

JOURNAL

Newsletter of the Fairfax Bar Association www.fairfaxbar.org October/November 2009

PERMANENT COURTHOUSE MOVES COMPLETED

All Three Courts Housed in One Building

Just when the dust began to settle, and less confused faces wandered around, the Fairfax County Courthouse was turned around some more. Throughout the summer, many offices have moved from their temporary spots to their permanent suites to welcome the Fairfax County Juvenile and Domestic Relations District Court. The goal of having all three courts in one building is complete.

The Fairfax Bar Association will also be moving again, this time, to Suite 216, to accommodate the staff. Watch your email for more information on that transition.

If you're still puzzled on where to go, use the chart below as a handy reference.

CIRCUIT COURT	FLOOR	ROOM NO.
Courtrooms 4A - 4J	4	
Courtrooms 5A - 5J	5	
Civil File & Review	3	320.1
Civil Intake	3	319
Civil Processing	3	320
Clerk of Court/Administration	3	318
Criminal	4	409
Hearing Rooms A & B	5	508-510
Judges' Chambers	5	501
Jury Assembly	5	503
Land Records	3	317
Marriage Licenses/Public Services/ Notary/Trade Names	1	116
Probate/Wills/Guardianships	4	401

GENERAL DISTRICT COURT	FLOOR	ROOM NO.
Courtrooms 1A - 1E	1	
Courtrooms 2A - 2K	2	
Civil and Small Claims	2	211
Court Services	2	203
Criminal	2	204
Traffic	1	106
Human Resources	2	210
Judges' Chambers/Clerk of Court/Administration	2	210
Mediation	2	209.1

JUVENILE & DOMESTIC RELATIONS DISTRICT COURT	FLOOR	ROOM NO.
Courtrooms 3A - 3K	3	
Judges Chambers	3	304
Clerk of Court	3	304
Precourt & Postcourt Clerks	3	302
Court Records	3	302
Juvenile Intake Services	1	104
Supervised Release Services	2	103
Domestic Relations Services	2	202
Court Services Administration	2	201

OTHER OFFICES	FLOOR	ROOM NO.
Fairfax Bar Association	2	(will be) 216
Cafeteria	LL	
Commonwealth's Attorney's Office	1	114
Law Library	1	115
Legal Services of Northern Virginia	2	213.1
Office Park	2	(will be) 215
Police Liaison	1	113
Sheriff's Office & Executive Office	2	217
Sheriff's Office & Civil Enforcement	1	101
Snack Bar	1	

President's Column

by Corinne N. Lockett

Why Join the FBA?

Some of you, who recently received a telephone call from either me or one of the Fairfax Bar Association or Fairfax Law Foundation's Officers and Directors, are aware that the FBA is winding up a membership telethon drive. My thanks to those who made dozens of calls to former members encouraging them to rejoin as well as to current members who simply needed a friendly reminder to mail in this year's dues. I am happy to report that the membership drive was a great success!



This year we decided to make a special effort to ascertain why some past members had failed to re-up for the 2009-2010 year. Many attorneys we contacted indicated that they fully intended to renew, but had either misplaced their renewal notice or had simply forgotten to put it in the mail. Others, however, indicated that in these tough economic times a determination had been made that the FBA did not offer enough benefits to justify the annual dues.

While I recognize that some attorneys do not see the importance of joining a professional organization such as the FBA, I was astonished and concerned, that some of our members were unaware of what the FBA offers to its members. No, I am not talking about concrete, tangible benefits such as a complementary two credit ethics CLE, participation in judicial screenings, lawyer referral services, or use of the FBA room which provides its members with telephones, fax machines, and computers with free WiFi. Though I would argue that these material benefits alone are more than worth the price of admission, the most important benefit the FBA offers its members (especially in these tough economic times) is the opportunity to improve the actual success of your practice.

The most successful attorneys are those who love what they do, are outstanding practitioners, have integrity, and solid professional reputations. They are respectful of, and respected by, their colleagues, the bench, and the public. They are active in their legal community and are known by their peers for their professional acumen, integrity, and service to the public. The FBA actively supports attorneys seeking to maintain these professional high standards and provides its members with the support and connections to information, services, and professional opportunities in order for them to do so. These benefits cannot be put on a spreadsheet, but it's these intangible benefits that are the most important to the stability and growth of one's legal practice.

The intangible, though vital, asset the FBA provides its members is access to the knowledge and legal insight of the Northern Virginia legal community, as well as exposure and referral sources among its peers. Building and/or maintaining a practice in these tough economic times demands a strong referral base; and let's face it, the number one resource for referrals to our practices is other lawyers. Everyone knows that in order to become professionally successful, we need a solid reputation among the attorneys and judges with whom we practice. Financial success then follows with the referral of business from people we know who respect our legal abilities. If no one knows us or our reputation, the referrals don't come. Therefore, the foundation to any thriving practice is to have as many people as possible know and respect us as lawyers. Volunteering in our community, joining civic groups, and/or coaching our daughter's soccer team give us a great deal of personal satisfaction and sense of community. Being a strong part of our private community certainly helps us to meet and make a positive impression upon a lot of people. We may even get a referral here and there from personal acquaintances. But, the best way to get those essential referrals is to establish positive professional and personal relationships with other attorneys. What better way is there to establish our reputation and publicize our name to the local bar than by actively participating in the events and programs offered by the FBA?

