

JOURNAL

Newsletter of the Fairfax Bar Association www.fairfaxbar.org May/June 2010

2010-2011 FBA ELECTIONS

Pursuant to FBA Bylaw Amendments approved by the FBA membership, when the election for at large Directors under Article VI(1) and Vice President under Article II(2) are uncontested, such elections will not be held, and instead, such candidates shall assume office beginning July 1 of the FBA's next fiscal year.

Candidate for Vice President (Uncontested)

Jay B. Myerson

Law Offices of Jay B. Myerson



Vision for the FBA: The FBA membership has remained relatively static at approximately 2,000 members for many years, despite the significant growth in the number of attorneys in Fairfax County. This is, at least in part, attributable to the growth in the number of professional associations attracting the time and financial commitment of local practitioners. More recently, the weak economy has not helped our efforts to grow. The FBA needs to expand its membership base so that I can continue to provide leadership and services to the local Bar, Bench, and to the greater Fairfax Community.

As part of the FBA's service to the various constituencies, the FBA needs to work with our Bench to identify and pursue options that will ensure meaningful and timely access to justice for the residents of Fairfax County in this period of budget shortfalls and cutbacks.

Finally, in recent years there has been a societal reduction in knowledge of basic civics. Concern over this lack of fundamental knowledge has been recognized by Justice Sandra Day O'Connor and others, who are working together on a program known as Our Courts, 21st Century Civics. It is my hope that the FBA will work in conjunction with the Fairfax County Public Schools and the Fairfax Law Foundation to enhance learning opportunities related to civics for students in Fairfax County. This effort should start with a partnership to bring Law Day into Fairfax County Public Schools.

Involvement in the FBA includes: Board of Directors (served as Treasurer and Delegate in the American Bar Association's House of Delegates); Conciliation Program 2001-2007 (Chair and Co-Chair); General District Court Committee 1990-1997; Lawyer Referral Service Committee 1993-1997. Other community involvement includes American Inns of Court; George Mason American Inn of Court; American Bar Association; Virginia Israel Advisory Board Member, to name a few.

Board of Directors (Uncontested) *see Director Candidate bios on page 11*



David L. Marks
Leiva & Marks, P.L.C.



Michael J. Shevlin
Shevlin Smith



John M. Tran
DiMuroGinsberg, P.C.

President's Column

by Corinne N. Lockett

A REWARDING YEAR

Wow! It is truly hard to believe that my whirlwind term as President of the Fairfax Bar Association is coming to an end and that my life will return to some pattern of normalcy in just a few weeks. Upon starting to write this final article, I went back through the past year and remembered the good and the bad, and the ugly. I kept coming back to one recurring thought. Wow, what a year!



So much has happened since last July. Of course, our regular favorites such as the Stitt Cup, Bench Bar Dinner Dance, golf tournaments, CLEs, and countless other events that deserve to be specifically mentioned were held as usual. However, this fall the FBA also pulled off a hugely successful membership drive resulting in hundreds of new members, and the FBA hit Las Vegas for its out-of-town conference where it was anything but business as usual. Courthouse construction was also completed in the fall, and the Juvenile and Domestic Relations District Court was finally able to move into the main courthouse. The FBA also moved down the hall into its beautiful new space on the second floor. Circuit Court Judges McWeeney, Finch, and Klein each announced their retirements, which were followed by a flurry of judicial screenings, judicial investitures, and portrait dedications. Law Day was revitalized with a beautiful reception in the Fairfax Public Law Library, the ever-popular Weiner Roast, and the Fairfax Law Foundation's first annual Run For Justice 5k.

Had I not lived it, I never would have believed how much hard work goes into producing all of these events. My contributions towards keeping the machine that is the FBA going were admittedly minimal. I quickly learned that it truly does take a village to keep this organization running in such a spectacular fashion, and I have many thank-you's to make.

Above all, I have to thank Executive Director Yvonne McGhee and the rest of the FBA's tireless staff who spend countless hours producing each of these events with determination, fortitude, and an exacting eye to the smallest detail (not to mention counseling a highly strung President with a penchant for disorder and drama). Never doubt that the staff's strong sense of organization and professionalism keep this bar association (and its Presidents!) running. I am truly grateful for all that they do.

I also owe a huge thanks to all of the Bar members who volunteered countless hours at planning committee and section meetings, judicial screenings, charitable events, and all of the functions that the FBA holds every year. I was thrilled to see so many of you volunteer your time for the FBA, and to those who benefit from its programs. As I have been preaching in the President's column throughout the year, without you, the Fairfax Bar Association is nothing more than a compilation of its members. An active membership is imperative to our success and a benefit to all of those who participate.

My thanks also go out to everyone at the County Attorneys Office for their support this year. I especially want to thank David Bobzien and Michael Long for understanding the load I was carrying when making office assignments, and my frequent absences from the workplace. Thanks also to my assistant, Meri Wilhelm, for keeping me organized and covering for me while I was on the run, and to Donna Banks for listening. Beginning in July, I promise to be available to return to my duties with full force and a positive attitude.

Finally, a really big thanks to my husband, Dave, who cheerfully took on the duties of "head cabana boy" in Las Vegas, escorting me to numerous FBA events (not as easy a task as it may sound), and acting as a sounding board for everything else. I am not an easy woman to live with under normal stress levels. No more needs to be said.

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FAIRFAX BAR JOURNAL

*Official Newsletter of the
Fairfax Bar Association*

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are inappropriate for the Journal.*

A CALL TO ACTION

by Seth T. Stark, Esq., Chair,
Business Law Section

BUSINESS LAW SECTION SEEKS TO REORGANIZE

I sit here writing this article safely ensconced in my air-conditioned office on an extraordinarily warm spring day. I have the privilege of looking through my window at the beautiful grounds of Fairview Park with green grass, lush trees, and gorgeous landscaping, all of which are in bloom. The National Cherry Blossom Festival has taken place, drawing tens of thousands of people to our beautiful capital city. "Snowmeggedon" seems like a distant (yet somewhat painful) memory. Baseball season is upon us, our city's football team has hired a competent quarterback with a winning tradition, and our city's hockey team seems poised to make a deep run in the playoffs and perhaps challenge for the Stanley Cup. More importantly, in my transactional legal practice, my phone has been literally "ringing off the hook" since the end of spring break. I am receiving several new pieces of business each day and credit, which as recently as six months ago seemed exceptionally difficult, if not impossible, to obtain, now seems as if it is beginning to flow back into the commercial marketplace. All in all, there seems to be optimism around our county and our city that better times are on their way.

