

JOURNAL

Newsletter of the Fairfax Bar Association www.fairfaxbar.org May/June 2014

FBA ELECTIONS — 2014-2015

NOTICE OF ELECTION Fairfax Bar Association Rules of Election FBA INTERNET VOTING PROCESS FOR VICE PRESIDENT AND BOARD OF DIRECTORS

The Fairfax Bar Association Online Board of Directors election will begin on Tuesday, June 10, 2014 at noon and will end on Friday, June 13, 2014 at 4:00 PM. Pursuant to our Bylaws, only Regular and Honorary Members of the FBA are eligible to vote. In order to vote, Regular and Honorary Members must have a valid email address on file with the Fairfax Bar.

Each eligible voter will receive an email prior to the opening of the online election with login, username, and password information needed to vote. This email will also contain detailed information on the election process and the candidates. The candidate information also will be placed on the Association's website, www.fairfaxbar.org, in the Member's Only section. Members may vote from any location providing Internet access. A computer will be made available at the FBA office for voting, should any member need to vote at that location.

The following are responses by each of the candidates to the question, "What do you see as the FBA's priorities?"

CANDIDATE FOR FBA VICE PRESIDENT (UNCONTESTED)



**Richard A. Gray – Vice President
Feldesman Tucker Leifer Fidell LLP**

After fourteen years in the Fairfax Bar Association and six years on the FBA Board of Directors, I continue to believe in the FBA's vision to make our members our number one priority. Simply put, we exist to serve our membership. The Fairfax Bar Association constantly strives to meet our diverse members' varied needs and to simultaneously maintain and build on our membership base. The FBA is often perceived as a litigator's bar association, and a recurring hurdle that I've experienced in my six years on the Board is to reach out to transactional and institutional attorneys to demonstrate to them the value that FBA membership offers.

The FBA provides a wide range of services and resources, and it accomplishes much in a given year, including offering a variety of continuing legal education courses (CLEs), the annual Bench Bar Dinner Dance, Law Day, the Kassabian Award, major golf tournament, court tours, and many other worthwhile endeavors. In reviewing my past two applications for election to the FBA Board, I cited membership growth as a top priority. I continue to believe that this is our chief ongoing priority. We need to continue to reach out to members who don't renew to find out where we could have done better job to keep them as a member and why we're falling short in meeting member needs.

I continue to believe another FBA priority is promoting reduced fee or pro bono lawyer services to indigent and low income individuals. These individuals may need legal representation in areas where they do not ordinarily qualify for legal aid, in matters such as custody, visitation, and child support. I have taken at least one case a year from Northern Virginia Legal Services in support of this objective.

FBA involvement: FBA Board of Directors (2009-Present), Treasurer (2013-2014); Pro Bono Committee (2009-Present); Fairfax Family Law Pro Bono Summit (2010); Membership Task Force (2011-2012); J&DR District Court and Circuit Court Conciliation (2009-Present), FBA Ambassador Program; Active Member of the Family Law Section (2010-Present).

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President's Column

By Edward L. Weiner, Esq.



THE 19TH IS #1

Relative to the legendary place Fairfax jurists and lawyers have held in American history, one may be surprised to learn that the Fairfax Bar Association was only "recently" incorporated in 1975. The first president was the Honorable "Quin" S. Elson. At that time, the Fairfax Courthouse was the red brick building on the corner of Main Street and Chain Bridge Road. The Judges walked through the public hallways to get their courtrooms. There was a sandwich shop in the basement of the courthouse and the Bar Membership was less than 175.

Today, the FBA represents the lawyers who practice in the 19th Judicial Circuit, has a membership which stands at 2,362. The Bar is governed by 10 (ten) committees and 12 (twelve) sections. Each forum improves professional knowledge and provides the opportunity to work with our Courts to constantly improve the administration of Justice in the 19th Circuit. These Committees and Sections are comprised of dedicated practitioners who selflessly give of themselves for the greater good of our profession.

In 1982, a sister organization, the Fairfax Law Foundation was established as a 501(c)(3) organization. The Foundation's mission is to provide greater access to our justice system through community outreach and *pro bono* programs. Over the past three decades these organizations have worked hand-in-hand to make Fairfax a better place to practice law and a better place to live.

A necessary cornerstone of any justice system must be accessibility to information. There has to be free, public access to find judicial rules and procedure. To fill that basic community need, the Fairfax Bar Association and Fairfax Law Foundation together support one of the very few public law libraries in the region.

Through *pro bono* programs, last year alone 1,646 clients were served by our devoted volunteers. Without question, the conscientious work of our skilled members has improved the lives of many.