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FAIRFAX BAR JOURNAL

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are inappropriate for the Journal.*

PRESIDENT'S COLUMN

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When you think of making a referral to one of the more prominent attorneys in the area, who do you think of, and how did you learn about their reputations? Sure, we know our law school buddies, our colleagues in our individual offices, and the attorneys on the other side of our cases, but how else do we learn the reputations of attorneys in our area? I started my legal career as in-house counsel with a local real estate title company. I quickly got to know the people I worked with and a few other attorneys in the title insurance business. But I soon learned that I was isolated from my legal community. I periodically went to the courthouse to do business, but I was not included in what I viewed to be a larger legal community. After several months, I joined the FBA. Soon, I met several of my peers and began to establish relationships that I have to this day. By attending various FBA sponsored luncheons and CLEs, reading Journal articles, and attending various social events, I gained invaluable knowledge about the law and the inner workings of the courthouse, and also came to learn the names and reputations of the "movers and shakers" of the local bar. I knew names of those from whom I could seek advice and the attorneys to whom I would make referrals. I met various judges and they met me. When it came time for me to move forward with my legal career, my contacts through the FBA helped me network and find new employment opportunities. None of this would have happened if I had not joined the FBA.

What is the most concerning about the feedback from this year's membership drive is how many of our members don't realize that this amazing resource is available. There are dozens of social events enabling us to get to know both judges from the Fairfax County Benches as well as the members of the FBA. For example, on March 6, 2010, the FBA will hold its annual Bench Bar Dinner Dance at the Fairview Park Marriott. Last year more than 500 judges, attorneys, and guests attended and had a wonderful time socializing, networking, and dancing. Each fall,

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Save the Dates!

Jazz4Justice
November 13, 2009

Bench Bar Dinner Dance
March 6, 2010



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General District Court Committee NEWS

During the 2009-2010 fiscal year, the General District Court Committee will continue to act as a liaison among the General District Court, Fairfax Bar Association, and the public to address legitimate policy issues, procedures, and concerns of the General District Court. The Committee will continue to work closely with the bench, clerk's office, and court services unit on various matters including, but not limited to: docket control; procedural effect on the court regarding new legislation; issues involving prepayment of fines; issues involving payment of court costs; enhancements and updates of the automated court information system, electronic technologies, electronic filings, and electronic payments of citations/summons; the promotion of legal services to all court users; ensure all court records are safeguarded from degradation; ensure safety and security needs of all court employees and the public are met and functional; promote informative brochures, signs, and descriptive postings to assist all court users navigate the expanded courthouse facility; present continuing legal education seminars concerning recent case law, legislation, and procedures; present informative hands-on demonstrations of the General District Court's enhanced evidentiary courtroom technology equipment.

Members of the court administrative staff, members of the bench, and members of the Fairfax Bar Association, including representatives from the Office of the Public Defender and the Office of the Commonwealth's Attorney, attend the Committee meetings. The Committee meetings take place on the second Thursday of each month at 2:30 PM, with the first meeting of this fiscal year was held on September 10, 2009. Please contact Committee Chair John A. Kassabian or Committee Vice-Chair Donald M. Fishman regarding any issue(s) you would like the Committee to consider in future meetings.

Law Practice Management Section

HOW GOOD LAWYERS SURVIVE BAD TIMES:

Legal Marketing in a Down Economy

by Sharon D. Nelson, Esq.

Below are some of the topics that may be discussed in the FBA's recharged Law Practice Management Section. Those interested in joining the section should attend the **Pub Party Opening Meeting on Thursday, October 8, 2009 at 4:30 PM at Sensei Enterprises, 3975 University Drive, Fairfax.** Beer, wine, and light appetizers will be served; RSVP to Sharon Nelson at snelson@senseient.com.

Introduction

These are wretched times for lawyers and law firms. If you like reading obituaries, you're going to love reading the statistics from the Layoff Tracker.

<http://lawshucks.com/layoff-tracker/>.

According to the latter, as of July 26, 2009, over 13,311 people have been laid off by major law firms (5,190 lawyers and 8,121 staff since January 1, 2008).

If your law firm is still afloat in these violent seas, congratulations. Now the question is: How do you steer your firm toward calmer waters and fair winds? And if you have suddenly found yourself a solo or small firm refugee from BigLaw, how do you survive?

There is a lot you can do from the financial, management, and technology perspectives, but we're going to focus on legal marketing in a down economy. Surrendering your marketing efforts is clearly a recipe for disaster. But you may need to rethink and retool your previous marketing strategies.