I am happy to have this forum to communicate with not only the general members of the Fairfax Bar, but most specifically the members and would-be members of the Business Law Section. It is my intention with this article to attempt to motivate as many of my fellow practitioners as I can, so as to organize our Section (which has been dormant for quite some time) into an active, vibrant group within our Bar.

I will be spending the next few months contacting and connecting with existing members of our Section, plus any potential members that want to get involved, in order to discuss organizing this Section and setting up monthly meetings during the 2010-2011 cycle. The goal of our Section shall be in conformance with the Fairfax Bar Section Governing Rules, which are to "further the objectives and promote active participation of the Fairfax Bar Association; to enhance communication, exchange ideas on information on business issues which affect the practice of law in Fairfax County, and the Commonwealth of Virginia; to foster unity between members of the Section by providing a forum where Section members can share research, source materials, and experiences; to sponsor programs and projects of special interest and relevance to the members of the Section and the Fairfax Bar Association in the field of business law; to conduct legal educational programs and undertake other activities which shall enhance the competence and skills of lawyers and improve their ability to deliver the highest quality of professional legal services; to further promote public understanding of the field of Business Law."

In order to accomplish these goals, I will be creating an "advisory counsel" where I will ask well known business law practitioners in the County to act as a quasi "Board of Directors" to advise me with respect to ongoing activities of the Section. It is my goal that starting in September of 2010, our Section will begin to meet on a monthly basis, either for lunch or after-work sessions, with an ongoing agenda of bringing in

speakers to discuss various issues that affect the Fairfax Business community. In addition to legal-related speakers, it is my intent to liaison with the Fairfax County business community in order to fully inform Fairfax County legal business practitioners of topical issues arising in the business world that will affect our daily practice. Also, it is my hope that at least once in the fall and once in the spring, our section will be able to sponsor programs that will provide Virginia CLE credit for its participants.

Although I will be trying to contact each of you personally either by telephone or email over the next few months, I would ask that anyone reading this article who wishes to help me with the advisory committee, or just be involved as an active committee member in the Business Law Section to please contact the FBA Membership Coordinator, Christine Lee, at 703-246-2734 or email her at cleef@fairfaxbar.org. For more information on the Business Law Section, email stark@sethstarklaw.com or call 703-204-0020, ext 111. ■

Seth T. Stark, Esquire is the managing partner of Seth T. Stark & Associates, LLC, a business, real estate, and transactional law firm located at 3141 Fairview Park Drive, Suite 150, Falls Church, VA 22042. Mr. Stark is licensed to practice not only in the Commonwealth of Virginia, but also in the District of Columbia and in the State of Maryland.

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PITFALLS

OF COMMONLY-USED TAX TERMINOLOGY

*By Tiffany L. Burton, Esq.
Chair, FBA Tax Section
Attorney, Rees Broome, PC*

Limited liability companies provide convenient, flexible business vehicles to accomplish a wide variety of client objectives. The considerable popularity of LLCs among business owners is attributable in part to the fact that LLCs provide owners with a great deal of flexibility in arranging their relative economic rights and structuring how the entity will be taxed. From a tax standpoint, the owners are generally permitted to choose whether to have the LLC taxed as a partnership, a C corporation, or an S corporation. Additionally, of course, owners are provided with liability protection under state law.

However, the flexibility that makes LLCs so popular can also make them complicated and dangerous. Typical LLC operating agreements are inundated with tax terminology and references—and many seemingly unimportant terms in common provisions may have significant consequences for a client's business deal. Care must be taken to align the parties' actual intentions regarding the business deal with the "true" meaning of the operating agreement.

By default, a Virginia LLC with more than one member will be taxed as a partnership, which enjoys a single level of taxation. The company may then *elect* to be taxed as a corporation or, if eligible, as an S corporation (which enjoys a single level of tax similar to the advantage enjoyed by partnerships). However, under prior law, rather than an elective regime, the particular characteristics of the LLC—which made the company either "look" more like a partnership or a corporation—were determinative of whether the company would be taxed as a more desirable partnership (with a single level of tax) or as a corporation (with a double level of tax).

As a result of those rules, attorneys designed LLC operating agreements to eliminate "corporate" characteristics. For example, one mechanism was to provide that the LLC would dissolve upon the death or dissolution of a member, unless the remaining members voted to continue the company. Such clauses, in almost all instances, were originally created for tax reasons. Despite the change in the law regarding how LLCs are now regarded for tax purposes, automatic dissolution clauses are still frequently found in LLC operating agreements. On more than one occasion, the remaining members of an LLC (and the operation of the company) have continued after the death of a member with no consideration given to this obscure and unnecessary requirement, only to face significant difficulties when disagreements later arise among remaining member or liability issues arise with respect to third parties.

