

JOURNAL

Fairfax Bar Association Leadership 2007-2008



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PRESIDENT'S COLUMN

by Steven W. Ray

MEL, EDNA AND MIZ JULIA

*"Don't approach a goat from the front, a horse from the back, or a fool from any side."
Yiddish Proverb*



In another example of life imitating art, or vice versa, an only-in-Washington legal battle is brewing that has all of the essential components to satisfy a news-starved press (not that there is a shortage of real news such as wars, famine, politics)—sex and celebrity these are Washington celebrities, however, who Jay Leno once described as “Hollywood for ugly people.” I am, of course, referring to the case involving the “D.C. Madam,” Deborah Jean Palfrey, who

allegedly ran a high-end prostitution ring in Washington for the last 13 years. As of the writing of this column, the case already has claimed two Washington power elite and appears to have many others in Washington as nervous as Alec Baldwin's 11-year old daughter on visitation day.

According to Ms. Palfrey, she operated Pamela Martin & Associates (sounds like a lobbying firm) that provided female escorts and erotic fantasies, but no sex. Ms. Palfrey, or “Miz Julia” as she is known by her advice-giving pseudonym, says she abhors injustice and isn't going to go to jail without calling a few prominent clients in her upcoming trial. Prostitution is one of those interesting crimes (legally speaking) because there must be a sexual act for the crime to exist. With this in mind, Ms. Palfrey intends to call her clients as witnesses, whom she expects will assert the Bill Clinton “I didn't inhale” defense and say they only received “massages” (trivia question: Who was the politician who used this defense—hint, he was a U.S. Senator). However, you've got to admire the novelty of Ms. Palfrey's defense and the hypocrisy of everyone involved from Ms. Palfrey to her clients to the prosecutors who have sought a gag order on the release of the Madam's list (which is now measured not in pages by the press but by number of pounds).

All this serves to remind me that animals have something to teach us about how we live our lives and it's why I enjoy living in the country and being around animals (you knew I would have some theme dealing with animals or the country.) Animals live for the moment and have no pretense, guilt, scandal, or hypocrisy. Some recent additions to our farm reinforce this point. Two geese, whom my wife and I have named Mel and Edna, have taken up residence at the pond on our farm during the last two years. We have enjoyed watching Mel and Edna each year as they raise their brood of goslings. Although our dog, Maggie, takes great pleasure in chasing Mel and Edna, she will not go into water over her head, so retreating to the pond is a safe place for them (Maggie is the first Springer Spaniel we have had who will not swim). While we are talking about geese, coincidentally, we have a pair of geese who nest in the grassy area located in our office complex. We watch them each Spring and Summer from the windows of our offices, and have taken them under our wing (pun intended). My partner

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FAIRFAX BAR JOURNAL

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Fairfax Bar Leadership 2007-2008

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VICE PRESIDENT

CORINNE N. LOCKETT, OFFICE OF THE COUNTY ATTORNEY FOR FAIRFAX COUNTY

Board of Directors: 2002 to present (General Counsel 2005-2006, Treasurer 2006-2007); Juvenile and Domestic Relations District Court Committee: 1999-2003 (Committee Chair, 200-2002); General District Court Committee: 1994-1996 and 2004-2006; Law Library Committee: 2006-2007. Fall 2001—Fairfax Juvenile and Domestic Relations District Court Reference Manual CLE. October 2006—Eleventh Hour Ethics CLE.

The Fairfax Bar Association (FBA) needs to strive to meet the goals set forth in its Mission Statement adopted by the FBA's Board of Directors on January 26, 2006. In doing so, the FBA must ensure that it remains a relevant, if not an essential organization to its members by providing them with: opportunities for collegial exchange and networking, both with each other and members of the bench; a website supplying members with tools and information necessary to practice law effectively in Northern Virginia; opportunities to volunteer within both our legal and nonlegal communities; a law library; continuing legal education; and input on judicial appointments through FBA screenings and interaction with the state legislature.

The Fairfax Bar Association is the sole organization capable of providing the tools, access, and information necessary for an attorney to maintain a successful legal practice in the Northern Virginia area.

BOARD OF DIRECTORS

WILLIAM P. DALY, JR., REES BROOME, P.C.

A principal at Rees Broome, P.C., with 20 years experience at the firm focusing largely on all aspects of civil litigation and other practice areas, including contract negotiations, commercial leases, arbitration, estate planning, and community associations. Bill received his B.A. degree from Johns Hopkins University, Baltimore, MD, in 1982, and his J.D. degree from the State University of New York at Buffalo, Buffalo, NY, in 1986.

Fairfax Bar Association: Director, Board of Directors (2004-present); Board Liaison to the Circuit Court Committee (2004-present); Chair of the Circuit Court Committee (2003-2004); Circuit Court Practice Manual Committee, Past Chair; Co-Editor of the Circuit Court Manual (2001-Present); Co-Presenter of the Circuit Court Manual CLE (2002-present).

I see the FBA's priorities as continuing to meet the needs of its current members, while reaching out to potential new members through new, or improved, services. It is also important to work with the Bench and the Clerk's Office toward the common goals of judicial efficiency and civility among lawyers.

I will continue to provide significant amounts of time toward ensuring the fiscal health of the FBA and the continued excellence of the FBA Circuit Court Manual. I believe the FBA provides its members with a variety of programs to benefit them professionally, socially, and educationally.