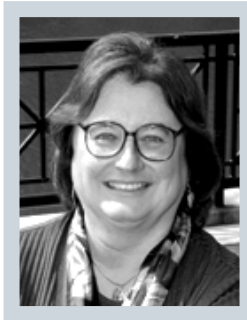
As is often said, business is war, and never more so than in a bad economy, so prepare yourself for battle. Onward.

Utilize Your Real Life Network

In the days of social networking, real life networking seems so, well, old school. But guess what? It still works. Whether you're shaking hands at the PTA, the Lions Club, or your local bar association, you're creating a network of folks who know you. Although the author is a creature of the ether, I also know the value of meeting people outside of the virtual world, and make concentrated efforts to do so.

That firm handshake, quick smile, and keen interest in someone else is memorable in a way nothing else can be. Make sure that you DO, in fact, remember to ask questions of anyone you're talking to. No one is less interesting or memorable than people so self-absorbed that all they do is talk about themselves. And no one is more charming or memorable than someone who expresses a sincere and active interest in the person they are conversing with.

Do not sell! Such people are anathema in a social setting. However, conversations do meander—and talking about the economy is natural enough anywhere these days. It is easy enough to slip in a comment about how you've changed your practice in light of the economy—and then be sure to ask the person you're speaking with how their business has changed.



Get Up to Speed on Social Networking

Yes, business does come in through social networks—but it takes some effort to get there.

LinkedIn, Facebook, Twitter, Plaxo. These are the major vehicles of social networking, though there are many others. The joy of these networking tools is that they take time, not money. The downside is that you must get a return on your investment in exchange for your investment of time, so don't over-participate if you are not seeing results.

Most experts believe that Facebook has won the war as THE social networking site, so perhaps you might want to start there. Facebook has more than 160 million active users—and that's a heck of a number. More than half of its users are college graduates and professionals.

LinkedIn, often seen as more professional, now has over 840,000 lawyers using the site. If the more social world of Facebook doesn't appeal to you, LinkedIn may be a good alternative.

Wherever you choose to network, make yourself a go-to person, engineer your image, cultivate friends in your areas of practice to keep abreast of new developments, and make friends in other areas of practice in your area who might refer clients to you. Ask questions to get a conversation started. Exchange tips and information—and always give more than you get.

If people are helpful to you—perhaps introducing you to someone in their network or agreeing to talk to you for 10-15 minutes about the services you provide, make sure to write and thank them.

Be sure you have a polished and comprehensive profile. Look to join or to start networks or groups, post content that demonstrates your expertise, interact with others (essential), and most importantly, once you've started a relationship within Facebook, take it outside of the virtual world and make it real if geography permits.

There's a Facebook page for blogging lawyers: <http://www.facebook.com/group.php?gid=2375454341> to get you started.

There are still a lot of lawyers unfamiliar with Twitter. <http://twitter.com>. Twitter is a free platform that allows users to post tweets (online messages of up to 140 characters) visible to those who choose to follow them. It is often called a micro-blog. As your reserves of posts grow, you will find that if you post useful content, people will find you and follow you. And, of course, you can follow others as well, though it is wise to be wary of that time investment as well. The site itself is very easy to understand and use, so take a look. This is not the place to indicate what kind of pizza you had at lunch or what clever thing your toddler said. If that's your approach, people will soon stop following you.