Without question, the 19th Judicial Circuit serves as the judicial epicenter of Virginia. Clearly, anyone who practices law or lives in Virginia travels through Fairfax; more so than Richmond, Arlington, or Virginia Beach. The FBA has the largest membership of any voluntary Bar in the State. These facts make for a heavy caseload of our Court and particularly for our Judges. Through an innovative project, the FBA helped its members, the public, and the Court by creating a way to facilitate a crowded court docket. The Fairfax Bar Association began a structured Case Conciliation Program to resolve those cases that can be resolved without a judge and narrow the issues of those that must be heard, thereby reducing Judges caseloads.

The list goes on...Mentorship Programs for young lawyers as well as Court Related Education Initiatives for the public. These are just a sample of the worthy projects of the FBA.

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FAIRFAX BAR JOURNAL

*Official Newsletter of the
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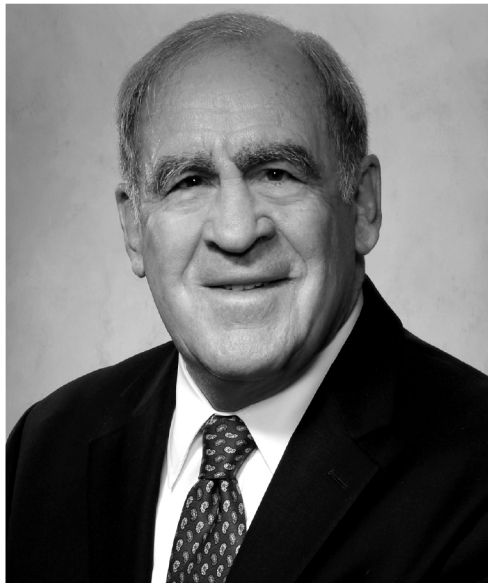
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Hon. Thomas D. Horne (Ret.)

Retired Judge

Twentieth Judicial Circuit of Virginia

Thomas Horne has recently retired after more than thirty years of distinguished service to the Twentieth Judicial Circuit, including serving four terms as Chief Judge. A leader of the bar and in the community, Judge Horne is a Past President of the Loudoun County Bar Association and a founding member of the Loudoun County Legal Aid Society. He received the Harry L. Carrico Outstanding Career Service Award and was the Chairman and Editorial Writer of the Circuit Court Judge's Benchbook. Prior to his judicial service, Judge Horne enjoyed a successful career in private practice and as Loudoun County's first elected full-time Commonwealth's Attorney. Judge Horne now brings his exemplary record of leadership and dedication to The McCammon Group to serve the mediation, arbitration, judge pro tempore, and special master needs of lawyers and litigants throughout the Commonwealth and beyond.

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FBA ELECTIONS — 2014-2015

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The following are responses by each of the candidates to the question, “What do you see as the FBA’s priorities?”

CANDIDATES FOR FBA BOARD OF DIRECTORS



Aaron J. Christoff – Director
Nugent Christoff, PLLC

I believe the FBA’s priorities include ensuring that all segments of the community who experience or encounter the Fairfax court system have their expectations exceeded, whether from the Bench, the Bar, or public at large. I think specific priorities include doing everything we can to address both the funding and filling of all judicial vacancies, as well as preserving the seats we currently have. We need to do all we can to ensure that budget constraints and cuts do not impact our Court’s functionality and we need to continue efforts to make sure the Fairfax court system is accessible and usable by the public, whether or not they can afford legal counsel. The pro bono courses and publications are a big part of this.

FBA Involvement: Circuit Court Committee and Domestic Relations Sub-Committee (2009-Present); Legislative Committee (2009-Present) including Vice-Chair (2011-Present); FBA Judicial Funding Task Force (2012-2014); FBA President’s Award Recipient (2013); Devonshire Program Volunteer.



Chris Costa – Director
Office of the County Attorney, Fairfax, Virginia

[The FBA’s priorities include:] providing all members with affordable, accessible continuing legal education tailored to the concerns of local practitioners and networking opportunities in a setting that embraces diversity, collegiality, and civility; fostering a strong, friendly yet professional relationship between the Bench and the Bar to address concerns from both of these groups; maintaining existing relationships with the public and strengthening such relationships to enhance the reputation of, and the public’s confidence in, the legal profession, while educating the public about the justice system and the law; promoting and helping members fulfill the profession’s goals of increasing access to justice, including pro bono service and digestible self-help guides for non-lawyers.