KELLY SWEENEY HITE, LAW OFFICES OF KELLY S. HITE, PLLC

Member of the FBA since Fall 1990. Community/Public Service Committee approximately 1993-1995; Juvenile & Domestic Relations District Court Committee, Vice-Chair 2002-2004, Co-Chair 2004-2006. As Co-Chair of the Juvenile & Domestic Relations District Court Committee during 2005-2006, we updated the J&DR Court Manual and organized/presented a CLE in the Spring of 2006 at which the Manual was unveiled. We also hosted a Committee luncheon for Judge Delbridge in honor of her retirement; Convention Planning Committee, 2005.

FBA's priorities: Retaining current membership as well as expanding and adding new members. As part of that process, there is a need to determine what services are needed/desired by members and to update, add, eliminate or expand programs and services as needed.

The FBA provides collegiality for fellow members of the Bar and the judiciary, resources to enhance your practice (legal education and information about the Fairfax County Court system and practices), opportunities for marketing (legal referral service, announcements, networking), and information gathering (locating office space, service providers, etc.).

DAVID L. MARKS, LEIVA & MARKS, P.L.C.

Young Lawyers Section Board Member, 2003-2006; Young Lawyers President, 2005; *Pro Bono* Advisory Committee, 2001-Present; *Pro Bono* Advisory Committee Chair, 2004-2006; participated in *Pro Bono* Neighborhood Outreach Program, 2001-2003; Budget Committee, 2006; FBA Convention Committee, 2006.

Membership is the obvious priority for the FBA. The FBA is an obsolete organization if we don't gather more members to support and participate in our programs. Additionally, the FBA becomes a dying organization if it does not receive more participation from the younger attorneys who need to be encouraged and mentored to take an active role in FBA programs and committees. I would also like to see the FBA become more of a resource for the Fairfax County community when it is searching for a legal opinion, legal comment, or an attorney.

You should join the FBA because it is your duty as an attorney practicing in Fairfax County. There are so many things that a Fairfax County attorney enjoys, directly and indirectly, as a result of the FBA's efforts. It is, therefore, his or her obligation to join the FBA to make sure these programs continue to favorably influence our profession. One should not practice in a vacuum and should take the opportunity to be introduced to other Fairfax attorneys, as well as the bench, through the FBA and to take advantage of the experience and resources that are offered.

JAY B. MYERSON, LAW OFFICE OF JAY B. MYERSON

I have been a member of the FBA since 1986. I have had the honor of serving on the FBA Board of Directors for the last three years. I have served as a Co-Chairman of the FBA's Conciliation Program since 2001. During this period, the program has expanded to cover the split Circuit Court Motions Day Docket and to provide conciliators for the Juvenile and Domestic Relations District Motions Day Docket. The Program has been nationally recognized for its accomplishments. I have also served on the FBA's General District Court Committee (1990-1997) and Lawyer Referral Service Committee (1993-1997).

The FBA's 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. The FBA needs to expand its membership base so that it can continue to provide leadership and services to the local Bar, Bench, and the greater Fairfax community.

The FBA has a long tradition of providing leadership and services to the local community. Through the FBA you will have the opportunity to give back to Fairfax County in ways not otherwise available. Moreover, through the FBA you will have the opportunity to meet and become friends with the other local practitioners. This interaction will provide you with potential mentors and contacts to enhance your professionalism and assist in maintaining the civility of the Bar.

The FBA provides a wide range of programming in which a potential new member can participate, including quality CLEs with insight provided by Fairfax County Circuit Court, General District Court, and Juvenile and Domestic Relations District Court judges and leading practitioners; financial benefits from the Affinity Program; and discounts for FBA CLE programs; and, committees to enhance the workings of our courts and our community. Moreover, our Young Lawyers program is active and provides a great opportunity for young lawyers to socialize with other new members of our profession.

BOARD OF DIRECTORS 2007-2008--YOUNG LAWYERS SECTIONS REPRESENTATIVE

DANIEL E. ORTIZ, BLANKINSHIP & KEITH, P.C.

Daniel E. Ortiz is an associate at Blankinship & Keith, P.C., where he practices in the area of general civil litigation. He works primarily on commercial litigation, real estate litigation, employment disputes, and domestic relations matters.

A 1999 graduate of the University of Virginia, and a 2002 graduate of the George Washington University School of Law, Mr. Ortiz clerked for the Honorable M. Langhorne Keith, of the Fairfax County Circuit Court from 2002 to 2004.

Mr. Ortiz is the immediate Past President of the Young Lawyers Section of the Fairfax Bar Association. He previously served one term on the Board of Directors of the Young Lawyers Section. He is a former Co-Chair of the Professionalism Committee of the Fairfax Bar Association, and was a contributor to the 2004 and 2007 editions of the Fairfax County Circuit Court Practice Manual.

