

JOURNAL

Newsletter of the Fairfax Bar Association www.fairfaxbar.org July 2008

TRIBUTE

TO JUDGE STITT

I will miss David Stitt. I have always admired David, Liz, and their children. Judge David Stitt was a good colleague, a friend, and an ally. He was a first-rate trial judge and a very practical thinking judge. He used his sound judgment about the law, common sense, and his empathic understanding of the limitations of human nature as a judge. He understood that young people make mistakes, there is never enough money to go around in a divorce case, and bad people go to prison to keep the rest of us safe. He never forgot where he came from, and he could identify with the underdog. He used disciplined compassion as he worked his way through cases.

I served with Judge Stitt on the Virginia State Bar Council for about five years and as a colleague on our Fairfax Circuit Court for six years.

We enjoyed many good times and conversations. He had a wide array of interests and a diverse group of friends. For several years, we had a tradition of getting in a car with Judge Wooldridge, Gerry Treanor, and Bill Dolan and going to a major league baseball game. We rode to Camden Yards, we told stories, and we laughed at ourselves. He exposed me to adventures as well. He took me canoeing on the Shenandoah River. I had never been in a canoe before so he gave me a quick lesson "Paddle and steer left. You'll be fine." He told me to steer left to avoid the rapids. Of course, I steered right and promptly flipped the canoe with my 15-year-old mentee Christopher, and we got soaked. He pulled us out of the river. "Didn't I tell y'all to steer left?" Me: "I thought you meant this way, not that way." Thus, the "Tough Man Club" was born.

continued on next page

Remembering the Life and Times of THE HONORABLE DAVID T. STITT

Fairfax County Circuit Court Judge 1995 - 2008



Photo courtesy of Stirling Elmendorf Photography

Friends, family, and the legal community of Fairfax County gathered at a Memorial Service on Sunday, June 8, 2008, in Courtroom 5J, to remember Judge David T. Stitt. Judge Stitt suffered a heart attack and passed away May 10 while on vacation in North Carolina. He was 65. Judge Stitt is survived by the loves of his life, for whom he always found time, despite his heavy work (and play) schedule—his wife Liz, daughter Rachel, and son Samuel.

MEMORIAL EULOGIES FOR HON. DAVID T. STITT

By Hon. Robert W. Wooldridge, Jr., Fairfax County Circuit Court:

We need people in our lives whose perspective, whose view of the world is just a little bit different. They're rare. We treasure their humor; their insight is unique; their absence is greatly missed. So it is with our friend David.

With over a dozen years on the bench following more than 20 years of service to the State and Fairfax Bars, the stories about David at the court and among lawyers are legion. I want to tell you just one because I can tell it in mixed company (barely) and because of what it says about him. During the first half of her clerkship, his current Law Clerk, Kathy Waldy, was talking to him about a legal issue and she mispronounced a legal term. (Ms. Waldy shared this story with me after David passed away, so I'm not telling tales on her). Ever the sensitive and diplomatic boss, David said, "What did you say? You sound like a dumb ass. If you pronounce it like that, they'll think you're a dumb ass. Do you hear me?"

Either because she was new to David's style of management, or because relative to David she was what we would call normal, Ms. Waldy was a bit unnerved. So she called two of his former law clerks who she knew he was close to and shared her concern. They each advised her that while clerking they had mispronounced a legal term, and that he had called them a dumb ass as well. That made her realize she was part of a special fraternity.

continued on page 3

TRIBUTE

TO JUDGE STITT

continued from page 1

He impacted the profession in many ways as a Bar leader and Fairfax County Attorney. Many years ago before there was agitation, he sought out and hired a diverse legal staff for the Fairfax County Attorney's Office. He also worked with Dolan and me when we ran a minority law student law clerk program 20 years ago. Quietly, David hired three students during the program as I recall. The students were smart, and one student had a distinct Southern accent, and he loved it. Two of the students later became judicial law clerks. Today, one of these success story students is a judge of a Juvenile Court in Northern Virginia. He did this without fanfare because "Aw shucks, Gerald, it's just the right thing to do."

He was blessed to meet and marry Liz, the love of his life, and to have smart children. He would say the kids got their intelligence and beauty from Liz's side of the family. I agree. David's son is about to compete in the Beijing Summer Olympics.

He would probably say this note was too long. I can hear him now, "Hey Gerald, cut it off, aw right!"

Judge Gerald Bruce Lee

Judge Stitt was an honorable man, and I am devastated by his passing. He was always warm, kind, and extremely instructive toward me, especially early in my career. I enjoyed being before him in court because he was always fair and extremely polite. A true gentleman by every definition of the term. Judge Stitt will be sorely missed. I grieve for his family and send my thoughts.

Linda Smith

I served as a Law Clerk to Judge Jonathan C. Thacher in 2005-2006, and through that clerkship, met Judge Stitt. I always enjoyed talking to him, as he was, as many have noted, extremely down to earth and devoid of pretension. He was a straight talker, with a great, dry sense of humor. I felt I could be myself around him, which was very comforting to me as a law clerk and new lawyer. He will be missed.

Michael L. Chang

I, too, will miss Judge Stitt. Whenever I realized he was going to be my judge, I told my client "We're in good hands." My first encounter with Judge Stitt was right after he came to the Circuit Court bench. He was doing his first assignment as calendar control judge, and apparently someone had schooled him that continuances were granted sparingly. After stating my grounds, he hesitated, then said (verbatim) "Aw right, Welp, Mr. Druuummon', Ah'm gonna grant the continyance, but I want y'all to back me up when I get a bunch of shiiiiit." That is truly word for word. We all have lost a truly great guy.