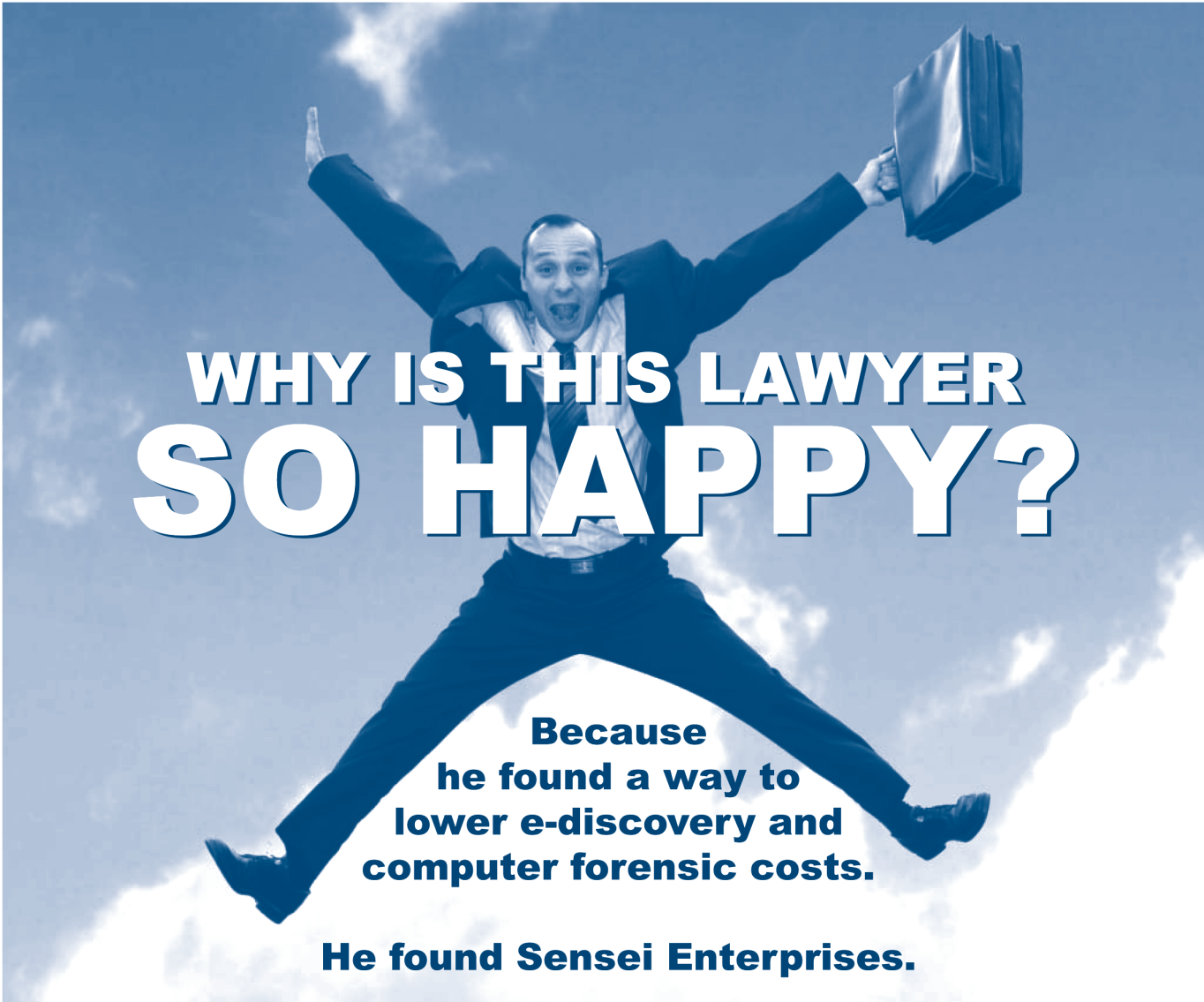
Another common area of "tax pitfalls" arises as a result of the tax flexibility that is provided in recognition of the deference given to tax allocation provisions of an operating agreement so long as such allocations have "substantial economic effect." While a term of art, Treasury Regulations provide a safe harbor for an operating agreement's allocation provisions as having "substantial economic effect" where the operating agreement calls for (i) maintenance of capital accounts, (ii) liquidation in accordance with positive capital account balances, and (iii) either an unlimited deficit restoration obligation or a qualified income offset provision.

Accordingly, many operating agreements call for maintenance of capital accounts "in accordance with Regulations §1.704-1(b)(2)(iv)" or some similar maintenance requirement. Such a capital account maintenance requirement—in accordance with the Treasury Regulations—is often included even where the agreement is not a "safe-harbor agreement." Thus, complicated capital account maintenance provisions are included even when capital accounts are not used in determining economic rights (e.g., where everything is split 50/50 with no reference to capital accounts), or where the maintenance rules are contrary to the parties' intentions (e.g., capital accounts are used to determine voting or economic rights in instances not consistent with the renegotiated deal).

Additionally, you will sometimes see the "safe-harbor" tax provisions in operating agreements for LLCs that have elected S corporation status. This seemingly thoughtful attempt to meet the "substantial economic effect" criterion can cause significant complications, including the potential loss of S corporation status for tax purposes.

In short, many of the "standard" provisions in an LLC operating agreement carry unrealized tax and business implications that are difficult—but vitally important—to understand. Reflexive recopying of inapplicable provisions from a previous agreement can all too often unwittingly bring about a result entirely opposite from the one the clients actually want to achieve.

If you find this article (or taxation in general) interesting—or find neither interesting but have accepted that taxes, like death, are unavoidable—and you would like to become more involved in the Northern Virginia tax community, please consider the FBA Tax Section. We would love to have you join us. ■



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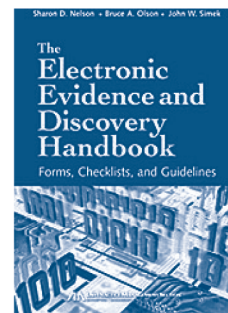
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PROPER COURTROOM ETIQUETTE

By Steve Shannon, Esq.
Special Counsel,
Odin, Feldman & Pittleman, P.C.

I recently participated in a panel discussion sponsored by the Fairfax Bar Association focusing on etiquette in the courtroom. To my mind, the manner in which attorneys conduct themselves in court is an extension of the obligation to zealously represent one's client.

Among other objectives, judges have the responsibility for conveying to the general public and litigants that the administration of justice is a fair process. For this reason, judges often recognize and appreciate attorneys who assist in maintaining a sense of order and decorum in the courtroom.

The following are some suggestions I have learned through observation and through discussions with judges and members of the Bar.