FBA Involvement: Legislative Committee (2009-Present) including Chair (2010-2013) and Co-Chair (2013-Present); Participated in support of Electronic Summons Bill with Legislative Committee (2009-2010); General District Court Committee (2009-Present); Circuit Court Committee (2010-2011); Judicial Funding Task Force (2010-2014); FBA President’s Award (2010-2011, 2012-2013); helped to coordinate new Conciliation Program for the Circuit Court while serving on the Circuit Court Committee’s Civil Subcommittee.



Valerie E. Hughes – Director
The Bowen Law Firm

[The FBA’s priorities are] to be a leader in the profession of law for Fairfax County; to offer education benefits; to provide support to the legal community, particularly in lobbying to obtain funding for judicial vacancies; and to support programs that enhance the practice of law in the largest jurisdiction in Virginia.

FBA Involvement: FBA Board of Directors (2011-Present); Fairfax Law Foundation Fellow; Fairfax Law Foundation Golden Gavel Award Recipient (2012).

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The following are responses by each of the candidates to the question, “What do you see as the FBA’s priorities?”

CANDIDATES FOR FBA BOARD OF DIRECTORS



Christie A. Leary – Director
Law Offices of Christie A. Leary, P.C.

The FBA should continue to focus on increasing membership and its outreach to existing members. Specifically, the active participation of young lawyers within the FBA should be harnessed for larger FBA initiatives. Reaching out to the members of the Young Lawyers Section to introduce them to FBA committees and sections as well as FBA events will serve to increase participation in FBA activities, introduce new FBA members to the benefits and opportunities of the FBA beyond the Young Lawyers Section, and ensure that new FBA members have an understanding of where they can fit in within the FBA as they grow in their career and experience. In addition, existing programs and events should be reviewed to help identify ways to enhance, revise, and/or change these efforts to meet the current needs of the FBA and its membership.

FBA Involvement: FBA Board of Directors (2011-Present), General Counsel (2013-2014), Fairfax Law Foundation Board of Directors (2011-Present), Treasurer (2013-2014), FBA Board of Directors Young Lawyers Representative (2008-2010) – Vegas Planning Committee; FBA Young Lawyers Section, President (2008-2009), FBA Young Lawyers Section Board of Directors (2003-2010) – Stitt Cup, Dinner and Breakfast with the Judges, Colors of Justice, New Lawyer Orientation, First Year in Practice CLE, Support the Troops Holiday Donation Drive; Run for Justice 5k (Race Director 2010-2012; Committee 2010-Present); FBA Criminal Law Section; FBA Lawyer Referral Service.



Thomas W. Repczynski – Director
Offit Kurman, P.C.

The FBA has a continuing obligation to its members to ensure strong legal education programs as well as opportunities to develop collegiality and cross-practice diversity. Through its members, the FBA must continue to provide legal expertise and resources to those for whom legal counsel might not otherwise be affordable and/or accessible. Through its leadership, the FBA should strive to deliver a fair and impartial evaluation process for both sitting and prospective members of the judiciary.

FBA Involvement: FBA Board of Directors (Investment Committee, General Counsel, Secretary, 2011-Present; Investment/Reserves Task Force Chair; Law Library Committee (2007-2010), including Chair (2007); Budget Committee (2006-Present); General District Court Committee.



Lauren Waller Smith – Director
Law Office of Lauren Waller Smith, PLLC

The priorities of the FBA should be ensuring the involvement of the private Bar in the functioning of the judicial system, offering programs and activities that provide pro bono legal services, educating the general public about the judicial system, and ensuring that lawyers who practice in Fairfax County are educated about Virginia Law.

FBA Involvement: Juvenile and Domestic Relations Court Committee (2007-Present); Circuit Court Committee (2009-Present); Legislative Committee (2009-Present); Pro Bono Committee (2009-Present); Conciliator for the J&DR and Circuit Courts; Chocolate Lover’s Festival Volunteer (2010-Present); Court Tour Volunteer; Northern Virginia Pro Bono Center Neighborhood Outreach Volunteer. ■

Juvenile Domestic Relations Committee Looks Towards Spring Renewal

By Joseph B. Dailey, Esq., Juvenile and Domestic Relations Court Committee Co-Chair

As we get through a winter of snow-cancelled meetings, the Juvenile and Domestic Relations Court Committee is looking to start spring by finishing some ongoing projects, and preparing for new challenges this upcoming year. We hope to get larger attendance to our remaining meetings this year, and focus on projects that will positively impact the juvenile and domestic relations court.