Brian C. Drummond

Judge Stitt was one of my favorite judges. He always gave the litigants a very fair and impartial trial. I always left his courtroom being grateful that we were so fortunate to have a judge like him on the bench. I can't remember any client of mine who came away from his court not feeling like they had had their day in court, and that a caring, thoughtful judge had really listened to them even when he may not have ruled entirely the way they would have liked. Judge Stitt will indeed be missed!

Dorothy Isaacs

David Stitt was one of the finest men that I ever knew and the best boss I ever had. David epitomized the concept of a "stand up guy." David reliably, day after day, did the right thing as he saw it, and his judgment about what was the right thing to do was way better than most.

When David was the County Attorney, he made sure that when an assistant county attorney did something good, he or she got credit for it with the County Executive and Board of Supervisors. Conversely, when one of his attorneys had to take a position that David knew was going to be unpopular with the Board, he gently and subtly would make sure that most of the heat was redirected towards him and away from his subordinate.

David also was one of the most inherently democratic people I have ever known. Everybody got treated equally and with respect as a human being. David didn't distinguish socially between senior attorneys junior attorneys, and support staff. Everyone got invited and included and was made to feel that they were important, and their contributions valuable. He made me a better person by his example.

continued on page 4

FAIRFAX BAR JOURNAL

*Official Newsletter of the
Fairfax Bar Association*
4110 Chain Bridge Rd., Suite 215
Fairfax, VA 22030
Telephone: 703-246-2740
Fax: 703-273-1274
Email: fba@fairfaxbar.org
<http://www.fairfaxbar.org>

Officers 2008/2009

President Julie H. Heiden 703-218-4410
President-Elect ... Corinne N. Lockett 703-324-2421
Vice-President David J. Gogal 703-691-1235
Past-President Daniel H. Ruttenberg 703-790-1900
Treasurer William P. Daly, Jr. 703-790-1911
Secretary Kelly Sweeney Hite 703-766-0732
Gen. Counsel ... Brett A. Kassabian 703-750-3622

Board of Directors 2008/2009

David A. Hirsch 703-934-2940
Linda M. Jackson 703-760-1600
Douglas R. Kay 703-883-0880
David L. Marks 703-352-6400
Jay B. Myerson 703-715-9600
Jennifer R. Porter 703-359-8620
Robert B. Walker 703-437-5128
Edward L. Weiner 703-273-9500

Executive Director/Editor

Yvonne C. McGhee • 703-246-2740
email: ymcghee@fairfaxbar.org

Communications Coordinator

Kristin Derlunas • 703-246-3721
email: kderlunas@fairfaxbar.org

Journal Advertising/Graphic Design

Ann Hill Thornton, RODANGraphics
301-338-2755 • email: rodangraf@aol.com

*All articles or advertising submitted to the
Fairfax Bar Journal are subject to the
editor's approval. The editor reserves the
right to reject any submissions that,
in the opinion of the editor,
are inappropriate for the Journal.*

MEMORIAL EULOGIES

continued from page 1

I tell that story for two reasons. First, it reminds us that David did not change when he became a judge. From salty language to his unique turn of a phrase, he remained true to himself. Second, no judge on our court was held with more affection, loyalty, and respect by those who worked for, and with him. His law clerks, court clerks, deputies, court staff—there was a special bond between David and them. It was mutual, and it was genuine.

As a member of the Bar, David was a constant source of ideas and a wonderful sounding board. As a judge, he expected lawyers to be professional and well-prepared; he demanded no less of himself. As a colleague of ours on the bench, he was a close friend, and is irreplaceable.

He loved Liz, and he adored Rachel and Sam. He followed Rachel to Japan and was going to follow Sam to Beijing in August. He'll still be in Beijing with Sam in spirit.

If you own stock in the company that makes Texas Pete's Hot Sauce, or in Anita's Mexican Restaurants, you should

sell immediately. Their gross revenues will soon plummet.

The Young Lawyers Section of the Fairfax Bar Association named their fall volleyball tournament in David's honor a few years ago. They can now count on that tournament being shorter. A match was always two out of three games, but if David's team was behind it was three out of five, or four out of seven, or whatever was needed.

The week that David passed away I happened to go to an exhibit of Winslow Homer paintings. Homer was best known for his New England seascapes and the way the sun plays on the water. Homer said, "The sun will not rise or set without my notice, or my thanks." That described not only Homer's work but also his life. That also describes David. He loved the water, whether on the beach at Topsail, or in a canoe on the Shenandoah River, or fishing with family on an Arkansas lake, or defending his volleyball title on the sand at State Bar meetings at Virginia Beach. He lived life to the fullest, and always looked forward to the next day. The "next day" at court started at 10:00 a.m., and David customarily pulled into the judge's parking lot at 9:58, so I doubt he saw many

sunrises. But walking on the beach at sunset, with a glass of wine in one hand and Liz's hand in the other, with Rachel and Sam nearby, and an old paperback book in his back pocket—that was a perfect day for David. And that is the way we should remember him.



Judge Wooldridge rolled up his sleeves as Judge Stitt often did when giving speeches.