- Counsel should always begin by stating their name and who they represent, even if they appear before that judge on a regular basis. In addition to creating a sense of formality, judges cannot be expected to remember every attorney's name. Even if the judge knows you, they appreciate the example set for other attorneys in the courtroom.
- Counsel should always stand when speaking or raising an objection. Also, err on the side of asking the judge for permission, e.g., "May I approach the witness?; May I have a moment to review my notes?; Will the court please mark the following document plaintiff's exhibit 1?" This recommendation includes asking for advance permission to use demonstrative aids or audio/visual equipment so that a judge does not incur unexpected delays to their dockets or last-minute objections that could have been avoided.
- Appropriate attire is important. A client may not notice the attorney whose top button is unbuttoned, whose tie is loose, whose outfit is wrinkled or unusually casual, but the members of the Bench notice.
- Resist the temptation to be too casual, even if counsel appears in the same courthouse every day. There are certainly opportunities for humor, yet a judge is put in an awkward position if counsel becomes too cavalier, particularly when the other side does not prevail. Likewise, adults should not be addressed by their first names.
- Counsel should avoid talking objections. If the court requires further explanation, a judge will seek further input. As a corollary, when a judge speaks, counsel needs to stop doing so.
- Attorneys should not talk with one another in the courtroom while waiting for their case, nor should they talk with one another in the hallway between the double doors of a courtroom and the general hallway. Bailiffs should not have to leave the courtroom to ask counsel to lower their voices, although they do each day.
- Unintentional slights are common pitfalls. Resist shaking your head or rolling your eyes after an unfavorable ruling. Multi-tasking when the judge is speaking can be misinterpreted. Presenting documents to opposing counsel or a witness in an abrupt manner can be perceived as exhibiting hostility towards them.

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LEGAL RESEARCH

*By Christopher Shiplett, Esq.,
Technology Committee
Randolph Law, PLLC*

Both Westlaw and LexisNexis recently announced new suites of products touting a new, more effective way to conduct legal research online. The functions included in these new service offerings can allow lawyers to fundamentally change the way they seek case law and legal information. Previously, a lawyer had to consider the answer to a legal question as "lost," and approach it accordingly by sifting through mounds of related but clearly irrelevant information to find that one item or few items that were the relevant answer. Now, Westlaw Next and the new LexisNexis will assure the intrepid researcher that the answer to his or her question has been merely "misplaced," and guide him or her to that answer quickly and effectively with a minimum of dead ends and unproductive tangents.

Westlaw recently released "Westlaw Next" west.thomson.com/westlawnext), promoting it with the tagline "Today, Legal Research Goes Human." The tagline describes the key features of the new product. Westlaw has combined the search in all of its databases into a single textbox, and now allows either natural language, boolean, or citation search within that single box. Westlaw Next adds a "secondary search" behind the scenes and returns documents contain-

ing similar characteristics to those returned by the search keyed to the text a lawyer enters in the search box. Westlaw Next also adds an internal map of what documents are the most popular returns from what search strings, and uses that map to expand the set of documents a particular search returns, as well as to sort those documents by relevance.

In addition to the single search box and the behind the scenes improvements to the search engine, Westlaw Next adds some user interface tweaks, such as the ability to store the document results from searches, organize the documents according to topic in a custom set of folders, and highlight passages in the documents.

The result of these changes is a system that attempts to inject intelligence into the search process and return the most useful documents quickly, rather than merely returning only documents that match the exact criteria of the search.

LexisNexis appears to have taken a similar track conceptually. They advertise a new system that integrates boolean, natural language, and citation-based search into a single

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The advertisement features a large, detailed image of a two-story house with a prominent arched front porch supported by white columns. The house has a brick chimney and is surrounded by landscaping. In the bottom left corner, there is a logo consisting of a 3x3 grid of squares. The middle square contains the letters 'TCS' in a stylized font. The other squares contain various architectural details like a window, a door, and a roofline. Below the logo, the text 'Since 1981' is written. To the right of the logo, the website 'tcsbuilding.com' is listed. On the right side of the advertisement, the text 'Design-Build, Home Additions Kitchens & Bathrooms Home Renovations' is displayed in a bold, sans-serif font. Below this, a call to action reads 'Call us today and schedule your free design consultation! tel. 703-525-6888'.

PARALEGAL NEWS



Susan McClean
McCandlish & Lillard, P.C.

2009 *Pro Bono* Paralegal of the Year

The FBA Paralegal Section wishes to congratulate our long-standing member, Susan McClean, on her recent election as 2009 *Pro Bono* Paralegal of the Year.

Susan commenced her regular volunteer work with the Northern Virginia *Pro Bono* Law Center's Neighborhood Outreach Program at a homeless shelter. Through that project, attorneys meet with clients to provide legal advice and referral information. The paralegal's role is vitally important as they establish a bond with

the clients, helping to put them at ease, all while professionally assisting the attorneys.

Susan's community service does not stop there. She also volunteers with the "Florian Foundation," an organization that assists attorneys with the preparation of estate planning documents for police officers, fire fighters, and other first responders in the Washington DC/Metropolitan area. Outside of the legal community, Susan volunteers with her church.

We are so fortunate to have a fellow member in Susan, whose level of selflessness and dedication to community inspires each of us. Congratulations, Susan!

The FBA Paralegal Section and the Fairfax Law Foundation wish to express their joint gratitude to members of the Fairfax Bar, Paralegal Section, and Fairfax community who contributed to the Paralegal Section's Annual Valentine Project, adopted by the Foundation last year. Monetary and new book donations were collected to fill 34 gift bags, 12 for the residents of the Fairfax Girls' Probation House, and 22 for the residents of the Fairfax Boys' Probation House. We received a donation of non-fiction books from one of our long-time contributors, Ms. Kay Olson, former Editorial Director of Capstone Press, Mankato, MN. Colorful and sturdy shopping bags were once again donated by the Trader Joe's located on Main Street in Fairfax, courtesy of Assistant Manager Dave Kenney. Washington Nationals tote bags were donated for the young men's gifts, courtesy of Raymond Lee, Jr., Representative/Inside Sales, Washington Nationals Baseball Club. Each young adult received one non-fiction and three fiction and/or classic books, toiletries and personal items, a journal and writing pens, and Valentine candy. Moreover, the facilities' directors and teachers received additional items for use as gifts and/or incentives for the residents during their tenure.