During our May 8th meeting, we voted on nominations for the 2014 Kassabian Award. Named after Judge Arnold B. Kassabian, the honor is awarded by the Fairfax Bar Association to an individual whose work has positively influenced the community served by the J&DR District Court and whose service to that community has resulted in the advancement of the welfare of children and families in the tradition of Judge Kassabian.

Our Co-Chair, Elizabeth McKenzie, and our previous committee Chair, Donna Banks, have been hard at work organizing updates for a new J&DR handbook. We hope to have revised edits presented to the J&DR Court Judges for review over the summer, and for the handbook to be released in the fall. We then hope to plan a CLE to introduce the handbook to our Fairfax Bar legal community.

One of the most pressing items for our Committee for this year, and the following year, will be the issue of Judicial funding. As most of you know, the General Assembly has adopted legislation to eliminate one Fairfax J&DR District Court Judge position upon the retirement of one of our eight current judges. The Fairfax Bar Association has called all of us to action to make sure our judge positions are fully funded in all of our courts, and to convince the General Assembly to restore the J&DR position before it is actually eliminated. The J&DR Committee intends to provide whatever assistance it can in making sure the members of the General Assembly understand that having all eight positions filled allows the juveniles and families that depend on the J&DR court to have access to the Court's critical and time sensitive services.

I would like to thank my Co-Chair, Elizabeth McKenzie, and both Judge Mann and Judge Clayton for their support of the J&DR Committee through the year, and look forward to increasing FBA member involvement in the Committee as we focus on important events for next year. ■

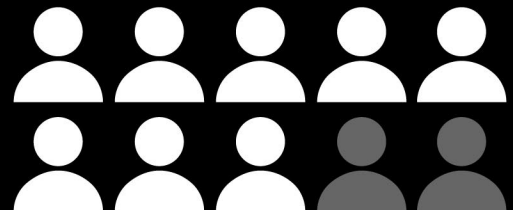
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Anastasia S. Campbell
Yuri Carhill
Carolyn Elizabeth Dahlberg
Matthew Lee Devendorf
Sarah Flourance
Thomas Gow
Nicole Alise Hrusovsky
Nora Elizabeth Mahoney
James William Mohrmann
Honey Clarissa Morton
Bryan Olson
Christopher Todd Pickens
Michael Pritchard
Stephen J. Salwierak
Jesse Daniel Stein
Megan Taylor
Garrett W. VanPelt
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BUSINESS LAW SECTION: YEAR IN REVIEW

By Joyce Yoon, Esq. and David M. Knasel, Esq.

The FBA Business Law Section will soon close out an eventful 2013-14 program year. The Section's formal activities began in November with a joint meeting with the Wills, Trusts and Estates Section. The joint meeting featured an engaging and very well-received presentation on business succession planning by Jason D. Smolen, Esq. of SmolenPlevy. Mr. Smolen provided a wealth of wisdom on succession strategies for family and other closely-held businesses. A key takeaway was the importance of being aware of the interplay between estate planning and business succession. The joint meeting was also

an excellent opportunity for attendees who are business law practitioners to connect and engage with estate planning colleagues.

The Business Law Section's programming continued into Spring 2014 with two popular CLE programs. In March, the Section co-sponsored, with the CLE Committee, "Shareholder & LLC Member Rights CLE: Drafting, Disputes, and Dilemmas." The panel of distinguished speakers included: Kathleen Kelley, Esq. of Protorae Law PLLC; W. Michael Holm, Esq. of LeClairRyan; Thomas E. Spahn, Esq. of McGuireWoods LLP; and The Honorable Jane Marum Roush, Judge, Fairfax County Circuit Court.

Ms. Kelley provided a wealth of information and knowledge of the various creative ways to protect shareholder/member rights and avoid—or at least minimize—litigation among shareholders or LLC members through careful drafting of shareholder or operating agreements. Mr. Holm provided an experienced litigator's view of the enforcement of shareholder/LLC member rights, addressing such topics as fiduciary duties owed by officers and directors, direct and derivative actions, and judicial dissolution proceedings.

Judge Roush gave her candid insider perspective on several key cases that she adjudicated dealing with shareholder rights and remedies, including *Colgate v. The Disthene Group, Inc.* (Buckingham Co. Cir. Ct., Case No. CL-11-117). Included in the materials, Judge Roush's opinion in the *Colgate* case contains a comprehensive overview of the relevant law in Virginia and should certainly be consulted by counsel handling a shareholder rights case. At the end of the night, Mr. Spahn led an entertaining and educational discussion on the ethical issues involved in the representation of business entities and/or their constituent stakeholders. The speakers led a discussion that proved to be lively and informative and the attendees had the privilege of picking the brains of leaders in this area of the law.