Photo courtesy of Stirling Elmendorf Photography

continued on page 5

**When your technology runs aground, it's good to know
your IT support company is ready to answer your S.O.S.**

**But wouldn't you
rather keep your
systems on course and
away from the rocks
in the first place?**

That's why you need Sensei.

Of course, Sensei Enterprises will respond quickly to calls for help if needed, but we'd rather fix problems before they become problems.

That's why our IT support professionals perform monitored weekly back-ups, do regular preventive maintenance once each month, and use remote access capabilities that reduce the number of onsite visits.

With IT support from Sensei, it's always smooth sailing for your hardware, software, and networking systems – and full steam ahead for your law firm.


SENSEI ENTERPRISES, INC.
COMPUTER FORENSICS | INFORMATION TECHNOLOGY

3975 university drive, suite 225, fairfax, virginia 22030
phone: 703.359.0700 | fax: 703.359.8434 | www.senseient.com

TRIBUTE

TO JUDGE STITT

continued from page 2

Being on the tall side, I also spent many years playing volleyball with David. Lots of people know how enthusiastic David was about recruiting people for all kinds of recreational activities. He was a force of nature, very hard to turn down.

Anyone who ever played any sports with David also knows that he was very competitive. I remember when he, I, his wife Liz, and some other friends played for a few years in an organized volleyball league. Each co-ed team would have six players on the court, alternating men and women. I still smile when I remember one time David wanted to change our lineup so Liz would be between him and me. She refused on the ground that the two of us were such ball hogs she was afraid of getting killed if we both went for the ball.

I will miss David terribly. My world was a better place when he was in it, and I know that's true for a lot of other people too. We've all lost someone truly special. My heartfelt condolences to his family.

Jim McGettrick

The last jury trial that I had was before Judge Stitt. As a lawyer, you feel like you learn a little something about a judge when you sit with him or her in trial for a few days. Judge Stitt seemed skeptical about my case at first and I felt like I had to win him over. While I did not agree with all of his rulings during trial, I think that he conducted a fair and balanced trial. I say that not just because the trial result went my way; but because through it all, I came away feeling that he followed the rules of evidence and procedure. As an African-American trial lawyer in Virginia, what I most hope for going into trial is a trial judge that will try the matter "straight up" without leaning toward one side or the other. To that end, I have to say Judge Stitt was "straight up." Condolences to his family and colleagues.

Malik K. Cutlar

I was fortunate enough to work for Judge Stitt at Venable. He taught me how to write and taught me so much about life. He was a breath of fresh air, with his rolled-up sleeves, Texas drawl, and direct style. (He was the

greatest driver I've ever been in a car with). He was a great man in every respect.

Julian Brown

Upon arriving early to my first Young Lawyers' Lawyerpalooza, I saw Judge Stitt setting up the volleyball court by himself on the side yard. I went to help him and ever since we had a friendship and bond based not so much on the trials I had before him, but mostly based on volleyball. My team lost to his team that year and the next year because Judge Stitt's teams never lost. His love for the game and the way it allowed him to have that same bond and interaction with so many young attorneys compelled us to name the tournament trophy for him. In anticipation of Judge Stitt's phone call, I had already made reservations for the VSB conference in June, solely to play volleyball with him. My condolences to the family of this very special man.

David L. Marks

I honestly enjoyed appearing in front of Judge Stitt. He was always kind, respectful, and very courteous to anyone who appeared in his court. He liked people in all shapes and sizes, and with all kinds of problems. He was always very fair, impartial, and willing to listen. He was always decisive and his rulings were very fair. He never let anybody feel that they did not get their day in court. He could respectfully disagree with your position without being disagreeable. All who practice in Fairfax will truly miss Judge Stitt. I also liked the fact that he continued his attendance at Bar functions after he became a Judge. As a past President of the Bar Association, he understood the importance of Bar activities and collegiality. May God bless him always and his family.

Bill Schmidt

We have lost a fair, decent, and kind member of the bench in Fairfax with the passing of Judge Stitt. He was respectful of all who appeared before him, litigants and lawyers alike, and I will miss him.

Something I particularly remember and admired about David Stitt occurred when he was President of the Fairfax Bar Association. We, on the District Court Committee, came up with a proposal to establish a Public Defender for Fairfax County to counter the low statewide fees for

court-appointed attorneys, and enhance the legal services available for indigent defendants in the county. David mentioned the work we were doing in his President's message in the Bar newsletter, not just once, but every month, so that there was total transparency about the project, and so that all attorneys could weigh into the debate if they so chose.

After the Bar Board of Directors approved the plan, David saw to it that we had access to the members of our delegation in Richmond to explain and lobby for the proposal. It passed the legislature that same year, along with PD offices in Alexandria and Winchester, whose Bars had asked to piggyback on our proposal. It was a good idea but David saw to it that it was accomplished in a fair, impartial, and open manner. My prayers go out to his wife and family.

Thea Rossi Barron

I worked as a Clerk in Case Tracking at the Circuit Court and I enjoyed being with Judge Stitt doing Scheduling Conferences at 8:30 a.m. He was always kind, polite, and treated everyone with respect. He will be missed.