It was a tremendous pleasure to deliver the gift bags to the young women and men on behalf of the Fairfax Bar Paralegal Section and the Fairfax Law Foundation. Each of the young adults was genuinely excited with their books and other gifts, several of them having remarked that the gifts were equivalent to a second Christmas. To view copies of the heartfelt thank you letters, please access the Paralegal Section's page of the FBA website at www.fairfaxbar.org, select "Who We Are," then select "Committee/Sections," and then click on "Paralegal."

Thank you for your continued generous support of this worthwhile project! ■

EXECUTIVE DIRECTOR TO SERVE ON NATIONAL BOARD AS VP

YVONNE MCGHEE, Executive Director of the Fairfax Bar Association and the Fairfax Law Foundation, has been elected as the Vice President for the Board of Directors of the National Association of Bar Executives (NABE). Yvonne has been active with the organization, serving on the NABE Program, Survey, Scholarship, Chief Staff Executive Retreat, Small Bar Conference and Membership Committees, the latter two of which she chaired. She is a member of the NABE Communications, Administration and Finance, and Information and Technology Sections. Yvonne has received numerous NABE accolades including the President's Award, Peer Excellence Award, and the Communications Section Anne Charles Award. She currently serves as a Local Bar Director on the NABE Board.

PROPER COURTROOM ETIQUETTE

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- Interactions with opposing counsel are particularly important. Always bring copies of caselaw and exhibits for them as well as for the judge. No matter what your feelings may be about opposing counsel, avoid the temptation to degrade them. Conversely, maintain composure if opposing counsel acts disrespectfully toward you. Judges or juries may not always understand the nuances of an argument, but they understand a cheap shot.

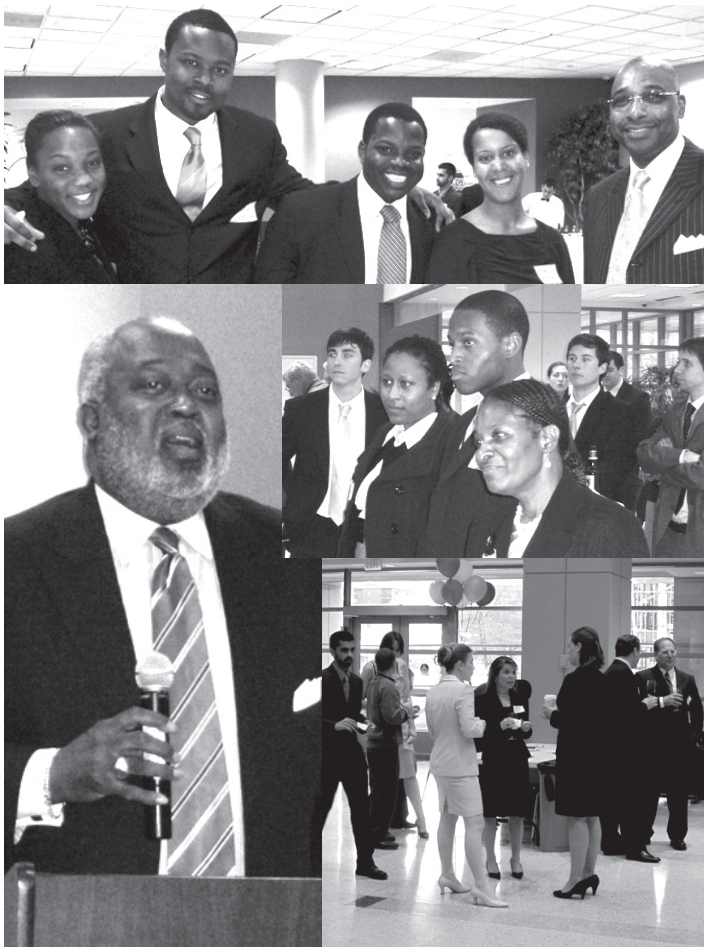
- Exercise proper restraint. It is perfectly reasonable to vigorously cross-examine a witness or critique an argument when appropriate. Yet, exhibiting a constant aggressiveness throughout a proceeding or cross-examination conveys a lack of respect for the opposing party or witness, which can backfire.

- In the final analysis, proper etiquette may not change the result in a particular case. Yet, it certainly goes a long way to raising the level of professionalism within the Bar. It sets an example for newer attorneys, and it enhances your professional reputation among members of the Bench. ■

DIVERSITY IN THE LAW

On April 9, 2010, the Northern Virginia legal community joined together at the "Celebrating Diversity in the Law" reception in tribute to the growing diversity within our profession. It was an evening of networking with members of the legal community and with law students participating in the George Mason University School of Law (GMUSL) Moot Court Competition. The reception was held following the completion of the Moot Court finals, at the law school campus. The reception featured remarks by Honorable William T. Newman, Jr., Chief Judge, Arlington Circuit Court, and three GMUSL students received \$1,000 scholarships sponsored by the Fairfax Bar Association and the Fairfax Law Foundation.

The reception was hosted by GMUSL in conjunction with the GMUSL Moot Court Board, Alexandria Bar Association, Fairfax Bar Association, National Association of Women Judges, and the Northern Virginia Black Attorneys Association. This partnership between GMUSL and the Bars across our area recognizes the great strides we have achieved in diversity over the past few years, and also demonstrates our dedication to continue fostering greater diversity within our legal profession and the legal community. ■



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\$250 LEVEL

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Virginia Trial Lawyers Association

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TIP FROM THE LAW PRACTICE MANAGEMENT (LPM) SECTION

Organizing Browser Tabs

Excessive browser tabs can become cumbersome and frustrating when trying to navigate the web. By right-clicking a tab, users have access to a variety of options to assist in organizing their browsing session:

Close/Refresh/New/Duplicate

Use any of the listed menu items to perform common tasks such as closing, refreshing, opening, and duplicating. (The grouping will only be active if a group is present).