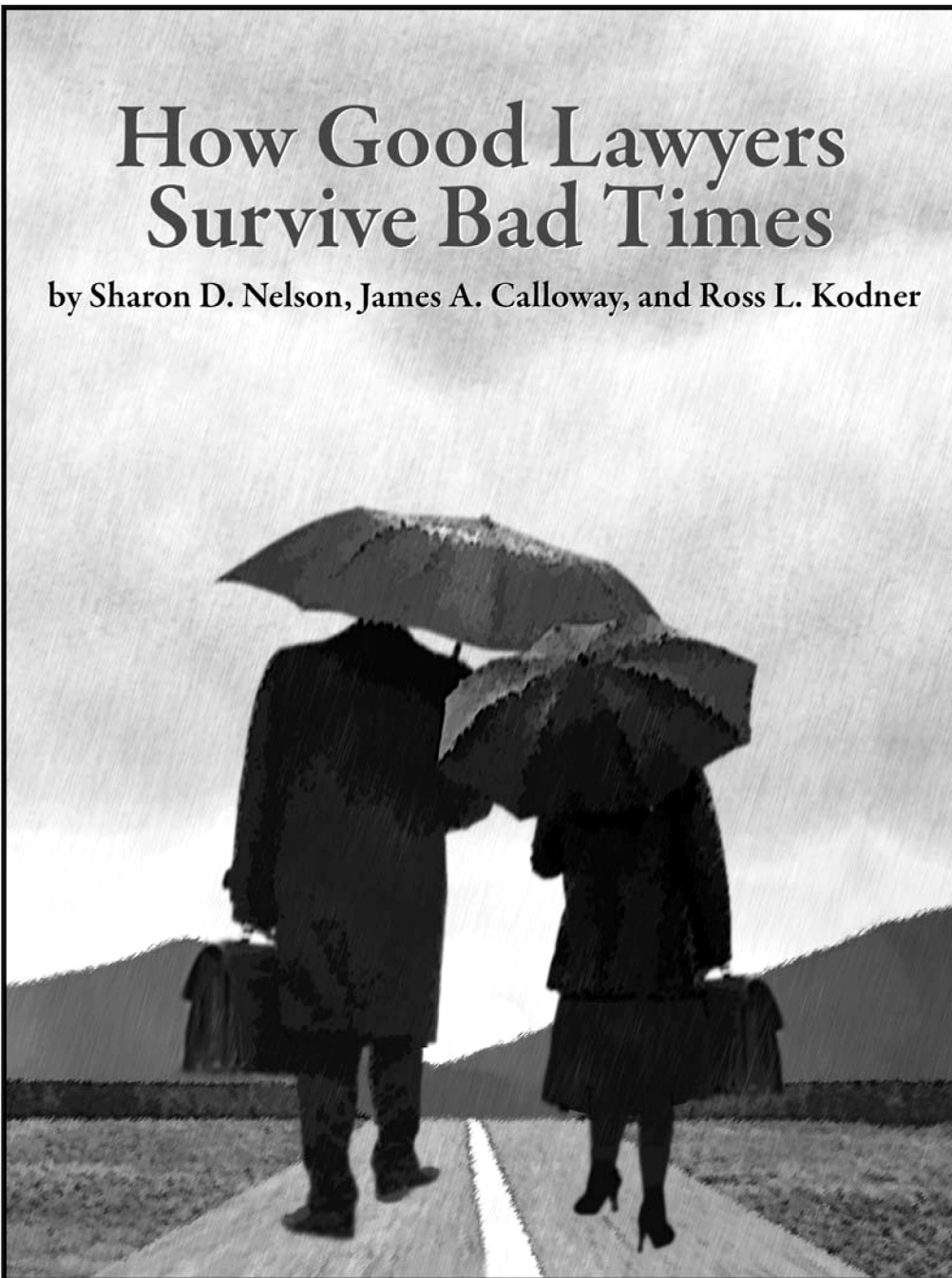
But say you're a California divorce lawyer and you constantly post about developments in family law, current cases, new statutes, etc. Pretty soon, folks who have an interest in that sort of information will follow you. If you are thinking of joining Twitter, find a few reputable people you know who are on Twitter and watch how they use it. You'll get the hang of it very

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Sharon D. Nelson, President of Sensei Enterprises, Inc.
is pleased to announce the publication of her latest book

How Good Lawyers Survive Bad Times

by Sharon D. Nelson, James A. Calloway, and Ross L. Kodner



ABA **LAW PRACTICE MANAGEMENT SECTION**
MARKETING • MANAGEMENT • TECHNOLOGY • FINANCE

Worried about the economy?
Are you a lawyer out of work?
Are you afraid you soon will be?
Are you struggling to manage
your firm through a worldwide
recession?

Co-authored by three technology
and law practice management
experts, *How Good Lawyers
Survive Bad Times* provides a
wealth of tips, resources, and
tools to help you survive in our
ailing economy.

Laura Calloway, Director of
Alabama's Practice Management
Assistance Program, calls the
book a "must-read" that will help
lawyers "chart a course through
treacherous economic waters."

"It's a treasure-trove of bite-
sized ideas and information for
lawyers who would like to take
steps to boost their bottom line,
during bad times and good,"
said Calloway, "I was lucky
enough to get a sneak peek this
summer, and the final version
was well worth the wait."

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HOW GOOD LAWYERS SURVIVE IN BAD TIMES...

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quickly. The best users are those who share information, posting a brief message such as: "Congress passes anti-terrorism bill by slim margin: (insert link)." This allows others to scan for the stories which interest them amongst the people they are following. They also ask questions and begin conversations, which sometimes move off-line. Can you actually get business this way? Yup, we've seen it—and requests from reporters for interviews as well. From a marketing perspective, all good stuff.

Don't allow yourself to become obsessed with social networking, which can be a huge time-suck, and therefore, counter-productive. It is always important to find a balance between electronic networking and the real thing. Nothing replaces a friendly smile and a warm handshake.

Be Careful With What You Do and Say On Social Networking Sites

This here's Miss Bonnie Parker.

I'm Clyde Barrow. We rob banks.

—From the movie *Bonnie and Clyde*

Some stuff just doesn't need to be said online, where its lifetime is approximately forever. Even if you have a restricted Facebook page, you have no control over what your "friends" do with what is posted there. It is, of course, a good idea to restrict access to your social networking sites, but don't think that necessarily solves all problems. And if you Twitter, you can be sure your "tweets" will live on. As far as experts can tell, Twitter keeps them indefinitely.