Most recently, in April, the Business Law Section sponsored a follow-up to last year's CLE on non-compete agreements. Edward Lee Isler, Esq. of Isler Dare P.C. and Jennifer A. Harper, Esq. of Bean, Kinney & Korman, P.C. were the presenters of the CLE, "Litigating Non-Compete Agreements in Virginia." Mr. Isler and Ms. Harper began by providing insight on how to draft a non-compete agreement that accomplishes what the client wants. The bulk of the presentation, however, was devoted to avoiding and contesting disputes arising out of the departure or hiring of employees with non-compete agreements, with both speakers responding to (and occasionally disagreeing with) each other's points.

One highlight of the program was the extended discussion of the impact of the recent decision by the Virginia Supreme Court in *Assurance Data, Inc. v. Malyevac*, 747 S.E.2d 804, 286 Va. 137 (2013). That case sent a clear message to the lower courts that ruling upon the enforceability of restrictive covenants at the demurrer stage, based on the contract language and/or complaint alone, is highly disfavored. While the speakers provided some creative litigation ideas, the bottom line appears to be that restrictive covenant cases are now much less likely to be decided on demurrer.

The presenters dealt with the legal and practical aspects of advising a client considering whether to litigate its non-compete agreement or cut its losses with the exodus of a valuable employee. Mr. Isler and Ms. Harper also provided practice tips on how to litigate disputes over non-competes. Finally, the speakers shared valuable insights on the unique challenges faced by employers in the Washington D.C. metropolitan area, a hotbed for government contractors. The speakers' years of experience and wisdom provided all the attendees with practical advice that could be applied to their clients' non-compete agreements and disputes.

Throughout all of its programs this year, the Business Law Section has been very fortunate to have such eminent business law practitioners volunteer their valuable time to share their knowledge. For those who were unable to attend, both of the CLEs are available online on the FBA website (www.fairfaxbar.org).

The Business Law Section will conclude its activities for the year with a meeting in May (date and time TBD), the main business of which will be to elect next year's section co-chairs. Any section member interested in serving may self-nominate and is requested to advise the current Co-Chairs, William Walsh (wwalsh@mccandlishlawyers.com) and David Knasel (dknasel@dombuslaw.com), in advance of the meeting. Anyone interested in getting involved with the Business Law Section is invited to attend the meeting. An email announcement will be sent to section members. ■

WILLS, TRUSTS, AND ESTATES SECTION YEAR-IN-REVIEW

By Jonathan R. Bronley, Esq., Co-Chair, Wills, Trusts, and Estates Section

It has been an excellent year to be a part of the Wills, Trust and Estates section of the Fairfax Bar Association, and we, the hosts, have been lucky to have a vast active membership to draw and rely upon. Jennifer Tomac and I were nominated as co-chairs in the spring, but we never would have made it without our seasoned chair, Valerie Geiger. Our mission is to provide a monthly forum for section members to network with each other and relevant sponsors, as well as the opportunity to participate and learn from educational presentations. To meet our goal, almost every month our section has hosted a luncheon, each with a different topic, a prominent guest speaker, and sponsor. We strive to make each presentation unique, and this year we delved into a variety of topics of interest to our members, such as the law surrounding Special Needs Trusts and Inherited Investment Retirement Accounts. We have collaborated with the Business Law Section and the Elder Law Section to provide diversity to our membership in both the subjects and the participating crowd, and two of our last nine meetings bestowed CLE credit on our members at no charge.

The caliber of our speakers, sponsors, and members is remarkable. It is not unusual for the Honorable Jan L. Brodie, our section's judicial liaison, to be in attendance, and speakers this year have included judges, commissioners, and court clerks. Our sponsors have ranged from financial institutions and investment firms, to a court reporting service, to a private process service agency. Not a single event has had less than 35 members in attendance, and at our most recent Annual Ask the Commissioners of Accounts event we had such a strong turnout of members (over 70) that we found ourselves needing to squeeze in additional chairs and tables in our usual meeting place at the Country Club of Fairfax. It helped that we had the Commissioner of Accounts for Fairfax, Stafford, Arlington, Loudoun, and Alexandria all in one room, at one table, ready and willing to take abuse from our bar. Of course, they did so in stride.

One of my favorite events this year included a luncheon where we turned to our members to initiate the topics and discussions in a round table environment. It is ironic that we the chairs, who are always so anxious to figure out the next best interesting guest speaker in an effort to keep our crowd entertained, seem to forget that our most knowledgeable and experienced colleagues are the ones right under our noses.