Grouping Tabs

If a New Tab is created from an existing tab, it will be grouped with the originating tab. There may be multiple tabs in a group, and each group of tabs will be flagged with a unique color (i.e., one group of tabs in green and other group in blue).

If you have a law practice management question for the FBA's LPM Section, please email Co-Chair Michael Minter at mminter@milesstockbridge.com and we'll incorporate your question as part of our weekly e-blast or *Journal* tips.

STUDENTS OF FAIRFAX COUNTY

by Sonya M. Duchak, Esq.
Chair, Law Related Education Committee

As Chair of the Law Related Education Committee for over a decade, I have watched hundreds of students come through our courthouse on court tours. While some may be bored by the inner workings of the three courts, others are mesmerized by the interaction of the attorneys, judges, and juries. Some won't look at the holding cell, while others can't believe prisoners are transferred underground from the jail to the courtrooms. Some have never heard of a crime of moral turpitude, while others are astonished to learn that a lookout can get in as much trouble as the perpetrator. Some think we are kidding when we say that the up escalator on the first and second floors of the courthouse are on the wrong side until we let them see for themselves. Of course, they believe us when we tell them it was designed that way intentionally to thwart anyone from trying to escape quickly!

However, due to county budget cuts, the court tours will not be able to continue without the help of people like you and me who can contribute to the Fairfax Law Foundation and support this, and all the other programs of the Law Related Education Committee. So much effort by so many volunteers has been given to the Court Tour Program, the Devonshire Program, the mock trials, the Speakers Program, and the numerous other events that the Law Related Education Committee participates in throughout the year that we can't let these programs fall to the wayside during the current economic downturn. These are our children and this is our community that we need to give back to and show our support.

For the past year, the Foundation has sponsored the "Adopt-a-School" Program to provide funding to the schools to allow the Court Tour Program to continue in full force. We ask that anyone interested in sponsoring a school or helping the Law Related Education Committee in continuing any of its programs contact me at sduchak@fairfaxbar for more information.

Adopt-a-School Program

Since 1995, the Fairfax Law Foundation has sponsored the Court Tour Program for eighth grade students in Fairfax County. Due to Fairfax County budget cuts, the Court Tour Program cannot continue without the help of sponsors who will pledge \$1,000 to Adopt-a-School. By pledging \$1,000, your sponsorship will enable eighth grade students to participate in the Court Tour Program which has been an element of the Standards of Learning for over ten years, and is an integral part of the curriculum for eighth grade Civics classes.



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SCHOOLS THAT NEED SPONSORS

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Key—6402 Franconia Road, Springfield

Lake Braddock—9200 Burke Lake Road, Burke

Poe—7000 Cindy Lane, Annandale

Rocky Run—4400 Stringfellow Road, Chantilly

Sandberg—8428 Fort Hunt Road, Alexandria

South County—8501 Silverbrook Road, Lorton

Twain—4700 Franconia Road, Alexandria

Whitman—2000 Parkers Lane, Alexandria

FBA Board of Directors Bios (continued from page 1)

David L. Marks
Leiva & Marks, P.L.C.

Vision for the FBA: The purpose of the FBA is to serve as a link between the public, the judiciary, and attorneys. I feel the priority of the FBA is to publicize its unique position to address concerns or suggestions of all three of these groups. I would like to see the FBA become a resource for the Fairfax County community when it is searching for an answer to a question about the legal system, a legal opinion, legal comment, or when searching for an attorney. I would like attorneys to know that the FBA is working to link them with the public, and the FBA works hard to address all their concerns about our court system. We have great judges in Fairfax and they are always looking for feedback from the FBA as to what works and what needs to be changed.

Involvement in the FBA includes: Young Lawyers Section Board Member, 2003-2006; Young Lawyers President 2005; *Pro Bono* Advisory Committee 2001-Present (Chair, 2004-2006); *Pro Bono* Neighborhood Outreach Program, 2001-2003; Budget Committee 2006; Convention Committee 2006; Board of Directors, 2007-2010; General Counsel, 2009-2010.

Michael J. Shevlin
Shevlin Smith

Vision for the FBA: While the FBA serves many different and divergent purposes, I believe its main priorities are to (1) promote the administration of justice by cultivating the professional competence of its bar members and by ensuring open access to the courthouse for our residents; and (2) facilitate interactions among bar members and between the bar and bench.

Involvement in the FBA includes: Board of Directors; Law Library Committee; Law Library Vice Chair. Other professional activities include: Member, Virginia Trial Lawyers Association and the Trial Lawyers of the District of Columbia; Leaders Forum Member; American Association for Justice; Member, Brain Injury Association of Virginia, Inc., among others.

John M. Tran
DiMuroGinsberg, P.C.

Vision for the FBA: As the legal community continues to struggle with the impact of challenging economic times, the FBA's priorities will be in sustaining and growing membership interest, while keeping open communication between the bar, bench and community.

Involvement in the FBA includes: I participated in projects including reviewing the procedures of the Judicial Nominations Committee and presenting CLE programs. I also participated in the Court Tour Program. Other professional activities include: Sustaining Member, Past President and Member of the Advisory Steering Committee for the Asian Pacific American Bar Association of Virginia, Inc. (APABA-VA), 1998-Present; Judicial Nominations Committee for APABA-MD, Panelist for NAPABA and APABA-DC, 2008-Present; Program Co-Chair, George Mason American Inn of Courts, 2008-Present; Director/Former Secretary of the Alexandria Bar Foundation, 2004-Present; Chair and Member, Special Committee on Information & Technology, Virginia State Bar, 2003-Present; Faculty Member and Lecturer, Virginia State Bar Professionalism Faculty, 2008-Present; Member, Virginia State Bar Judicial Nominations Committee, 2008-Present; Director, Potomac Legal Aid Society, 2008-2010. ■

FBA SEEKS AMERICAN BAR ASSOCIATION (ABA) DELEGATE APPLICATIONS

The Fairfax Bar Association is soliciting applicants for delegate in the ABA's House of Delegates. The FBA Board will meet on May 25th to select a delegate—the position will take effect *after* the ABA Annual Meeting in August, 2010 and is a two-year term that will expire in August, 2012.