Theres Mary Opoku-Boakye

I was shocked and saddened to hear of Judge Stitt's passing. I always enjoyed appearing before him because he had a wonderful sense of humor. Judge Stitt always found a way to make lawyers and litigants alike, feel comfortable in his courtroom. I admired the fact that he called a case exactly as he saw it, and there were no surprises. I felt very comfortable in his courtroom because I knew he would be fair. I will deeply miss him and the way he would say, "Ms. Wilson," with that famous Southern drawl. He was a delightful judge and my prayers are with his wife and family. To the Stitt family, I say, thank you for sharing him with the residents of the legal community of Fairfax County. We loved him dearly. May you find comfort knowing that he touched the lives of so many individuals.

Deborah A. Wilson

I have worked for/with Judge Stitt for 11 years. He was one of a kind and will be missed very much here.

Drew Kassick

continued on page 6

MEMORIAL EULOGIES

continued from page 3

By J. Hamilton Lambert, Former Fairfax County Executive:

Good afternoon. My name is J. Hamilton Lambert. For those of you who don't remember me, I used to be short, fat, and bald.

I hope you will excuse me if I appear a bit nervous but who wouldn't be:

- standing in a huge courtroom;
- wearing a suit;
- in front of a bunch of judges.

I have decided to take a different approach to today's proceedings and I hope it doesn't offend you.

But I have written a letter to David, which I will now share with you.

Dear Dave,

I am writing slow because I know that's how you think—I was saddened to hear you had unexpectedly left the area.

You will note that I have sent this letter to two different addresses, not being privy to your exact location.

I expect, like myself, you probably would prefer the climate in one over the other but would not know as many people.

I was just thinking the other day what I should write to you about. Should I praise you for your:

- wonderful character;
- devotion to family;
- outstanding legal career, and various other accomplishments? NO WAY.

Instead of all of that, I thought I would write to you about a few memories we have shared along the way. I know I am going to miss some, but we can talk about those later.

I remember when former County Attorney F. Lee Ruck approached me about hiring you "sight unseen" and after that discussion, I said, "go ahead...". **I NEVER REGRETTED THAT DECISION.**

I do, however, remember when he brought you up to my office for the first time to meet me, I said to myself, "Self, this guy talks and looks like a Southern Ichabod Crane"—plus, you immediately had two strikes against you.

FIRST, you were two feet taller than me, and being vertically disadvantaged most of my life, I have always been leery of tall people.

SECOND, you talked slower than I did, and to a true Southerner that always sets off an alarm, i.e., "who's slicking who." Nevertheless, I had to play the cards I had drawn.

Shortly after that I began to realize that you had a couple of traits that I personally admired—just a couple.

Number 1. You didn't play politics with the governing body. Everyone was treated equally, i.e., since you hated politics, you treated every politician equally bad, but you also, to your credit, always treated the governing body as your most valuable client.

Number 2. You gave your opinion straight. In fact, sometimes you were asked to further clarify your logic and position when you said things like:

"That's illegal, Jack or Audrey"—chastising two individuals who were not used to hearing that type of response; or

"No way." I always liked that one. It was a gentlemanly way to stop a debate.

And lastly, "Are you all crazy?" Sometimes that was just a little bit indelicate.

When the time came to select a new County Attorney, certain members of the governing body solicited my opinion, but if the truth be known, that was just a courtesy. They already knew you were their unanimous choice.

Thus, began the saga of the 80's and, as you often said, you joined the "round table." A group that evolved into Pat McDonald, Verdia Haywood, Dick King, Tony Griffin, Jean VanDevanter, Ted Austell, Ester Oschman, you, and yours truly.

It was amazing that the governing body had entrusted the running of the top county government in the nation to such a confederation of misfits, but somehow, for 10 years, we muddled through.

Speaking of when you took over as County Attorney, you inherited a group operating somewhat less than a well-oiled machine, and it was great to watch you spread and utilize your Southern charm in a way to begin improving (1) morale and self image; (2) professionalism; and (3) quality and effort. I will never admit it to your face, but you did a super job.

As the years evolved, you and your staff were able to assist the governing body in numerous decisions. Some major ones to name a few, were:

- Metropolitan Water Supply Agreement.
A landmark document, still intact.
- Blue Plains Agreement.
A regional first, still intact.

- Lorton Agreement.
Strengthening county control, obviously no longer necessary.
- Upper Occoquan Litigation. Still intact.
- Government Center Agreement.
A Commonwealth model, both legally and financially.

Not to mention the constant assistance you and your staff provided to the governing body, the county staff, and yours truly. But most importantly, unbeknownst to you, everyone was watching you grow and develop.

One day you came into my office and announced that you were going to marry Liz. I was dumbfounded! Why in the world would a beautiful, charming, intelligent woman even consider marrying a Southern clod like you? Then I realized someone out there was watching over you. When this pair was formed, the results—it goes without saying—were phenomenal.

Yes, all during the 80's we worked and grew together—you professionally, me in size.