Our ranks consist of attorneys whose practice areas range from elder law, fiduciary litigation, guardianships, and complex estate planning, but we all share the common goal of making otherwise difficult matters less stressful for our clients. If you are considering becoming a member of our section, please join us at any one of our upcoming events, which are customarily scheduled at noon on the second Wednesday of each month. ■

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The Benefits of an FBA Membership for Your Paralegal

*By Anne Bunch, Sr. Paralegal to Daniel L. Robey, Esq. and H. Wade Kimbrell, Esq.,
Robey, Teumer, Drash, Kimbrell & Counts, Nationwide Trial Division*

The American Bar Association states on their website that the use of paralegals is “one of the most important skills in practicing law: building an effective work team to serve clients in the best possible manner and generate profits. Paralegals can be a key element in that team, especially in fostering cost efficiency.”

The Paralegal Section of the FBA offers a robust program that combines continuing education, professional development, networking opportunities with fellow paralegals and legal assistants, as well as participation in several Bar-related community outreach programs. Continuing education credits are earned for many of the Section’s presentations including legal research and writing, e-discovery, and the use of social media in case development to name a few. Many of our Section members are active in the Fairfax CASA program, the Bar’s Law Related Education Committee (including the Court Tour Program), and *pro bono* activities with Legal Services of Northern Virginia, in addition to Section-sponsored community outreach events. Section members have access to a wealth of experience while brainstorming and sharing ideas and information with each other during roundtables, meetings, and social gatherings.

In my own experience, I have found my company-sponsored membership to the Section to be an added employment benefit. As a result of my membership, my education and career development have been greatly enhanced as well as my ability to bring diverse and continuing knowledge and information to the attorneys that I support and to my co-workers. ■

FBA ANNOUNCES THE LAUNCH OF GOVERNMENT CONTRACTS SECTION

The Fairfax Bar Association is excited to announce the launch of a new Government Contracts section effective at the start of the new fiscal year on July 1st. This substantive law section provides a forum for area attorneys to meet and discuss developments and issues affecting government procurement law and litigation. With the concentration of government contractors in Fairfax County and the DC metro region, this new section will be a resource not only for government contract attorneys, but also for business and employment law attorneys who may be interested in learning more about the issues affecting their clients who are involved in the government contract space.

The kick-off event will be on June 9th at noon, with a presentation by Chief Judge Patricia Campbell-Smith of the U.S. Court of Federal Claims. The law firm of Berenzweig Leonard, LLP, located at 8300 Greensboro Drive, Suite 1250 in Tysons, will host the event and has generously agreed to provide lunch. This first event will be open to both members and non-members of the FBA, but subsequent meetings will be open to Government Contracts Section Members only.

If you plan to attend the June 9th meeting, please RSVP to Jessica Custalow at jcustalow@berenzweiglaw.com or by phone at 703-760-0402.

To join the Government Contracts Section, contact FBA Membership Coordinator Erin Iacangelo at 703-246-2734. For more information about the new section, contact Section Chair Stephanie Wilson at [HYPERLINK “mailto:swinson@berenzweiglaw.com” swinson@berenzweiglaw.com](mailto:swinson@berenzweiglaw.com). ■

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UPCOMING CLEs/EVENTS

MAY 20, 2014

PERSONAL INJURY PRIMER CLE

5:00-7:00 PM

Fairfax County Courthouse, 4th Floor Jury Assembly Room

2.0 MCLE Credits *Approved*

\$70 FBA Attorney Members; \$100 FBA Attorney Non-Members

\$50 FBA Young Lawyers Section Members;

\$80 Young Lawyers Non-Members

MAY 21, 2014

TECHNOLOGY IN FAIRFAX COURTROOMS:

COME KICK OUR TIRES! CLE

5:00-7:00 PM

Fairfax County Courthouse, Courtroom 5J

2.0 MCLE Credits *Approved*

\$100 FBA Attorney Members; \$130 Attorney Non-Members

JUNE 6, 2014

SUPPORT STAFF ORIENTATION PROGRAM

1:30 - 1:50 PM Registration

1:50 - 4:30 PM Program

Fairfax County Courthouse, 4th Floor Jury Assembly Room

\$30 Per Registrant

SAVE-THE-DATE!