Mr. Ortiz also serves on the Executive Committee of the Young Lawyers Division of the Virginia Bar Association, and serves as Co-Chair of the Professionalism and Civility Committee. He is the 2004 recipient of the VBA's Emerson G. Spies Award for his dedication and service to the profession, and member of the American Inns of Court, George Mason Chapter. ■

REPORT ON THE BOARD OF DIRECTORS

STRATEGIC PLANNING REPORT

By Steven W. Ray

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The FBA Board of Directors met earlier this year to conduct its annual strategic planning. The focus of this year's retreat was on the internal operations of the association and how we can improve efficiency in the delivery of services to our members, the bench, and the community. The retreat lasted for the entire day, and was attended by members of the bar staff, and was moderated by my wife, Andrea Wooten, who volunteers her time and expertise in assisting businesses and organizations in strategic planning.

The first portion of the retreat was spent on educating the board on a typical day in the bar office. The presentation by the bar staff was very eye-opening for most of us and provided a greater appreciation for the multiple tasks and issues that are handled by the staff every day. The bar's operations fall into three primary categories: (1) events; (2) communications; and (3) administration. Recommendations and suggestions in each of these areas are discussed below.

Events. Events are the heart and soul of the association that came out of the retreat, and in fact occupy the greatest amount of the staff's time. Dan Ruttenberg's column in the April issue contains a wonderful overview of the many events provided by the FBA for its members. At the 2006 Retreat, the board examined the events from the perspective of what could be eliminated or revamped. At the 2007 Retreat, we asked how we can provide events more effectively.

Several recommendations were adopted. First, the largest and most important events for members are the

CLE programs. One of the trends of the CLEs over the last 5-7 years has been declining attendance. Interestingly, however, many of the practice area sections (e.g., employment law, family law, wills and trusts) have obtained CLE credits for presentations at meetings of the sections. Consequently, the goal for the CLE program will be to improve the marketing of the CLE programs provided at section meetings so that more members may take advantage of these offerings. Additionally, the Board identified as a goal that the FBA must continue to explore ways to provide CLE programs to members through the utilization of the latest technology, such as online CLEs, telephone seminars, and podcasting.

To achieve these goals the Board agreed to move toward a model that is followed by many other bar associations of our size by transferring primary responsibility for the preparation and execution of the CLE programs to the FBA staff, which will remove this burden from the CLE Committee and allow the committee instead to focus on the topics and scheduling.

Communications. Communications fall into two categories: communications with members (the FBA *Journal*; blast emails, flyers; broadcast faxes; webpage) and external (bench, legislature, community). This was identified as an area that required improvement; we noted that members too often are unaware of the many events and opportunities available to them.

The FBA currently is in the process of migrating its membership data-

base and information to a new web-based platform through a company called Affiniscape out of Austin, TX, that specializes in associations. The new software will provide greater efficiencies by enabling more transactions online, such as allowing members to update their information, register and pay for events and renew their membership. Likewise, the FBA will be able to customize its communications to members by establishing member profiles based on participation in prior events, areas of practice, and office location.

However, the ability to provide more and better communications with our members requires more staff time. As a result, the board has authorized the hiring of another full-time staff position to assist with the preparation of flyers, articles, announcements, and responding to member inquiries and issues. Please watch for future announcements concerning this position.

Administration: This area of the bar's operation involves all of the back-office tasks required to run the office day-to-day, such as payroll, accounts payable, accounts receivable, ordering supplies, dealing with vendors, etc. In addition to the FBA, the bar staff is responsible for providing the administration for the Law Library, the Lawyer Referral Information Service (LRIS), and the Fairfax Law Foundation. The success of the Law Foundation fundraising efforts, the increase in the number of referrals and members participating in the LRIS program, and the anticipated increase in staff for the Law Library once it moves to the new courthouse, have the

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Law Day Weiners—And the Rule of Law

by Sandra Rohrstaff

President Eisenhower proclaimed the first Law Day in 1958 (in part as a response to the Soviet Union's annual huge May Day parades when their new weaponry would be paraded through the streets of Moscow). President Eisenhower wanted to have a specific date set aside for the American people to celebrate our Constitutionally-protected Rule of Law. Bar associations all over the country continue to have Law Day (and some even Law Week) events.

Of course, there's no "rule of law" that says one should have wieners on Law Day, but there is a great tradition in Fairfax of doing just that. Weiner, Rohrstaff & Spivey, plc, celebrates Law Day with its annual Weiner Roast on May 1. Every year, old-fashioned fun is had under big white tents. The Weiner Roast raises money for the Fairfax Law Foundation.

This year's Law Day theme was "Empowering Youth, Assuring Democracy," a theme that was particularly appropriate for the Weiner Roast. All donations for the Weiner Roast, received from sponsors and others, go to the Fairfax Law Foundation, whose many activities directly benefit youth and indigents in our community. The Weiner Roast is a wonderful example of blending fun and good works—those who attend enjoy good food and a good time, and the work of the Law Foundation is furthered by funds donated by sponsors.

Folks who attended the 2007 Weiner Roast were entertained by the music of the George Mason University Jazz Ensemble, a group of highly talented students, and by Edsall Road, a professional Irish band, who donated a portion of its fee to the Foundation. A special treat this year was a performance by 15 children who are students at the Boyle School of Irish Dance. In addition to the assortment of wieners, there were root beer floats, cotton candy, and popcorn. Every year, a professional shoe shine company brings its stand and puts a polish on dozens of scruffy pairs of shoes. The company donated a portion of its fee to the Foundation as well. Speeches and music were clearly heard this year, thanks to the services of Audio Assurance, a sound company that donated its entire fee to the Foundation. There were even silent Charlie Chaplin movies that ran throughout the event.