Perfect Your Elevator Speech

For those of you who missed Marketing 101, your elevator speech is a 15-30 second rendition (the time it might take to pass between two floors via elevator, hence the name) of who you are and what you do. Tailored to this economy, it can be a brief but memorable advertisement for your services. Reduce it to email too—and remember where you saved it! You'll find yourself trotting it out again and again.

A good elevator speech and email are pivotal to making an initial impression. This is often the first step toward securing a client.

Want an example? "Hi, I'm Jill Smith. I practice family law in Oshkosh. My practice has really changed recently in light of the economy—I'm doing a lot of collaborative divorce and arbitration these days to help clients save money at a time when they need it most." Maybe, if the conversation continues, you'll get to mention that you are working a lot with clients who have negative equity in their homes, and how you handle that. But make the opening short—and for these times, make sure you get the economy in there somehow. "It's the economy stupid" really is the key component for legal marketing these days.

Advertising that your firm offers alternative billing may also yield significant results. Displaying your alternative billing methodologies on your website is a great way to let potential clients know what they all want to know: "What will it cost me?"

Take Good Care of Current Clients

Clients are hard and expensive to replace. And current clients are one of the best sources of referrals.

Have meetings with clients, especially the important ones. Assure them that you will not raise rates. If you've determined to change your billing structure, let them know. Give them useful advice for their business, given the current economic climate. How can you collaborate to help them and to save them money? Do they have any suggestions for you? Are they happy with your services? If not, address their concerns. It is key in a bad economy that you are perceived as providing exceptional client service. Think long and hard about how to create that perception.

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This is a very good time for a modest outing, some bonding time and the forging or reinforcement of the relationship between you and your client. This is not the time for swanky parties and retreats. Clients, even if they are invited, are apt to see large social expenses through the prism of the economy—and let's face it, they know that they are ultimately paying. A couple of beers and pub grub at a local establishment may be all that's needed to cement a relationship or nurture a friendship. Taking care of current clients may not be what you think of as marketing, but indeed it is. Current clients are the most likely to bring you new matters—and refer someone else to you. Find a way to touch them often enough that you will immediately come to mind should they hear of someone who might need your services.

Your Website Is Your Most Powerful Marketing Vehicle

These days, more than 65% of people begin their search for a lawyer on the Internet. Not only should you be there, but you should look good in comparison to your competitors' websites. Prospective clients can, and will compare, so make sure you do a little competitive intelligence as you work on your site.

For surefire value in marketing, put monies and time into your website and search engine optimization. As long as you're not squandering your monies by doing foolish things, work on your website is going to have more return on investment than almost anything you can do. If your site is tired and you haven't been updating it, this is a good time for a redesign. Concentrate on deepening and broadening your site, and commit to making this an ongoing project. Content is still king.

Don't let your nephew (or cousin or uncle) design your site unless he or she is a professional website designer. Make sure your site is engaging with graphics that "speak" to your potential client and some kind of tag line that brands you. For instance, a criminal lawyer might have a photo of someone being handcuffed (which certainly speaks to someone looking for a criminal lawyer), with the tag line: "In trouble? We can help."

Search engine optimization (SEO) is a complicated subject. Most website designers are not SEO experts. Look at the sites a company has optimized and see how they place on Google. Without any question, design and optimize for Google. What does well on Google will generally do well on the other search engines.

If you have limited funds to spend on marketing, your website is the first place to spend them.

Don't Stop Marketing in Bad Times, But Look at HOW You Are Marketing

As difficult financial times force law firms to focus on their budget and items that can be reduced or eliminated, it is often tempting to look at the marketing budget. In fact, some firms take a Sherman-like "slash and burn" approach to marketing, nearly always a mistake.

Your ongoing market efforts, whether robust or modest, are an investment in the future of your law practice. It is dangerous to stop ongoing marketing efforts merely for budget reasons as they are difficult to restart, and the results of marketing efforts often lag the outreach by a significant amount of time.

However, it certainly may be appropriate to review all of the marketing efforts and make strategic changes. When there are less dollars to spend, the dollars you do spend better be smart dollars.

This might be the time to pull print, radio, TV, and other generalized forms of marketing. If you haven't already disposed of your Yellow Pages ad, this may be the time to do so. At the very least, it may be time to make it much smaller. I can't even remember the last time I used the Yellow Pages, except as a door stop. Today's newspaper ad is tomorrow's birdcage liner. Think electronic! With most searches for lawyers beginning online, you need to adjust your marketing budget (which has probably already shrunk) and focus on electronic marketing and targeted marketing.

Send useful information to present and former clients via email or mail. Write an article and post it on your website. Speak to community groups. Teach CLEs. Get creative. Try guerrilla marketing to save money. If you're not familiar with that form of marketing, just look for books on the subject on Amazon.com.