JUNE 7, 2014

LAWYER-PALOOZA

12:00 - 3:00 PM

Hunter House, 9601 Courthouse Road, Vienna, VA 22181

JUNE 10, 2014

FBA ANNUAL MEETING LUNCHEON

12:00 - 12:30 PM Registration and Reception

12:30 PM Program

Maggiano's Little Italy

2001 International Drive

McLean, Virginia 22102

\$35 FBA Members; \$40 Non-Members

(add \$5 if registering after May 27, 2014)

JUNE 17, 2014

UCCJEA, HAGUE, AND PKPA CLE -

THE ALPHABET OF CUSTODY JURISDICTION:

WHAT EVERY ATTORNEY NEEDS TO KNOW OR REVIEW

4:00 - 7:00 PM

Fairfax County Courthouse, Courtroom 1E

3.0 MCLE Credits *Pending*

\$105 FBA Attorney Members; \$150 Attorney Non-Members

\$75 FBA Young Lawyers Section Members;

\$120 Young Lawyers Non-Members

SAVE-THE-DATE!

SEPTEMBER 14-17, 2014

2014 FBA CONVENTION

The Greenbrier, West Virginia

300 West Main Street, White Sulphur Springs, WV 24986

SAVE-THE-DATE!

OCTOBER 1, 2014

FAIRFAX LAW FOUNDATION GOLDEN GAVEL AWARDS

Country Club of Fairfax

5110 Ox Road, Fairfax, VA 22030 ■

PRESIDENT'S COLUMN

continued from page 2

As in this past year, and next, the FBA will continue to fight to be heard by the legislature in Richmond to fund our Judgeships. I pass the torch to my friend David Marks, to lead our Bar. I am wholly confident that the members of the FBA and citizens of Fairfax County will be well served under his leadership.

I thank you for the honor of serving as the 39th FBA President. It has been a privilege. I am looking forward to continue to serve the 19th, as well as all the Judicial Circuits of Virginia, as your VSB President next year.

With Most Sincere Gratitude,
Ed Weiner ■

**VIDEO CONFERENCING
WILL SOON BE AVAILABLE
IN LAW LIBRARY**

By Ira S. Saul, Esq., Chair, Law Library Committee



The Fairfax Public Law Library and the Fairfax Bar Association are pleased to announce that we are purchasing a video conferencing system for the Law Library. This equipment will be installed in the Law Library conference room. Completion of this project is anticipated soon. We have been working on this project for the past year. This equipment purchase and installation is a substantial undertaking. In recognition of the challenges presented in financing and implementing this system, the Law Library and Bar Association are partnering on this project.

The video conferencing facility will permit the far end/remote node user to be part of the video conference using commonly available devices with cameras, such as laptops, iPads, desktop PCs, and certain mobile phones. We recognize that many users do not have sophisticated video conferencing equipment available at the other end. The Law Library and Bar Association want this equipment to be accessible without the user initiating the conference in the Law Library being required to coordinate availability of comparable equipment at the other end. We do not want users at the other end having to travel to a FedEx, virtual office such as Regus, major law firm, or other organization with equipment comparable to the Law Library-Bar Association video conferencing facility.

We strive continually to provide benefits to Fairfax Bar Association members. Members will have priority in using this equipment and will be provided other preferences. The video conferencing facility will be appropriate for video depositions, meetings with participants in multiple locations, electronic notarizations, and other uses. Digitized media, such as diagrams, photos, spreadsheets, and Powerpoints will be able to be integrated into the conference as appropriate. Should a Fairfax Bar Association committee wish to hold a meeting in which certain attendees cannot be physically present, the video conferencing facility could bring them into the conference room from a remote location.

The Law Library is fortunate that our numerous stakeholders have been involved in this project. There are many people to thank. The project was initially inspired by Law Library Director Tom Pulver and Law Library Committee Vice Chair and Bar Association Board Member Michael Shevlin. Last year, while the Law Library Committee was taking the project under advisement, Ed Weiner, Bar Association President, encouraged us to proceed and recommended that the Law Library and Bar Association partner on this project to bring it to fruition. With Ed's support and Executive Director Courtnie Norris' coordination of the Law Library and Bar Association efforts, we committed to implement the plan.