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The Hispanic Bar Association of Virginia

Annual Meeting and Election of New Officers

Thursday, June 21, 2007, 6:00 - 8:30 PM

Social Hour Following Meeting with Hors d'oeuvres, Beer and Wine

Meeting Location: Leiva & Marks, PC, 4011 Chain Bridge Road, Fairfax, VA 22030

If you wish to be considered for a position on the Board or wish to nominate a member for a Board position, please let the HBAVA know about the nomination before the meeting.



7th Annual LAW DAY WEINER ROAST MAY 1ST

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No Longer Over the Horizon:

VISTA!

by Sharon D. Nelson and John Simek

So it's been ballyhooed to death. So it's two years late. So nothing Microsoft ever produces works the first time out of the gate. Do we sound cynical? We're not alone—much of the world is warily regarding the release of Vista, the latest Windows operating system.

The world has gotten skeptical about Microsoft and its products in a BIG way. Witness this quote from Mark Harris in *Electronic Times*:

Like medieval peasants, computer manufacturers and millions of users are locked in a seemingly eternal lease with their evil landlord, who comes around every two years to collect billions of dollars of taxes in return for mediocre services.

We have much the same feeling and have written an article called "Lawyers: Shackled to Microsoft?" Sad to say, shackled we are, because our clients are, too, and we are all going to have to surrender once again to Microsoft—what little freedom we have is determining "when" we will surrender. More on that later.

If you thought Mark Harris was unhappy, listen to the venerable Robert X. Cringely, who posted this on www.inforworld.com on October 27, 2006:

Even as Halloween looms, few things are scarier than Microsoft readying a new OS for release. Vista is likely to arrive at hardware OEMs before Turkey Day. But some Cringesters report problems getting their gear to work with Release Candidate 2 (the "final final" version), and Microsoft has yet to conjure up a hardware compatibility list. Security vendors scream that Redmond hasn't provided the APIs they need to plug their software into Vista, while some beta testers say RC2 still contains more bugs than an HP boardroom meeting. Vista remains "on track," says spokesperson-du-jour Austin Stewart, although exact ship dates will be determined by "product quality." Just how bad will Vista have to be for Microsoft to miss its January 2007 retail ship date? That's too frightening to even contemplate.

Okay—they finally got Vista released. Does this mean that you should immediately upgrade? Is the new version of Windows worth the money and aggravation? Buckle your seatbelt as we hit the highlights and

concerns of the latest Windows operating system. Bumpy road or not, most of us will travel it—at this point, 90% of the world is running on a Windows OS. Misery loves company and we sure do have company on a global basis!

Don't have a clue what Vista is? Wake up, Rip Van Winkle. Vista is the latest Windows operating system to be released from the hallowed halls of Microsoft. Development began five years ago and the release date has been postponed several times. Wall Street placed tremendous pressure on Microsoft to release the product although several of the Redmond developers wanted to take more time and release a quality product. Bottom line: Vista is here.

The major focus of Vista is vastly improved security. Bill Gates pledged that security would become a #1 concern and the developers took his pledge to heart. With such a large install base and constant attacks on previous Windows versions, Microsoft has finally gotten serious about securing its operating system. The kernel (heart) of the operating system was so tight that the antivirus and security vendors complained to Microsoft that their products wouldn't work with Vista unless access to the kernel was allowed. Symantec was the most vocal of the vendors and has repeatedly suggested that Microsoft establish a new certification model that will certify legitimate vendors who seek to extend the Windows Vista kernel. Microsoft buckled and the security vendors now have access to the kernel of the operating system. The jury is still out, but some say that opening the kernel exposes the operating system to external attack and subsequent compromise. Our own view is that the highwaymen of the modern era will find a way—staying ahead of the vagabonds is probably wishful thinking—and if only Microsoft has access to the kernel, we're right back in antitrust territory. Been there, done that.

Before we go down the road of selecting which of the six Vista versions may be right for you, let's look at what is NOT in Vista. Certain features that exist in Windows XP will not be in Vista. Windows Messenger will not be included. So what? There are plenty of other instant message programs out there to use. NetMeeting, the desktop sharing and video conferencing client, is being replaced with Windows Meeting Place.

There are so many more additions to Windows Vista and we'll just hit a few of the highlights. Vista has more

multimedia capability than its predecessor. Vista has the ability to manipulate and organize your digital photos and rip music from CDs without additional software. Windows Media center in Vista and your Xbox 360 can now integrate. You do own an Xbox 360, don't you? If not, you can always borrow your children's, or talk the neighbor's kids into a little loaner time. For the real die-hards in the Young Lawyers Section, Windows Media 11 is deeply integrated with URGE, a new digital music service from MTV. Speech recognition is also built into Vista. You'll be able to dictate documents and even launch applications with the new capabilities. Finally an excuse to talk to your computer. Scotty, beam me home.