If you're not blogging and you have time enough to do it, consider whether you can deliver useful content that may be picked up by reporters (most of whom say they quote a blogger at least once a week). Blogs can solidify your reputation as the "go-to" attorney in an area of practice—and many folks are using Google Alerts or something similar specifically to keep abreast of the area of law in which they practice.

Show Me the Money!

Jerry McGuire had it right, from the client's perspective. If there is anything you need to focus on in your marketing, it is the economy and demonstrating value to your clients. Retool any print or online advertising to address the economy. Even putting the words "A value-based law firm" on your website can call to the tightened wallets of corporate America. "In bad times, you need a good lawyer"—then explain why and what a good lawyer can do to save a client money. Brainstorm with your colleagues to find the right avenues of appeal. The way to a client's heart these days is directly through his or her wallet.

Final Words

There is no marketing which is going to work miracles overnight. But if you market for several hours a week, over time you'll certainly see results. The important thing is to start and then to keep your efforts going. In the words of the Marines, innovate, adapt, and overcome. Good advice in a bad economy. ■

The author is the President of Sensei Enterprises, Inc., a legal technology, electronic marketing, and computer forensics firm based in Fairfax, VA. 703-359-0700, www.senseient.com. She is also co-chair for the FBA's Law Practice Management Section.

The tips in this article are excerpted from the book *How Good Lawyers Survive Bad Times* which was coauthored by James A. Calloway, Ross L. Kodner, and Sharon D. Nelson.

PRINCE WILLIAM COUNTY FAMILY LAW SECTION NEWS

Beginning October 1, 2009, all civil motions must be filed with the Clerk of the Circuit Court at least two weeks in advance of the day on which the motion is scheduled to be heard. Civil motions to be heard on October 16, 2009, must be filed no later than October 2.

This change is being implemented to accommodate the docketing and paperless system recently instituted by the Clerk. It is hoped that the new requirement will ease concerns recently expressed by attorneys practicing before this Court and enable greater efficiency in processing motions and orders.



**THE FBA PARALEGAL SECTION & THE FAIRFAX LAW FOUNDATION
THANK MEMBERS FOR DONATING TO SCHOOL SUPPLY DRIVE
FOR AREA HOMELESS CHILDREN**

The FBA Paralegal Section, together with the Fairfax Law Foundation, extend our sincere thanks to those who generously contributed to our recent collaborative school supply drive benefitting Mondloch House II, the County's largest family-based homeless shelter (a 45-bed facility).

Monetary contributions totalled an incredible \$1,875, which were expended to furnish the shelter's 30 school-age children with all of their supply needs, including backpacks, binders, gym bags and combination locks, advanced scientific calculators, etc. Every child received supplies conforming not only to the mandatory lists distributed by his/her respective school, but tailored to the extent possible with his/her likes (Hulk, Hannah Montana, Sponge Bob, etc.). The backpacks and supplies were delivered by Laser Couriers at no charge on Wednesday, September 2.

The number of children at the shelter this year nearly doubled from the previous years. Due to last-minute fundraising efforts and our contributors' overwhelming generosity, we were able to provide the required school supplies, a wealth of surplus supplies, and \$60 in gift cards to help meet the residents' needs throughout the remainder of the academic year. The children and their parents, as well as the shelter's administration, were tremendously grateful.

Once again, the FBA Paralegal Section and the Fairfax Law Foundation extend our sincere thanks to those who contributed their time and resources to this very gratifying community project! ■



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ANNOUNCEMENTS

ROBERTA. BERMINGHAM, JR., was appointed Director of Court Services, Fairfax County Juvenile and Domestic Relations District Court (JDRDC), effective Monday, October 12, 2009.

DANIEL T. LOPEZ has joined the law firm of **BRIGLIA HUNDLEY NUTTALL & KAY, P.C.** as a partner. His practice will focus primarily on criminal and immigration law. 1921 Gallows Road, Suite 750, Vienna, VA 22182; 703-883-0880; mhoward@bhnklaw.com.

Dear FBA Colleagues,

Our bylaws place term limits on Board members. Tenure may be extended by working one's way up the officer slate to President. Lacking a compelling desire to be President, I chose to accept my term limit.

During my tenure I have tried to be a careful steward of your interests. For those of you who wonder what the FBA has for you, I encourage you to become involved and see for yourself. Our Bar staff works diligently towards making many events possible.

I was fortunate to serve during an auspicious period of Bar leadership. Over the years my Board colleagues have been conscientious, hard-working and dedicated. Even when there have been strong differences on the Board, issues were always amicably resolved and accepted. During my term, I have deepened existing friendships and I have formed new ones.

My experience would not have been possible without the support of my fellow FBA members. Thank you for honoring me with this privilege. I shall remain forever grateful.