Circuit Court Clerk John Frey and Circuit Court Chief Judge Dennis Smith have supported this undertaking from the beginning. On the technical and procurement side, we have relied, and continue to rely, on the sage advice and guidance of the supremely gifted staff who oversee Courthouse IT. David Bartee, Courts IT Director, Court Technology Office; and Kit Bennett, Senior IT Systems Architect, Court Technology Office, are guiding us every step of the way. George Spack, Senior IT Network & Operations Manager, Court Technology Office; Drew Kassick, IT Program Manager, Circuit Court and Records; and John Lumsden, Senior IT Systems Engineer, Court Technology Office, are providing invaluable support throughout this process. As we work our way through the home stretch, without Dave Bartee and Kit Bennett's ongoing support we would be floundering. There have been moments when we needed course corrections, as there are unfortunately no shortage of vendors who are more than happy to make lots of promises they cannot keep. Dave and Kit are keeping us on the straight and narrow, and the end is in sight.

Your Law Library and Bar Association look forward to rolling out the new video conferencing facility shortly. Bar Association members will be cordially invited to test drive the facility very soon. Stay tuned. ■

FBA Ambassador Program

The FBA Membership Committee is currently seeking volunteers to serve as FBA Ambassadors at events during 2014-2015 to encourage relationship building between new and more established Members. This is a wonderful way to serve the FBA in a limited but meaningful way. If interested, please contact the FBA at 703-246-2740.



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ANNOUNCEMENT

GOODWIN PROCTER, a national Am Law 50 firm, announced that **GERARD STEGMAIER** has joined the firm's Privacy & Data Security Practice as a partner in its Washington, D.C. office. Stegmaier comes to Goodwin from Wilson Sonsini Goodrich & Rosati's Washington, DC office.

At Goodwin, Stegmaier will advise clients on matters related to privacy and data security, especially as they relate to public and private corporate governance, intellectual property, cybersecurity, and Internet issues. Stegmaier also has extensive experience in pre-litigation and advisory services relating to business strategy for privacy by design, data protection, intellectual property, and emerging technologies and markets, often acting as outside product counsel to leading innovators.

Stegmaier has successfully represented numerous entities in investigations relating to privacy and data security before the Federal Trade Commission, state attorneys general, and in consumer class actions including many successful non-public resolutions. He successfully defended Google in the first use of the Virginia equivalent of the Communications Decency Act in precedent-setting litigation, obtaining immunity for blog and aggregated news content. He also defended Acxiom Corporation in a consumer class action, achieving complete dismissal of numerous privacy-related counts.

A belated "Thank You" to Jason A. Weis, Esq., for writing the Bench Bar Dinner Dance article that appeared on the cover of the April 2014 issue of the Journal.

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OFFICES FOR SALE OR LEASE

10615 Judicial Dr, Unit 102 (Judicial Court)

• 1,358 SF corner unit has great window line & layout: 4 offcs, conf rm, recep area, admin area, BA, kit & closets. **SALE - \$332,710 (\$245 psf)**

10625 Jones Street (at Judicial Dr) Unit 301-A (Red Maple Court)

• 1,146 SF upper level corner unit with nice windowline, efficient layout, and plenty of parking. Across Judicial Dr fr FFX Courthouse! Large admin/recep area, 4 prvt offcs, conf rm, BA & closets. **SALE - \$235,000 (\$205 psf)**

3927 Old Lee Hwy, Unit 102-C (Fairfax Commons)

• Near intersection at Main St. 1,150 SF upper lvl office suite has high ceilings, open flr plan, 2 prvt offcs, kit, BA, util, extra lighting & 5-ton HVAC. Plenty free parking. **SALE - \$275,000 (\$239 PSF)**

10605 Judicial Dr, A2 (Lawyers Row)

• 2,318 SF 2-story TH offc condo w/recep, open wrk area, 7 prvt offcs, conf rm, kit, storage closets & 2BA. Furniture & copier convey. Ext. signage & plenty parking. **LEASE - \$3,477/mo (\$18 psf) + elec & cln**

10617 Jones St (at Judicial Dr), Unit 101-B (Red Maple Court)

• Bright 1,000 SF 1st flr corner unit has recep/waiting area 2 offcs, conf rm, BA, util/stor & closet. Avail immed. 2-5 year lease. **LEASE - \$1,600/mo + elec & cln**

10621 Jones Street (at Judicial Dr) Ste 201-A (Red Maple Court)

• 950 SF Main level unit w/recep/admin area, eat-in/kit, 1 offc, lg conf rm, BA, closet & util rm. Avail immed. 2-5 year lease. New carpet in tenant's choice of color. **LEASE - \$1,575/mo + elec & cln**

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- **3950 Chain Bridge Rd** - pvt offc or 2-room suite w/great window line & & shared waiting area. **\$750 - \$1,495/mo.**
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- **4101 Chain Bridge Rd** - Indv prvt offcs completely renovated w/shared use of conf room, kit, & copier. **\$750 - \$950/mo.**
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