Windows performance is also improved with new features like Sleep, Windows SuperFetch, Windows ReadyBoost and Windows ReadyDrive. Sleep is a new power state that combines the speed of Standby and the data protection of Hibernate. SuperFetch understands which applications you use most and preloads those applications into memory for faster launch and retrieval. Windows ReadyBoost lets you add memory to your computer without opening the case and permanently inserting additional memory modules. ReadyBoost accesses flash memory devices, such as a USB thumb drive, by adding the memory to the system memory pool. This additional memory augments the installed memory and can be removed at any time without causing data loss. However, when the additional memory is removed, system performance will reduce back to the original level of performance. Windows Ready Drive enables Windows Vista computers to take advantage of new disk drives called Hybrid hard drives. Hybrid hard disks are a new type of disk that contains integrated non-volatile flash memory. ReadyDrive allows for faster boot of the operating system, quicker recovery from hibernation mode, and lower power consumption.

So which version is right for you? The Windows Vista lineup consists of six versions. Three versions are intended for consumers, two versions for businesses, and one version for emerging markets. The versions are titled Windows Vista Starter, Windows Vista Home Basic, Windows Vista Home Premium, Windows Vista Business, Windows Vista Enterprises, and Windows Vista Ultimate. Windows Vista Starter is the version targeted for emerging markets and won't be (legally) available in the United States. This version is specifically designed for lower-cost computers and entry-level PC users. Commentators state that you'll be better off running Windows 98 instead of the starter version primarily because Vista Starter can only access 256 MB of RAM and can only run three applications at one time. Vista Home Basic is better, but not much of a home operating system either--forget about using it in a

business setting. Home Basic won't work in domain or Active Directory-based networks. Vista Home Premium is a good choice for home usage. It contains the new Aero Glass (translucent, 3D rendering) interface and DVD Video Authoring and Media Center support. Consider Vista Home Premium to be on par with Windows XP Home. Home Premium is still crippled (like XP Home) in that it doesn't support domain or Active Directory LANs, which is a requirement for most businesses. Next up is Vista Business, which will be the primary version for business usage. It includes a lot of the features missing from the home versions. Vista Enterprise is available only to those who purchase SA (Software Assurance) contracts, which contain a hefty price tag all by themselves. There don't seem to be any worthwhile differences between the Business and Enterprise versions except for the high cost of Enterprise due to the SA requirement, so beware when the vendors start pushing the Enterprise version. Vista Enterprise does give you Virtual PC, where you can run up to four operating systems on a single computer. While it is a nice feature, not many businesses will have a real need for the virtual PC ability unless they're doing software developing. Finally, Vista Ultimate is the granddaddy of them all. It includes all of the features of the home and business versions in a single version.

Prices for the Vista versions are consistent with their functionality. Discounts are available through certain channels, but general retail prices are as follows: Vista Home Basic is \$199, Vista Home Premium is priced at \$239, Vista Business is \$299 retail, and Vista Ultimate is a hefty \$399. Upgrade pricing is also available for each of the Vista versions.

Should you even bother with the upgrade to Vista, especially considering the cost (license and hardware requirements)? In recent surveys, 39% said they would upgrade to Vista within a year of release, although the vast majority are targeting at least 12-18 months following the release of the upgrade. Most will upgrade as part of their normal technology refresh cycle when computers get replaced. Info World reports that 52.5% of those surveyed have no current plans to even deploy Vista. Most folks probably will wait until the release of the first service pack before upgrading to Vista. That will give Microsoft time to flush out the majority of bugs. It will also allow the application developers time to make sure their products will run on Vista. As of April 2007, less than 1% of people have upgraded to Vista—most of them because they bought new computers, not by choice.

As always, we will advise our clients to sit tight and let others do the bleeding if they want to be on the leading edge. When Service Pack One is out, six months (at

least) have passed, and all primary applications are known to successfully run on Vista, then it may be time to make the plunge. Few things are apt to be worse than operating system software designed by a company with a monopoly. But we've all been here before—where Bill Gates goes, the vast majority of us will, reluctantly, follow. ■

The authors are the President and Vice President of Sensei Enterprises, Inc., a legal technology and computer forensics firm based in Fairfax, VA; 703.359.0700; www.senseient.com.

PRESIDENT'S COLUMN

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Eddie has made a trip down to the nesting area on occasion to ward off crows when they have threatened the eggs and distracted the mother goose while she defended her nest (her husband was AWOL at the time—okay, so maybe animals aren't perfect).

Mel and Edna have exhibited certain traits inherent to geese that I have found worthy of emulation. First, geese enjoy stability because they prefer to nest at the same place each year. Second, they are loyal, as geese mate for life, although a small number will “divorce” and remate (but I think they are honest about it). Finally, they are collaborative—for example, both parents protect the nest (with some exceptions as noted above), which usually results in a higher survival rate for the goslings. Animals are wonderful teachers—maybe we should try to imitate them.

As this is my final column as FBA President, I wanted to take a moment to express my appreciation for the opportunity to have served in this capacity. In particular, I would like to thank the entire Bar Association staff, especially Yvonne, Courtnie, Sandra, and Christine for all their assistance with making me look good. Also, I would like to thank the members of my firm who supported me in my efforts and tolerated my many absences from the office and less-than-stellar billable hours. Finally, allow me to thank all of you for your support and participation that made our many events successful.

As I look to the future of the Association, I am very pleased with the direction we are headed and the progress we have made over the last several years to restructure the operations of the Association and improve the services we provide to our members. We have a wonderful Board of Directors who are exceptionally dedicated to maintaining the mission of the Association and ensuring it remains the premier voluntary bar association in the state. I would encourage all of you to consider serving in a

leadership capacity by chairing a committee or section and serving on the Board of Directors.