Parts of that 10-year span and its highs and lows will never leave our minds—from the formality of the courtroom through the frivolity of the County Attorney pool, tubing, and rafting parties—we all have memories to cherish.

continued on page 7

MULFORD MEDIATION

Professional • Experienced • Successful
Since 1990

Divorce &
Business

Philip Mulford, J.D.
Professional Mediator

Fairfax
703.222.0124

Warrenton
540.341.4615

www.mulfordmediation.com

NASD Approved Mediator

TRIBUTE

TO JUDGE STITT

continued from page 4

I clerked for Judge Henry Hudson during part of his tenure on the Fairfax Circuit Court bench. I tell this story with some apologies to Judge Hudson, who, like Judge Stitt, is an extremely fine and capable judge. Once, while I was meeting with Judge Hudson in his chambers, Judge Stitt strode in and asked, "Henry, who types your memos?" Judge Hudson sat up straight in his chair and said, "I do." (He had recently started practicing his typing and was kind of proud of it). Judge Stitt nodded to me and said, "Just makin' sure it wasn't Lisa." He turned back to Judge Hudson and asked if he used spell check. I think Judge Hudson said he didn't need spell check. Judge Stitt said maybe he should try it, because "it might help with some important words...like your name, Judge Hudson." And dropped the memo on Hudson's desk with Judge Hudson's misspelled name highlighted. Judge Stitt was a class act in every way—not least for his sense of humor and down-to-earth manner, as many have already noted. My condolences to his family.

Lisa Mackem

I first met him when we were both members of Bar Council. He saw something in a report that just wasn't right. It wasn't a small thing, it was a big thing. And he said something about it. He made his point VERY clearly. Anyone who knew him, knows what I mean. The Council saw that he was right, and a monumental change came about. Who knows what might have happened if a smaller voice had raised the issue? Another memory: at Virginia Beach for the annual State Bar meeting, I thought I had assembled a pretty good volleyball team. There is no need to finish this particular story. You know what happened when we encountered the Stittinator. He consistently excelled in everything. It was a pleasure to appear before him in court. I can't say I won every time, but I could always count on wise and impartial justice. And he brought real life wherever he went. When we recall him, there will be sorrow, because he will be missed. But there will be a smile too.

Jim Korman

I had the gift of being Judge Stitt's court clerk for 12 of the 13 years he was on the bench. I hated to leave him but he was understanding and supportive of my decision. He was a wonderful man. I still cannot believe such a commanding presence is gone. He taught me so much, and was there for so many milestones in my life. He was the first person I spoke to on the phone after my daughter was born. I will miss him everyday.

Dianne Smith

Judge Stitt was a great person. It is a great loss for the courthouse, he will be remembered. My condolences to his family.

Shobha Jayakumar

Little did I know when he hired me in 1980 that David Stitt would have such a great influence on my life. I joined the Fairfax County Attorney's Office at that time and had the great pleasure to work with David for over 11 years. David was a great colleague and became a great friend.

He insisted on quality legal work every single day, regardless of the importance of the case or the stature of the client. David was a great boss, as he always defended his attorneys and staff, even when it was not politically popular to do so.

David loved sports as much as anything. When he invited me to join him on a softball team that played at Hains Point in Washington, there was no way I could say no. We had great times playing softball, and David was quite proud that our team won the league championship in the early 80's. It should not be a surprise to anybody that David played pitcher. The team was comprised of a bunch of David's friends. David also had a great sense of humor. We teased him that the County Attorney's Office softball team won two County employee league championships in a row in the 1980's without him—he was on vacation both years. He would not take offense, as he would simply smile and take credit for winning the championship while on vacation!

When our softball team downtown got too old to run the bases, we concentrated on tennis. David was a great tennis partner, highly skilled with the "Stitt spinner," and one who always was gracious to his partner if they made a mistake. As with any sport he played, David was very competitive. We used to joke that if he lost the first set, he would be quick to declare that the second set would be "for all the marbles." The friends David introduced me to on the softball diamond and tennis courts are now good

friends of mine, and the spirit of David Stitt will live with us as long as we get together.

David hired me to become a local government attorney many years ago and made it clear to me, and all others, that it was a wonderful thing to do. He was one of the leaders of the Local Government Attorneys of Virginia (LGA) for many years, and the immense respect that LGA members have for him is palpable whenever his name is mentioned in those circles.

David was truly one of a kind. Smart, ethical, straightforward, friendly, unique, and genuine are some words that merely scratch the surface in describing David Stitt. The qualities David brought to this life will live for a long time in all who knew him—he rubbed off on people, and his friends and admirers are countless. He packed a lot of energy and fun into his years with us, and I consider myself lucky to have known him.

Pat Taves

As many were, I was shocked by the news of the sudden loss of Judge David Stitt. I first met Judge Stitt 25 years ago when I was a law clerk in the Fairfax County Attorney's Office. In spring, we would play softball games. David would bring his family to the games. At that early point, I learned two things about David Stitt: his competitiveness on the sports field and his devotion to his family. Some years after my clerkship, David joined our Monday night volleyball crew. As others have mentioned, he was very competitive in volleyball, and he was not above the occasional taunting either. That was not limited to the opposition. When I was on the same team as David, and would make a bad play, I would hear "Goshdarnit David, THINK!"

Judge Stitt was also the marriage celebrant for Leslie and me. He took the time with us to make sure we had a ceremony perfectly suited to our needs. Upon his recommendation, we used his son-in-law as our wedding photographer. David's daughter also attended the ceremony. Once again, his devotion to his family was evident. David was also very proud of his son's accomplishments in qualifying for the Olympics.

For Leslie and me, Judge Stitt will always be an important part of our family. I will also miss his decency on the bench. And Monday night volleyball will never again be the same without his towering presence, thick Texas drawl, and wonderful spirit. On behalf of Leslie and me, our deepest condolences to Liz and to the rest of the family.

