
Manassas, Va. 20110

Help Wanted: Old Town law firm seeks litigation associate for varied practice. Fax resume to John Primeau at (703) 361-4171.

Help Wanted: Associate attorney wanted for real estate and other transactional work with familiarity with contract review/preparation and lender representation and loan document preparation. Please contact Cathy Asselin at Curran & Whittington, P.C., (703) 590-2580.

Classifieds

Office Space Available: Across from Courthouse, individual offices with or without secretarial space. Use of conference room, reception area and kitchen. Utilities included. Ample free parking. Separate entrance. Copier, phones and fax negotiable. Call Jon Shields, (703) 367-9636.

Office Space Available: Fairfax City, Sublease in suite, 2 offices, 2 secretary stations, private entrance, (approx. 1400 sq. ft.), available immediately; call for details, (703) 273-2811.

Office Space Available: Office space in Manassas. Beautifully decorated. One full service office with receptionist. One two room office with outside entrance. Call Carol Hill at 703-330-5288.

Office Space Available: Fair Lakes - Two attorney offices in first class office building. Includes use of conference room, reception area and kitchen. Secretarial space, copier and fax available. Ample free parking. Easy access to I-66 and Fairfax County Parkway. Available immediately. Ask for Ken or Elden at (703) 968-8000.

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Professional and Certified Internetwork Professional,
Member - High Technology Crime Investigation Association

Candidates Forum

Mark your calendar's for Thursday, October 9th for the 2003 Candidates Forum.

Plans will be underway this summer to organize the bar's bi-annual event. With the primary elections behind us, the following individuals are now seeking election and will be invited to participate in the bar's forum:

(D)	*Charles J. Colgan	Senate-29 th District
(R)	David C. Mabie	Senate-29 th District
(D)	*Linda T. Puller	Senate-36 District
(R)	Christian N. Braunlich	Senate-36 District
(D)	David G. Brickley	House-31 District
(R)	*L. Scott Lingamfelter	House-31 District
(D)	Charles F. Taylor	House-52 District
(R)	Jeff M. Frederick	House-52 District
(D)	*E. Lee Stoffregin III	Sheriff
(R)	Glendell Hill	Sheriff

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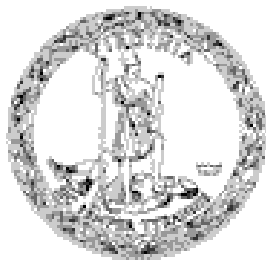
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TRI-COUNTY BAR ASSOCIATION SUPREME COURT JUSTICES RECEPTION

Please join the members of the Alexandria,
Fairfax and Prince William County Bar Associations
for a judicial reception honoring:

**Chief Justice Leroy Rountree Hassell, Sr.
Justice Barbara Milano Keenan
Senior Chief Justice Harry L. Carrico**

Tuesday, July 15, 2003
4:30-6:00 p.m.

The Country Club of Fairfax
5110 Ox Road - Fairfax, VA

Please RSVP by July 9, 2003 to the Fairfax Bar Association office
At 703-246-2740, or email fba@fairfaxbar.org.



Upcoming Dates:

NO GENERAL MEMBERSHIP MEETING SCHEDULED FOR FRIDAY, JULY 4TH.

July 4, all three courts closed in observance of July 4th national holiday.

July 11, deadline for submittals for the August issue of *Hear Ye! Hear Ye!*

July 15, 4:30-6:00 p.m., The Country Club of Fairfax, Tri-County Bar Association Supreme Court Justices Reception, see information in this newsletter for details.

July 18, 2:00-4:00 p.m., Circuit Courtroom #4, "Your firm Fitness Checkup" CLE, 2 MCLE pending, see flyer in this newsletter for details.

July 18, 4:00 p.m., Jake's Seafood Restaurant, meeting, Criminal Law Committee.

July PWCBA board meeting TBA.



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Remember, no luncheon meeting
scheduled for Friday, July 4th.

Have a wonderful summer.

Look for the annual legislative updates in the August issue of *Hear Ye! Hear Ye!* and for the annual A.S.A.P. update at the August luncheon meeting presented by Kimball T. Peele, Director Bull Run A.S.A.P., and The Honorable, Peter W. Steketee, Chief Judge, GDC.



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

The Prince William County Bar Association

Presents

Your Firm Fitness Checkup

A Continuing Legal Education Seminar



Friday, July 18, 2003
2:00 to 4:00 PM
Circuit Courtroom #4
PWC Judicial Center
9311 Lee Avenue
Manassas, VA 20110



Advance Registration for CLE: \$35.00 PWCB Members; \$45.00 Non-members
Walk in Registration for CLE: \$45.00 PWCB Members; \$55.00 Non-members

Presented by: Janean Johnston, Esq.
Law Office Audits Program Administrator
For the Virginia State Bar

Topics to include: Conflict avoidance & client relations; General practice issues such as docket control, calendaring, use of forms, & allocation of workload; Administrative issues including file maintenance & billing procedures; and Support staff issues relating to proper training & confidentiality

MCLE approval is pending for 2.0 Credits for this presentation

Please use the form below to pre-register for the "Your Firm Fitness Checkup" CLE

7/18/03

ATTORNEY'S NAME: _____

FIRM: _____

ADDRESS: _____

PHONE: _____ FAX: _____ EMAIL: _____

Please return this registration form along with payment 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 7/17/03. Of course, we always plan for a few walk-in registrants, (faxed reservations received after 5:00 PM on 7/17/03 will be considered walk-in registrations), but we can not guarantee the availability of materials. This form may be photocopied.

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

FILING FEES

EFFECTIVE JULY 1, 2003

CHAPTER 906

An Act to amend the Code of Virginia by adding a section numbered 16.1-69.48:5, relating to fees for services of juvenile and domestic relations district court judges and clerks in certain civil cases.

[H 2444]

Approved March 22, 2003

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered [16.1-69.48:5](#) as follows:

§ [16.1-69.48:5](#). Fees for services of juvenile and domestic relations district court judges and clerks in certain civil cases.

*Except as otherwise provided, upon the initial commencement of any case in the juvenile and domestic relations district court **pursuant to subdivision A 3 of § 16.1-241 when the custody or visitation of a child is a subject of controversy or requires determination**, there shall be a filing fee of \$25. No case to which this fee is applicable shall be set for hearing by the clerk until this fee has been paid except on account of poverty as provided in § [17.1-606](#). Fees shall be paid to the clerk in the jurisdiction in which the petition is filed.*

This fee shall not be charged in any case brought by an agent of the Commonwealth or of a local government entity.

When service of process is had on the respondent named in a petition for which the filing fee established by this section has been paid, such petition may be reissued once by changing the return day of such process, for which service there shall be no charge; however, reissuance of such process shall be within three months after the original return day.