Thank you again for all your support and the opportunity to have served as your President.

Answer to Last Month's Question. Last month's question was: “Under Virginia law, when are you legally permitted to trespass on another's land?” The answer is under section 18.2-136 of the Virginia Code, which states as follows:

“Right of certain hunters to go on lands of another; carrying firearms or bows and arrows prohibited. Fox and coon hunters, when the chase begins on other lands, may follow their dogs on prohibited lands, and hunters of all other game, when the chase begins on other lands, may go upon prohibited lands to retrieve their dogs, but may not carry firearms or bows and arrows on their persons or hunt any game while thereon. The use of vehicles to retrieve dogs on prohibited lands shall be allowed only with the permission of the landowner or his agent.”

The winner of the President's Column challenge is John Tran of DiMuro Ginsberg, P.C. Congratulations, John, and thanks for reading. ■

Law Day Luncheon



FIRST ANNUAL CREATIVE CORNER CELEBRATION HELD

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The First Annual Creative Corner Celebration was held on Tuesday, March 20th, in the Colonial Courtroom. The ceremony recognized in a positive light the creative talents of some of the young people on probation with our court. All of the young people honored had their poems or artwork featured in the court's biweekly newsletter, *The Full Court Press*, at some point during 2006.

The idea for the Creative Corner and for the Creative Corner Celebration came about as a suggestion from Chief Judge Teena Grodner, who wanted to recognize the talents of our young people instead of their shortcomings. In collaboration with Susan Schiffer, Co-Chair of the *Full Court Press*, the Creative Corner became a regular fixture of the Court's newsletter. The word went out to staff at the probation and residential facilities to ask their probation kids for contributions. There were enough submissions to include at least two creative writings per issue of the newsletter since the inception of the feature in Volume 92, the first edition of the newsletter in 2006. We are happy to say that the contributions continue to come in.

Judge Grodner described the contributions as "wonderful writings." They are expressions of joy, grief, anger, frustration, love, and just about every other emotion under the sun.

Jim Dedes talked about how writing enables people to express their emotions in a positive way, and enables

court involved youth to develop competency in handling their emotions appropriately.

Guest speaker Alan Cheuse, a professor in the Creative Writing program at George Mason University and a National Public Radio commentator, had some wonderful comments for the writers present. "Poetry makes everything happen," he said, "and it is the power of our imagination that makes us alive." Poetry brings us along to share the emotions expressed by the authors. Dr. Cheuse told the young writers to "keep the language alive. Don't just fight the power, become the power."

Prior to the ceremony, all the writings had been gathered together and published in a booklet called "Sparks of Imagination." At the end of the ceremony, at Judge Grodner's suggestion, most of the honorees read one of their poems to the audience.

The probation officers and teachers present were also honored with flowers.

Each of the honored writers received a booklet, a special pen, certificate, and gift card. ■



Announcements

RAYMOND DIAZ and **ED O'CONNELL** announced their resignations as Shareholders of **Rees, Broome & Diaz, P.C.**, effective April 16, 2007. We wish them well in their future endeavors. The name of the firm has been changed to **REES BROOME, PC**.

We would like to assure our clients and our business contacts in the community association industry that we remain committed to providing the same high standard of service that has been our hallmark over the past 30 years. As a symbol of our commitment to our clients and our confidence in our future, we are pleased to announce the addition of a new partner to our firm, **MARK MOORSTEIN**, whose practice focuses on land use, real estate, and related litigation. Mark will operate out of our new Gainesville (VA) office and will be a valuable resource for our community association clients who have land use and real estate litigation needs.

If any of you have any questions regarding how this change may affect the services we provide to a specific community association, please contact **Juan Cardenas, Peter Philbin, Todd Sinkins, Ami Pape, Kimberley O'Halloran, or Richard Ware** at 703.790.1911.

WILSON SONSINI GOODRICH & ROSATI, PC, has relocated from Reston to 1700 K Street, NW in Washington, DC 2006-3817; 202.973.8831; Fax: 202.973.8899.

GERARD M. STEGMAIER of **WILSON SONSINI GOODRICH & ROSATI PC** in Washington, DC, has been appointed to the Board of Editors of the *Privacy and Data Security Law Journal*.

Virginia State Bar 2007
Council Election results for the 19th
Judicial Circuit:

Edward L. Weiner	524
Sharon D. Nelson	448
Leslie W. Hoffman	394

Office Furniture for Sale

Office furniture. Excellent condition. Call Jane at 703.691.3201.

Positions Available/Wanted

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DOMESTIC RELATIONS ASSOCIATE—Ain & Bank is seeking an experienced domestic relations associate for a career position with our firm. Ain & Bank prides itself on providing exceptional personal service with the highest standards of moral and ethical conduct. The person we are looking for must have a strong work ethic and devotion to the firm's clients. Excellent academic background and admission to the Virginia Bar are priorities. All applications will be held in the strictest confidence. Please send your resumé to Sanford K. Ain or Rita M. Bank at Ain & Bank, P.C., 1900 M Street, NW, Suite 600, Washington, DC 20036-3565.