Sincerely,
David A. Hirsch

LexisNexis Workshop

Achieving Excellence in Internet Marketing

FREE FOR FBA MEMBERS!

A workshop for lawyers competing in Google! Search Engine Marketing Seminar presented by **LexisNexis** for the members of the Fairfax County Bar Association, **Thursday, October 29, 12:00-1:30 PM**. Luncheon seminar at Marriott Courtyard, 1960 Chain Bridge Road, McLean, VA (across the street from Tysons Corner). Free Parking!

UPCOMING EVENTS/CLEs

STOP THE VIOLENCE: TRAINING FOR ADVOCATES FOR SURVIVORS OF DOMESTIC VIOLENCE

October 7, 2009

5:30-6:00 PM - Registration

6:00-8:00 PM - Protective Order for Training

8:00-8:40 PM - Trial Advocacy

2.0-2.5 CLE Credits

Location: Fairfax Courthouse, Courtroom 1E

Free for attorneys who serve as attorney of the day for protective order hearings on two days within the next 12 months. For more information, please contact Lauren Waller Smith lsmith@lsnv.org or 703-273-6746

ANNUAL FALL GOLF TOURNAMENT

October 13, 2009

Location: Raspberry Falls Golf & Hunt Club, Leesburg, VA

\$150.00 Per Player

CRIMINAL LAW CLE

October 15, 2009

3:30-7:45 PM

4.0 MCLE Credits

Location: Fairfax Courthouse, Courtroom 1E

\$140.00 FBA Members;

\$200.00 Attorney Non-Members;

\$100.00 Affiliate Members;

\$160.00 Support Staff Non-Members

2009 ANNUAL LAW & TECHNOLOGY CLE

October 20, 2009

4:00-8:00 PM

4.0 MCLE (1.0 Ethics) Credits

Location: Fairfax Courthouse, Courtroom 5J

\$140.00 FBA Attorney Members;

\$200.00 Attorney Non-Members;

\$100.00 Affiliate Members;

\$160.00 Support Staff Non-Members

TECHNOLOGY IN FAIRFAX COURT- ROOMS: COME KICK OUR TIRES! CLE

October 22, 2009

5:00-7:00 PM

2.0 MCLE Credits

Location: Fairfax Courthouse, Courtroom 5J

\$100.00 Attorney Members;

\$130.00 Attorney Non-Members

MOTIONS CONCILIATION PROGRAM CLE

November 9, 2009

4:30 - 7:30 PM

3.0 CLE (1.0 Ethics) Credits

Location: Fairfax Courthouse Library

Free when participants commit to serve as conciliators at least 3 times during the upcoming 2010 year; or \$105.00 for FBA Attorney Members and Non-Members

TECHNOLOGY IN FAIRFAX COURT- ROOMS: COME KICK OUR TIRES! CLE

November 10, 2009

5:00-7:00 PM

2.0 MCLE Credits

Location: Fairfax Courthouse, Courtroom 5J

\$100.00 Attorney Members;

\$130.00 Attorney Non-Members

JAZZ 4 JUSTICE

November 13, 2009

PERSONAL INJURY CLE

November 17, 2009

4:30-7:30 PM

3.0 MCLE Credits

Location: Fairfax Courthouse Cafeteria

\$105.00 FBA Attorney Members;

\$150.00 Attorney Non-Members;

\$50.00 Affiliate Members;

\$80.00 Support Staff Non-Members

WILLS, TRUSTS, AND ESTATES: PROTECTING YOUR AND YOUR CLIENTS' INTERESTS IN THE EVENT OF YOUR DISABILITY, DEATH, OR OTHER DISASTER CLE

December 1, 2009

4:30-6:30 PM

2.0 MCLE Credits

Location: Fairfax Courthouse Library

\$70.00 FBA Attorney Members;

\$100.00 Attorney Non-Members;

\$50.00 Affiliate members;

\$80.00 Support Staff Non-Members

NEW MEMBERS

JULY

Andrew Steven Cabana

Salman Pervez Cheema

Tamika D. Jones

Carol A. Luckett

Sara Mahmoud-David

Kimberly Jo Phillips

David Edward Roop, Jr.

Brianna Salerno

William B. Schroeder

Ann-Lewsie Shaw

Christopher Shiplett

Michael Angelo Tilghman, II

AUGUST

Sheri R. Abrams

Matthew Charron

Peter A. Dingman

Geoffrey Michael Dureska

Jason Foltin

Kelli Kay Garcia

Robin Graine

Adam Handwork

Adys Janelle Iturbe

Chris Kraft

Kenneth E. Lawbowitz

Jared Lord

Heather R. Narvaez

Louis S. Nuzzo

Larry Ronald Pounders

Michelle B. Rhodes

Melissa Joann Sonnon

Robert Carr Watson

Todd Michael Zinicola

Young Lawyers Section UPDATES

The Young Lawyers Section would just like to remind all members to keep an eye out for upcoming events this fall! Newly admitted attorneys are all invited (and firms are encouraged to send your new associates) to our Fall New Attorney Orientation, which will be coming up in November.