David Hirsch

continued on page 8

MEMORIAL EULOGIES

continued from page 5

But wait, I digress. I would be remiss not to mention over all of our years of association, we only disagreed twice. To tell the truth, I think you were right once, and I was right the other. Let's call it a draw.

When we both left the county in 1990, I thought "Where do we go from here?"

Then I got a call from you saying "I'm gonna go after a judgeship." That was a real wake-up call. We discussed this several times, and I must admit I had some question about your potential courtroom demeanor.

- *First - your shyness might be a disadvantage;*
- *Second - your reluctance to clearly voice your opinion could prove a problem; and*
- *Third - you would look funny in a robe with a rubber band around your wrist.*

However, I said, "How can I help?"

The rest is history and, as we Southerners say, "You done real good."

In closing, I know you have been receiving compliments from members of the Bar and others. Just don't let it go to your head. Just remember the higher a monkey climbs, the more you see his butt!

I also know in your absence we are going to be watching over Liz, Rachel, and Sam, and hopefully, provide them with our insights.

Hope this letter finds you happy. See you later.

Your Friend,
J. Hamilton Lambert

P.S. As you would tend to say to me after a night of partying, "Damn son, you left too soon."



Photo courtesy of Stirling Elmendorf Photography

EXPERIENCE INTEGRITY EXCELLENCE

USI Affinity insurance products for today's legal professionals include:

- Lawyer's Professional Liability Insurance
- 401K Plans
- Health
- Life
- Short Term Disability
- Long Term Disability
- Business Owners Policy
- Worker's Compensation

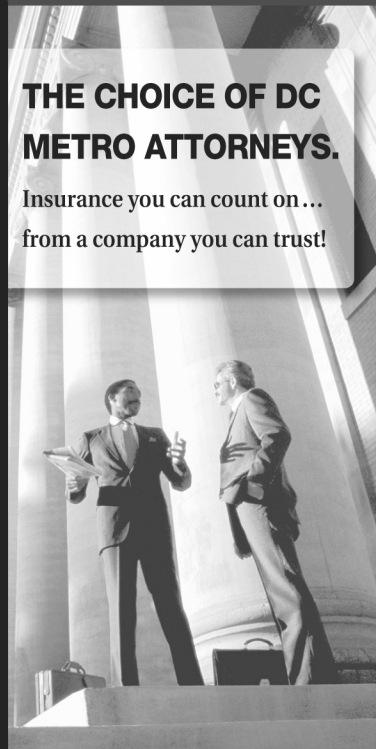
To learn more please contact **Liz Sutter** at **800.265.2876** or **liz.sutter@usi.biz**

www.usiaffinity.com



THE CHOICE OF DC METRO ATTORNEYS.

Insurance you can count on...
from a company you can trust!



Virginia Alcohol Monitoring

Secure Continuous Remote Alcohol Monitoring

SCRAM - 24/7 Alcohol Monitoring Bracelet

Used in over 2000 Courts in 45 States for, but not limited to:

- *DUI/DWI*
- *Civil Cases*
- *Pre-Sentencing*
- *Pre-Trial Supervision*



- *Juvenile Supervision*
- *Parole & Probation*
- *Treatment Support*
- *Alternative Sentencing*

Domestic Violence / Alcohol Related Assault

NOW AVAILABLE TO YOUR COURT, CLIENT, & PROBATIONER!

Court validated, evidence based, scientifically proven technology



BRACELET INSTALLATION

referrals@vascram.com

240-498-4612

Inquiries welcome!

www.vascram.com

The ONLY Authorized SCRAM Service Provider in VA

TRIBUTE

TO JUDGE STITT

continued from page 6

I was fortunate to have shared an office with Judge Stitt for the last four years as Judge Finch's court clerk. Judge Stitt had a great sense of humor and was an extremely kind man. I always knew I could go to him with a question or a problem, and he would be happy to help me. I will miss the echo of his distinctive laugh in our office. I am so glad that I got to know him and will miss him greatly.

Kelly Hartle

My memories of David begin in 1981 at LGA conferences—playing poker in a hotel room with 10 of us crowded around the bathtub filled with beer. He was a real person. Seems like everything he did was bigger than life—which is why it is hard to accept that he is gone. I had great respect for him as a jurist and a person—may he be in peace.

Barbara Beach

I clerk for Judge Roush but have had the privilege to clerk for Judge Stitt. When I supervised the criminal section, I would go to Judge Stitt with questions and he would say "Wendy, what would you do in this situation?" I would explain to him what I thought I should do, and he would say, "Well there is your answer, and if you have any problems with counsel, you just let me know and I will back you up on it." I will miss him so much and I have always had the greatest respect for him. He will be missed by everyone! My condolences to his family.

Wendy Ruffin

I echo the comments of all who admired Judge Stitt for his straightforward approach to life and to his duties as a judge. I also enjoyed his sense of humor, especially when he was presiding over an hour's worth of otherwise boring uncontested divorce cases. Once he told a litigant he could not believe she had grown children because she just didn't look old enough! Another time, he congratulated an Army Captain on his "railroad tracks" (the parallel silver bars indicating his rank). Judge Stitt was a courageous jurist when courage was needed, but never lost the human touch that

smoothed tensions in his courtroom. We will miss him.