ATTORNEY—AV Rated N. VA. law firm emphasizing construction law and civil litigation seeks attorney with 2-5 years experience. Virginia Bar required. Experience with mechanics liens, Miller Act, bid protests, government contracts. Part time/full time positions considered. Email or fax resumé to: Stephen Annino, Kasimer Annino PC; 703.893.6944; sannino@kasannlaw.com.

Office Space Lease/Rent/Sale

ALEXANDRIA—The Law Offices of Gerald A. Schwartz, representing injured people since 1975, has ideal office space for attorneys to share at its 2827 Duke Street, Alexandria, VA, location. Includes use of several library/conference rooms, client interview rooms, high-speed copiers, and a Pitney Bowes postage meter. **Free parking.** Friendly and professional atmosphere, and our receptionist will greet your clients. Referral of quality cases possible. Send confidential e-mail to: schwartz@geraldschwartz.com.

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FAIRFAX CITY--RENT—Woodson Square, 100 SF windowed office, plus secretarial space, shared use of restroom, copier, fax, and kitchen. Ideal for attorney. \$500/month. John or Kristin, 703.764.0600.

FAIRFAX CITY--SALE—Opposite Judicial Center on Judicial Drive, exquisitely decorated 5,000 SF office suite. 12 windowed offices, conf. rooms, work/sec. areas, kitchen, etc. Can be divided into two units of approx. 2,500 SF each. Paul F. O'Neill Co., Realtors, 703.273.4433.

FAIRFAX--ACROSS FROM JUDICIAL CENTER—Four windowed offices in Lawyers' Row—entire upper floor with three offices and secretarial area; one ground floor office and secretarial area; all offices include use of parking. Handsomely detailed. Available as a group or individually. Competitive rent. Contact Clark Kattenburg, 703.925.0500.

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for the "CLE at Sea"
September 30-
October 5, 2007**

Congratulations

RODNEY G. LEFFLER of Fairfax, whose career in criminal law has spanned serving as a police officer, a prosecutor, and a defense attorney, received the **2007 Harry L. Carrico Professionalism Award** from the Virginia State Bar's Criminal Law Section.

The award was presented during the Criminal Law Seminar, which took place February 2 in Charlottesville and February 9 in Williamsburg. The Charlottesville seminar drew 187 lawyers and judges, and 456 attended the Williamsburg session.



The Valentine Roast

You are cordially invited to attend a luncheon to honor the retirement of The Honorable Michael J. Valentine

**Friday, June 22, 2007
1:00 p.m.**

Country Club of Fairfax
5110 Ox Road

\$32.00 Per Person

Reservations may be made in person or by mail. Make checks payable to "Friends of the Court"; mail to: Maurine M. Houser, JDRDC
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Suite 2400
Fairfax, VA 22030
703.246.3525.
Contributions Welcome

Reserve early...space is limited.

REPORT ON THE BOARD OF DIRECTORS...

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amount of time and resources correspondingly increased the amount of time and resources required to support the operations of these programs. Therefore, the Board has asked that our Executive Director, Yvonne McGhee, prepare recommendations for increasing and restructuring our current staffing to accommodate the existing and anticipated growth over the next three-five years in the operations of the FBA, the Foundation, LRIS, and the Law Library. ■

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LAW DAY

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Special moments were the presentation of the Colors by the Fairfax County Sheriff's Department Honor Guard, accompanied by a Colonial fife and drum. Maurissa (13) and Brianna (12) Weiner sang the National Anthem. The speeches were short and The Law Day Proclamation was read, the same Proclamation that was read all over the country on Law Day.

About 450-500 people attended this year's celebration. The entire FBA and all Fairfax judges were invited, as well as judges from other jurisdictions, community leaders, and business people. Plus, many of the administration and faculty of GMU were in attendance.

It's safe to say that you ought to put May 1st on your calendar for next year. Chances are there'll be wieners and fun at the Weiner Roast (rain or shine). ■

Colors of Justice 2007

The Fairfax Bar Association joined together with the Alexandria Bar Association, Arlington Bar Association, Asian American Bar Association, Hispanic Bar Association, George Mason University School of Law, GMU Moot Court Board, and Northern Virginia Black Attorneys Association on April 13th to celebrate the "Colors of Justice" with a reception in the George Mason University School of Law (GMUSL) atrium. This version of the Colors of Justice was crafted by Judge Stanley P. Klein as a vehicle to observe, promote and celebrate the growth of diversity in the practice of law.

The event is held in conjunction with the GMUSL Moot Court finals. The competition was held at the U.S. District Court in Alexandria, when it concluded on Friday afternoon, the participants adjourned to join their colleagues at the Colors of Justice reception.

The event offered a fabulous networking opportunity for area lawyers, judges, and law students. The attendees were treated to a short program emceed by Assistant Dean Darrell D. Jackson. Dean Daniel D. Polsby welcomed the attendees, and the keynote speaker was the Hon. Vanessa Ruiz, District of Columbia Court of Appeals. Judge Ruiz spoke of the need to increase diversity among the judiciary so that it may truly be independent and decide cases without respect to superficial factors like the parties' race, gender, and socioeconomic background. As past president of the National Association of Women Judges, Judge Ruiz represented the effort being made to encourage minorities to join the legal profession. She urged attendees to continue in endeavors to boost diversity among the bench and bar.