Reimbursement of the ABA Delegate will be as follows:

- ABA Annual Meeting: The FBA will reimburse the delegate for coach airfare to the Annual Meeting of the House of Delegates. The FBA will also provide a per diem of \$250.00/day for food and lodging for each day the House of Delegates meets.

- ABA Midyear Meeting: The ABA will reimburse the delegate for their coach airfare to the Midyear Meeting along with ground transportation to and from the airport. The registration fee is waived. The FBA will provide a per diem of \$250.00 for food/lodging for each day the House of Delegates meets.

If you would be interested in serving as the FBA's Delegate to the ABA, please forward a statement of your interest and your qualifications to FBA Executive Director Yvonne C. McGhee at ymcghee@fairfaxbar.org; Fax: 703-273-1274. **Applications are due before close of business on Monday, May 17.**

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Positions Available

Executive Legal Secretary/Office Manager

Minimum Experience: 5 Years in an Executive Secretarial/Supervisory Position

A 13-year-old trusts and estates boutique law practice in downtown McLean is looking for an office manager/executive assistant to the owner/manager. Firm has three lawyers in an elite high-net worth practice. Responsibilities include extensive interaction with clients and prospective clients; preparing routine correspondence; billing, bookkeeping and accounting; overall management of firm accounts payable and receivable; transcribing occasional tapes. Experience with TimeSlips and QuickBooks (or similar timekeeping and bookkeeping software) is necessary. The office manager is also responsible for maintenance of document inventory, filing and storage; ordering supplies and evaluating vendors for cost efficiency; and overall management of firm accounts payable and receivable.

Please contact Frederick J. Tansill at 703-847-1359 to schedule an interview, and forward your resumé to fred@fredtansill.com. For further information about our firm, visit our website at www.fredtansill.com.

FAMILY LAW ATTORNEY POSITION—Fairfax firm seeks FAMILY LAW ATTORNEY. Shoun, Bach, Walinsky & Curran, P.C. seeks Family Law Attorney with 10 or more years of local experience and established practice to join firm. Contact info@shoun.com; Attn: Albert M. Bonin.

Office Space Rent/Lease

FAIRFAX CITY—Large office space in my fully furnished, fully equipped office located near the Fairfax Courthouse. Nicely decorated, and has all necessary furniture, office equipment and supplies. The office is approx. 1000 SF with plenty of available attorney space plus reception area. Contact for details at RIEGERLAW@aol.com. Potential for referral work. Rental negotiable and reasonable.

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FAIRFAX CITY—10482 ARMSTRONG STREET. Office space available with central reception, large conference room, library/conference room, large kitchenette, free parking. Close to courthouse. Rent includes utilities and cleaning. Inquiries to L.Larrick@frommelaw.com.

FAIRFAX CITY—OFFICE FOR RENT. Located at 10511 Judicial Drive, directly across from the Fairfax County Courthouse. Two office spaces currently available for immediate occupancy, both have a window (for natural sunlight). In addition to the office space, we have at least two areas where "admin staff" could be placed...it is not office space; rather it is floor space in the common area.

The office space rents for \$700; each admin area is an additional \$300. Rent includes use of a copier and fax (10 cents per copy over 300 copies/mo.). Reception area for receiving guests (receptionist does not answer any tenant telephones). There are currently five main conference rooms available for tenant use. Contact Mandi Shillingburg 703-591-4900.

Announcements

DONOHUE & STEARNS PLC announces the Partnership of **ED DONOHUE** and **FRANK W. STEARNS**. Ed Donohue, 801 N. Fairfax Street, #209, Alexandria, VA 22314; 703-549-1123; EDonohue@DonohueStearns.com. Frank W. Stearns, 20110 Ashbrook Place, #160, Ashburn, VA 20147; 703-726-2547; FWStearns@DonohueStearns.com.

THE HONORABLE STANLEY P. KLEIN, Retired Judge of the Nineteenth Circuit Court in Fairfax, has joined The McCammon Group (TMG), a leading provider of mediation and arbitration services in the mid-Atlantic. For more information, please visit www.McCammonGroup.com.

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- 1,000 SF on 1st floor fronting Judicial Dr
- Walk to FFX Courthouse
- Floor Plan—waiting/reception area, 2 private offices, conf room
w/built-in bookcases, ADA restroom & storage room
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SALE—\$325 psf (\$325,000)

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3911 OLD LEE HWY, UNIT 43C:

- 1,150 sf at FFX Commons fronting Old Lee Hwy
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kitchenette & closets, exterior signage, plenty parking—
\$20 psf + elec & cleaning, 2-yr min
- * 2,000 SF on Chain Bridge Rd (FFX Crossroads) great
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LEGAL RESEARCH

continued from page 7

intuitive search box, among other things. Operationally, however, LexisNexis appears to have taken a different approach to releasing their new search products from that taken by West. For example, LexisNexis offers "Lexis Web," a search of free and publicly available web content that LexisNexis editors have pre-vetted as likely relevant. This service is free and stands separate from any other LexisNexis service at www.lexisweb.com. LexisNexis also offers integration with the Microsoft Office products. For example, a user of Outlook can perform a LexisNexis search from within Outlook and have the results returned without leaving the application. A user can also perform a one-click search on any entity represented in the email addresses associated with that email, and can perform the same search on any word or phrase in the body of the email. These same capabilities are integrated into other Microsoft Office products such as Word and Excel. LexisNexis has integrated a portion of its database catalogue into its Office product, but not its entire catalogue.

Interested in learning more?
Westlaw will host two multiple
session CLEs on May 6
(topic will be productive legal
research) and June 2
(topic will be electronic litigation
management).
For more information or to register,
please visit www.fairfaxbar.org.