Laurie Forbes

Judge Stitt leaves a legacy for having touched so many lives in such a positive and personal way. He had excellence in knowing what goals to pursue in a particular case, and excellence in choosing the means to accomplish those goals. He listened to my arguments with such patience and treated me with respect. For that, I will always be grateful. I am proud to have had the opportunity to practice before him. I will miss him very much.

Andi Geloo

David Stitt's professional life was devoted to public service. Every citizen of Fairfax should be grateful for his nonpartisan management of the County's legal business. Few realize the volume and significance of the work piled on the desk of the Fairfax County Attorney and his staff. David Stitt was certainly the right person to direct the handling of that work to the people's benefit.

Judge Stitt's later service as a Circuit Court Judge was, likewise, marked by more than mere excellence. He was kind, courteous, and patient to counsel and litigants. The task is not easy. The Bar knows how much we try judges' patience! Judge Stitt also modeled what I call the three C's of leadership: CHARACTER, COURAGE and COMMITMENT. Judge Stitt was honest. He did what he believed to be right without fear or favor, and his fidelity to the justice system was absolute.

The tributes of many others confirm that David Stitt was a well-rounded and fine person. Cited are his sense of humor, love of sports, and loyalty to subordinates. Most important was his love, pride, and care for his family. In short, David Stitt modeled the good American life. We celebrate that life and should take inspiration from his example.

Gil Davis

I first met Judge Stitt when he was a County Attorney. I had occasion to be adverse to him, but working with him to resolve the matter was a joy. He practiced civility and honesty—almost lost arts. When he came to the bench, his civility, knowledge, and respect for attorneys and litigants made him a joy to appear before. I did not always get what I thought my client deserved, but knew

that he had considered the facts and law honestly. I hope the younger judges look to Judge Stitt as a model. There aren't many of his kind left.

Ekaube Cassek

I was Judge Stitt's first law clerk in 1995. He was a wonderful person and had a profound effect on my legal career, and was a tremendous influence on a personal level. I have so many fond memories of him, too numerous to mention on this page. He leaves a wonderful legacy.

Derek Meisner

A judicial demeanor that was unrivaled among his contemporaries, a thorough grasp of the law, and a quick wit that made a multi-day trial a truly enjoyable experience—all traits that were always on display by Judge David Stitt. What a loss!

David Duff

David Stitt was a fine human being and a scholarly, compassionate jurist. It was a pleasure to litigate before him as he was always prepared, knowledgeable, and insightful—and candid, as was often needed.

David was also dedicated to the professionalism course he managed for law students. He used that forum to ensure that law students heard that professionalism, together with preparedness, should be the hallmark of their law practice. As the other testimonials have indicated, David did as he professed; and let others know what he was thinking without rancor or anger, thus allowing others to address the issue itself without being defensive in the process.

We will long mourn the loss of this great man, and my heart and prayers extend to Liz and the children at this most difficult time.

Leslie Weber Hoffman

Judge Stitt was an honorable man who did all he could to uphold the cause of justice. We all may take comfort to have had the honor of association with him. Your loss is our loss.

Morris A. Nunes

continued on page 10

CLASSIFIED ADVERTISING

Services

QDRO DRAFTING & LITIGATION

Reduce your *Malpractice Liability*
by referring your clients to me

Raymond S. Dietrich, Esquire
703.722.0741

www.qdrotrack.net

ECONOMIST

- Personal Injury
- Wrongful Termination
- Wrongful Death
- Discrimination

Valuation of Business, Securities and Pension
Funds for Divorce and Business Cases

University Professor with Extensive Experience

Dr. Richard B. Edelman

8515 Whittier Boulevard • Bethesda, MD 20817

1-800-257-8626 301-469-9575



Referrals and Visa on Your Request - Visit at:



www.economist-analysis.com

Positions Available/ Wanted

ASSOCIATE—2 to 3+ years experience. Petrovich & Walsh, PLC, is seeking an associate who is self-motivated and enthusiastic, with 2 to 3+ years experience to handle criminal defense work. Salary commensurate with experience. VA Bar required. Please fax resumé and salary requirement to 703-934-1004, Attn: Mark Petrovich or email: info@pw-lawfirm.com.

ATTORNEY—Are you a hardworking but underappreciated domestic relations attorney frustrated by not receiving your fair share of your client fee generation? Do you have a portable (or partially portable) domestic relations practice? If so, and you are interested in growing your business and receiving additional cases in a quality environment where the total number of billables per month is not SOLELY how you are valued, we are looking for you to be a part of our team. Please send your resumé and contact information at ADMIN@ABHYLAW.com or fax to Hiring Partner @ 703-352-1301.

Office Space Rent/Lease

FAIRFAX CITY—(Across the street from courthouse). Second floor suite for rent across the street from the Fairfax County Courthouse. Two windowed offices with large secretarial work station and conference room. Full service available. Offices are currently furnished and ready for rent or furniture can be removed if needed. Price is negotiable. Please call 703-934-9191 or email: info@pw-lawfirm.com.

FAIRFAX CITY—Large office for rent in law firm. Across street from Fairfax Courthouse. Share conference room, reception, fax, copier, and other facilities. \$1,200/month. Contact etolchin@ftm-pc.com.

McLEAN—Beautiful office suites in the heart of McLean. Office village concept with other lawyers, accountants, and professionals. Excellent location and services. Reception services, spacious conference rooms, plenty of parking, and signage which is excellent recognition for you. Close to Tysons Corner, Vienna, and the beltway. Please call 703-893-0094.