Immediately after the keynote address, Judge Klein presented the five GMUSL students with a scholarship of \$1,000.00 each, donated at the 2006 Colors of Justice program, to assist them in their education. Judge Klein further presented donations from the hosts and sponsors to the following to advance their efforts to promote diversity:

- GMUSL—\$8,000 for scholarships to students of need;
- Just the Beginning Foundation—\$1,000 to promote their internship programs; and
- National Association of Women Judges—\$1,000 to support their Color of Justice program designed to interest high school students in law careers.

The hosts of the Colors of Justice Program offer a special thanks to GMU Assistant Dean Darrell D. Jackson for all of his assistance in making this event so successful for the past two years. Dean Jackson has been a pleasure to work with, and while we will miss him, we wish him much success as he pursues his PhD in Colorado.

For making a difference in our community, we thank the following sponsors:

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Young Lawyers N E W S

The Young Lawyers' Section of the Fairfax Bar hosted a group of over 60 Fairfax Bar members, friends, and family to the 82nd running of the Virginia Gold Cup Steeplechase Race on May 5, 2007. In spite of a little rain and wind, everyone was dressed to kill in summer attire and beautiful hats. A great time was had by all.

The Young Lawyers' Section offers a special thanks to our sponsors of this event:

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Photo F I N I S H

You ought to be in pictures! Update your photo for the Online FBA Membership Directory

Dear FBA Member:

We are in the initial stages of updating our online pictorial directory and we need your help to make it as complete and current as possible.

We are very pleased to announce that we have arranged for photography services through the firm of RCL Portrait Design, who specialize in "Executive Portraits" to photograph all the members for our online directory. RCL, the nation's leading executive portrait studio, has worked with more than 500 professional organizations and photographed over 100,000 professionals. Please call RCL Portrait Design at 1-800-580-5562 to schedule your appointment.

The photographs will be taken inside the Fairfax County Courthouse in Hearing Room 4A (fourth floor), and there is no cost for you to participate. A professional portrait photographer will photograph you in several poses. You will then be able to view your proofs immediately through an instant video system and choose your picture for the directory. Additional portraits will also be made available to those wishing to purchase them, however, there is no obligation. Below are the remaining dates and times when the photographer will be in the courthouse:

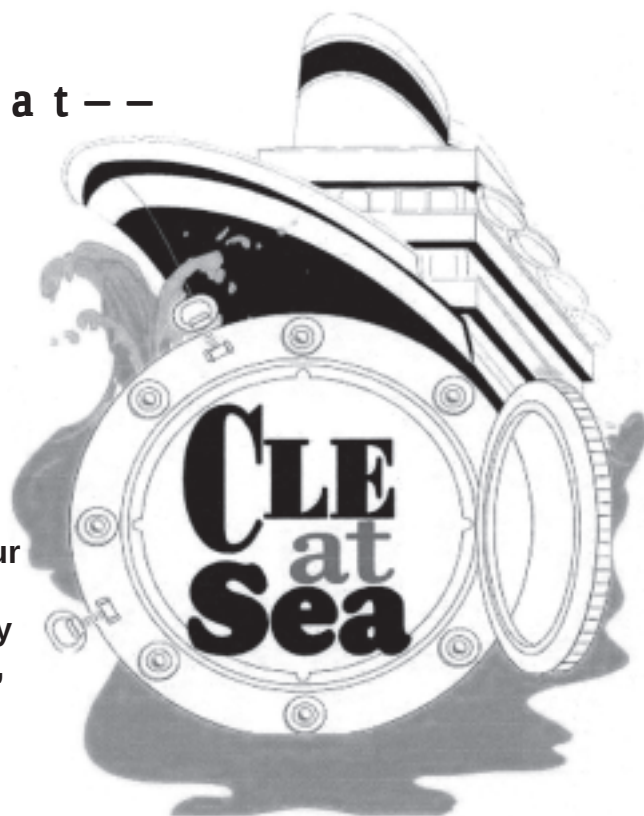
June 19-22nd and 25th-29th
July 16-20th
Mondays, Wednesdays—9:00 a.m. - 4:20 p.m.
Tuesdays, Thursdays—10:30 a.m. - 4:20 p.m.
Fridays—9:00 a.m. - 1:40 p.m.

For professional quality and best presentation, appropriate dress is suggested. We recommend the following:
Ladies: Suit jacket or long sleeved blouse; Gentlemen: Dark jacket and tie

We ask that you appreciate the importance of this project and assist RCL Portrait Design in making this a most successful online directory. Thank you.

Don't Miss the Boat-- Deadline Extended

F B A's "C L E at Sea"
Cruise to Bermuda
September 30, 2007 -
October 5, 2007



Clear your schedule and pack your bags (and your golf clubs) and join us on a world-class educational experience in an exotic setting! Enjoy a full-service spa, complimentary cocktail parties, a casino, whirlpools, a jogging track, bars and restaurants (and that's just on the ship!).

Join your colleagues and friends on an exciting five-night cruise on Royal Caribbean's *Grandeur of the Seas*. Staterooms start at just \$808.07 per person (based on double occupancy). We depart on September 30, 2007, from Baltimore, MD, and drop anchor for an overnight stay in Kings Wharf, Bermuda. We arrive back in Baltimore on October 5, 2007. Reserve your stateroom today at www.fairfaxbar.org!



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