The Section also will be hosting a free Breakfast With the Judges event this fall, and our annual Care Packages for the Troops Drive before the holidays. As always, YLS Happy Hours will be taking place monthly and FBA members, young and old alike, are welcome to join the fun! YLS members can join our Facebook group (Fairfax Bar Young Lawyers Section) to keep up with the section and network with other members.

Our August Happy Hour was a great summer evening on the roof deck at Clarendon Ballroom, and we'd like to thank the Arlington and Alexandria Bar Association's Young Lawyers Sections for their always enthusiastic joint participation in our occasional forays across jurisdictional lines!

In YL Section news, at the August Board Meeting, Sarah Hensley was appointed by the Board to serve as our Treasurer, and Joshua Isaacs will serve as Secretary for the 2009-2010 term. Thanks to both Sarah and Josh for adding just a little more to your commitment to the Board and the Section. ■

PRESIDENT'S COLUMN

continued from page 3

the FBA coordinates a convention alternating between a nearby and out-of-town resort each year. If you missed this year's trip to Las Vegas, make sure to save the date for next year's convention scheduled to be held at the beautiful Tides Inn in Irving, VA on October 7-9, 2010. If charitable events are more your thing, don't miss this year's annual "Jazz4Justice" concert to be held on Friday, November 13, 2009. This concert is an evening of fabulous fun music at the magnificent George Mason University (GMU) Center for the Performing Arts and benefits the charitable endeavors of the Fairfax Law Foundation and the music scholarship fund at GMU. Last year approximately 1,500 people attended, and this year we expect a "sellout" event with over 2,500 people in attendance.

This short list of upcoming events does not include the numerous CLEs, happy hours, *pro bono* opportunities, young lawyers and paralegal charitable events, and much more. I strongly encourage each of you to check our website at www.fairfaxbar.org to see all that we offer. Don't let the biggest benefits of the FBA pass you by. I encourage each of you to become more active in the FBA and see how your practice grows, both in knowledge and numbers. You will get to know a lot of your peers, strengthen your name and reputation in the legal community, and may even have a little bit of fun while you do it. ■



THE "SECRET" BENEFIT OF MEDICAID ASSET PROTECTION

By Evan H. Farr, Certified Elder Law Attorney

Author of The Virginia Nursing Home Survival Guide

You've heard of Elder Law, but if you're like most attorneys you probably don't really understand how Elder Law can help your clients, and the parents of your clients, protect their assets while also getting better long-term care. Well, here's the secret . . . through the process of Medicaid Asset Protection, my firm and I can help clients get better long-term care by protecting their assets from forced liquidation so that the protected assets can then be used to pay for an enhanced level of care. For example, protected assets can be used to hire a private caregiver to supplement the basic level of care provided by a nursing home (which provides, on average, only about ninety minutes of care per day), or to purchase services or items for a nursing home resident that are not covered by Medicaid, such as special medical devices, upgraded wheel chairs, transportation services, entertainment, and other amenities that make life easier or more enjoyable. Is Medicaid Asset Protection ethical? Absolutely! It's no different from taking tax deductions to minimize income taxes, or structuring estate planning to minimize estate taxes. Everyone pays federal and state taxes that fund the Medicaid system. Why not also plan your estate to benefit from these taxes?

How much can we protect? Though this varies from client to client, we can typically protect all of the assets of a married couple and at least half of the assets of an unmarried client, even when planning is done at or near the time that the long-term care is needed. We can also help many clients obtain a special Veterans benefit that is available to help defray the cost of home care or assisted-living care for many war-time veterans. Medicaid laws are extremely complex and change frequently. Despite this complexity, and despite the fact that much of the Medicaid law was re-written in early 2006, numerous Medicaid Asset Protection strategies still exist, and we help clients work through these strategies every day. We handle the entire Medicaid Asset Protection process, from planning to implementation to filing the application.

As a Certified Elder Law Attorney, Certified Estate Advisor, and Virginia Super Lawyer, I welcome referrals from all over Virginia, and I'm always delighted to discuss a potential case with another attorney to determine if a referral is appropriate. If you think your clients might need an Elder Law specialist for themselves or their parents, please call me at 703-691-1888, or contact me by email at EvanFarr@FarrLawFirm.com or via our Web site, www.VirginiaElderLaw.com.

MEDICAID ASSET PROTECTION PLANNING
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Get Jazzed Up for an Evening of Music!

Jazz4Justice is an evening of fabulous fun music. This community event will once again be held at the George Mason University (GMU) Center for the Performing Arts, on **November 13, 2009 at 8:00 PM**. The concert supports not only the Fairfax Law Foundation, but also the music scholarship fund at George Mason University and will showcase talented music majors from GMU.

Watch for blast emails for more information regarding ticket purchases and sponsorship opportunities. See you there!