These new search offerings are the first steps in what many see as a paradigm shift in legal research. Historically, the legal research companies have focused their energy on the gathering and aggregation of data. This has been the case from the first publication of the West Federal Report series, through the most sophisticated iteration of Westlaw and Lexis prior to these most recent. Now these companies are beginning to change the focus of their product feature from presenting all of the relevant data to pinpointing the most useful subset of results within that vast set of potentially relevant data. Lawyers have talked for some time about the coming revolution in legal research. These two product suites announce that the new day of legal research is here.

PRESIDENT'S COLUMN

continued from page 2

In my initial column last summer, I admitted to my past struggles with juggling the demands of my job, social obligations, and personal life; and throughout my term I have repeatedly voiced the theme of finding a balance by getting out and becoming more involved in your legal community. Coming up on the end of my term, I can only hope that I was able to find some balance between all of these competing interests and that I did not drop too many balls along the way.

I am hopeful that some of you took me up on my challenge to take the time to get out from behind your desks and get involved in your legal communities. I am more hopeful that if you did, you enjoyed the same benefits from your efforts that I have over this year. The rewards I received far outweigh the time and energy invested. I most certainly have benefitted more from my bar involvement this year than I can express, and I want to thank each of you for the privilege of allowing me to serve as your President for the last year. ■

NEW MEMBERS

March 2010

Lisa M. Bass
Nicolas Bernasconi
Alfred Patrick Boland
Lawrence Edward Carr, III
Michelle Jacobs Chapin
Nancy Duff
Toni O. Fashola
Jay R. Goldman
John Hawley Hawthorne
Kathryn Henderson
Andrew Paul Hill
Martina A. Hone
Anna Chaplain Karkoon
John Kirkpatrick
Catherine Knight
Spiros Dimitrios Komis
Alisa Lachow-Thurston
Patricia Agliano Lankenau
Chase Elia LoVerde
Lloyd A. Martin
Megan Valentine Maso
JC Miller
Martha Fulford Mothershead
John Edmond Oliver
Thomas J. Robl
Matthew Von Schuch
Kandace Ann Stroup
Joyce Williams
Natalia Cecilia Wilson

UPCOMING EVENTS/CLEs

May 2, 2010

MAKING YOU MORE PRODUCTIVE:

WestlawNext—THE NEXT GENERATION OF LEGAL RESEARCH CLE

Multiple Sessions Available!

1:00-2:00 PM

2:00-3:00 PM

3:00-4:00 PM

4:00-5:00 PM

Location: Fairfax Public Law Library

1.0 MCLE Credit *Approved*

\$35.00 FBA Attorney Members;

\$50.00 Attorney Non-Members

May 10, 2010

10th ANNUAL SPRING

GOLF TOURNAMENT

Location: Westfields Golf Club

May 26, 2010

YOUR FIRST TIME IN COURT: WHAT TO EXPECT & WHAT THE BENCH EXPECTS OF YOU CLE

5:00-7:00 PM

2.0 MCLE Credits *Pending*

Location: Fairfax County Courthouse Jury Assembly Room (404)

\$60.00 FBA Attorney Members

\$75.00 Attorney Non-Members

May 27, 2010

INTELLECTUAL PROPERTY: THE IMPACT OF THE SUPREME COURT'S *BILSKI* DECISION CLE

5:00-7:00 PM

2.0 CLE Credits *Pending*

Location: Fairfax County Courthouse, Courtroom 1E

\$70.00 FBA Attorney Members

\$100 Attorney Non-Members

June 2, 2010

ELECTRONIC LITIGATION MANAGEMENT CLE

Multiple Sessions Available!

1:00-2:00 PM

2:00-3:00 PM

3:00-4:00 PM

4:00-5:00 PM

1 MCLE Credit *Approved*

Location: Fairfax Public Law Library

\$35.00 FBA Attorney Members

\$50.00 Attorney Non-Members

June 10, 2010

THE ART OF PRESENTING & OPPOSING EXPERT TESTIMONY CLE

4:00-7:00 PM

3.0 MCLE Credits *Pending*

Location: Fairfax County Courthouse Jury Assembly Room (404)

\$105.00 FBA Attorney Members

\$150.00 Attorney Non-Members

June 25, 2010

7TH EDITION FAIRFAX CIRCUIT COURT PRACTICE MANUAL CLE

2:30-6:30 PM

4.0 MCLE Credits *Pending*

Location: Fairfax County Gov. Ctr. Board Auditorium

Early Registration Price (Register by May 31):

\$275.00 FBA Attorney Members

\$325.00 Attorney Non-Members

Late Registration Price (After June 1):

\$300.00 FBA Attorney Members

\$350.00 Attorney Non-Members

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Hon. Stanley P. Klein (Ret.)

Retired Judge,
Fairfax County Circuit Court

Stan Klein was a trial lawyer's Judge. After seventeen exemplary years, he has recently retired from the bench. Previously, he enjoyed a broad civil litigation practice in Northern Virginia. During that time, he also served as a Substitute Judge and Commissioner in Chancery. A dedicated educator for more than a decade, he currently serves as an Adjunct Professor at George Mason University and American University. He has been a frequent lecturer at seminars for both the Virginia Trial Lawyers Association and the Virginia Defense Attorneys Association. He has been active in the Judicial Conference of Virginia and the George Mason Inn of Court. He served with distinction as the Chair of the Virginia State Bar Standing Committee on Professionalism. Stan is now available to serve the mediation, arbitration, judge pro tempore, and special master needs of lawyers and litigants throughout Virginia and beyond.

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Registration fee of \$400.00 includes 7.5 MCLE (3.0 Ethics) credit hours (pending), two cocktail receptions, continental breakfast, a breakfast buffet, a lunch buffet, and a dinner buffet and oyster roast. Hotel rates are not included. FBA room rates are \$259.00 per night, plus hotel taxes and fees. Space is limited. Call the hotel toll free for reservations: 800-843-3746; guests are \$100.00 additional. Call Jana Gill at 703-246-2735; jgill@fairfaxbar.org for more information.