ANNOUNCEMENTS

BRIGLIA & HUNDLEY, P.C. has changed its name to **BRIGLIA HUNDLEY NUTTALL & KAY, P.C.** 1921 Gallows Road, Suite 750, Tysons Corner, VA 22182; 703-883-0880; Fax: 703-883-0899; www.bhnlaw.com.

CULIN, SHARP, AUTRY & DAY, P.L.C. is pleased to announce the relocation of its Warrenton office to 67 West Lee Street, Suite 101, Warrenton, VA 20186.

MARK T. McDERMOTT has been appointed as this year's legislative chairman for the American Academy of Adoption Attorneys. The Academy is a national organization of over 300 attorneys who have distinguished themselves in the field of adoption law. Mr. McDermott is a past president of the Academy. Law Office of Mark T. McDermott, 910 Seventeenth Street, NW, Suite 800, Washington, DC 20006; 202-331-1440; Fax: 202-331-1442; mcdermott@mtm-law.com.

RICH ROSENTHAL MANITTA DZUBIN & KROEGER, (RRMDK) LLP Attorneys at Law. We are pleased to announce the formation of a new full-service law firm in Old Town Alexandria. 201 North Union Street, Suite 140, Alexandria, VA 22314; 703-299-3440; Fax: 703-299-3441; www.rrmdk.com.

WHITEFORD, TAYLOR & PRESTON LLP (WTP) is delighted to announce that Chambers and Partners (Chambers) has highly ranked the firm and 10 of its attorneys in its list of America's leading firms and business lawyers. The firm as a whole was highly ranked in Maryland for its Employee Benefits & Executive Compensation, Healthcare: Medical Malpractice, Labor & Employment and Litigation: Bankruptcy practices. Seven Saint Paul Street, Baltimore, MD 21202.

Message to the FBA from Judge Jamborsky

Dear Friends:

I began practicing law in Fairfax and joined our Association in 1964. I went on the Bench in 1968. I feel especially blessed to have been associated with our Bar and to have served as a judge. After my retirement from the Bench in 1996, it was my privilege to continue contact with many of you through my service as a designated judge and my mediation and arbitration practice with The McCammon Group. After 44 years, I have concluded it's time to retire completely, including retirement from my mediation and arbitration practice. I could not leave without thanking each of you for your patience with me and your many kindnesses to me over the past 44 years. My life is immensely richer because of you.

Sincerely,

Hon. Richard J. Jamborsky (Retired)
Fairfax County Circuit Court

JUDGE KIMBERLY J. DANIEL has been selected by the Judges of the Fairfax Juvenile & Domestic Relations District Court to become the new Chief Judge for a two-year term beginning July 1, 2008 through June 30, 2010.

TRIBUTE

TO JUDGE STITT

continued from page 8

Judge Stitt's death is a tremendous loss to the Bench. His personality was unique, and combined with his Texas accent, he had a very charming and easy going way about him, as he conducted his duties on the Bench.

Personally, I appreciated that he always treated me with respect, and always greeted me by name, saying it with his endearing Texas drawl, which always made me smile. I admired and respected him for his professional gestures toward counsel in general. I genuinely liked Judge Stitt, and I will miss him very much. My deepest sympathy to his family.

Joyce Henry-Schargorodski

I first met David in the early 1980's. It was on a volleyball court set up in Carolyn Motes' backyard in Fairfax where a number of us, including Frances Fite and David, were invited to join in the Sunday afternoon games. He was a vigorous and competitive player, to put it mildly! Later, David and I were both active in local government matters—he as County Attorney and I as counsel to, and hearing officer for, the Fairfax County Civil Service Commission, and a member of the Planning Commission. Still later, we worked on Virginia State Bar committees and issues and, finally, we became judicial colleagues. David was a breath of fresh air, invariably candid and forthright, a man of integrity, compassion, commitment, and a finely honed sense of fairness. I feel very fortunate to have known and worked with him, and I am among his many friends and colleagues who will remember him with great affection and a deep sense of loss.

Rosemarie Annunziata

My memory of Judge Stitt goes back many years to his days as County Attorney. It was 1984 and I was a young law student. I walked into the County Attorney's Office in the old Massey Building without an appointment, resumé in hand, in hopes that I would find employment as a summer law clerk. Although nothing was available, Judge Stitt took the time to meet with me. He offered me advice and encouragement. All these years later I have never forgotten the kindness and consideration he showed me.

I left Fairfax before he went on the bench, and I never had the privilege of practicing before him, but in a single encounter many years ago, he left an enduring impression. I noted his passing with sorrow and extend my sympathy to his family.

Robert B. Guntharp

I first came to know David from Bar Association field day tennis matches, then came to work with him when I was Chairman of the County Housing Authority and David was County Attorney. I have always felt very fortunate to have had David as a friend.

John Morris

David was my first "real job" boss, and one couldn't ask for better. As an Assistant County Attorney, I was in awe of him. He quickly put me at ease with his friendly, if sometimes inscrutable, manner. He gave us meaningful professional latitude and expected the very highest standards. He drove us to Chinese restaurant lunches, and he inserted more Texan syllables into a common expletive than had previously been heard in Northern Virginia. His influence on us was great, and he will be missed.

Robin Weiss Baxter

Lawyerpalooza will never be the same. David came early to set up, and stayed late to break down. He played volleyball all day every year for 10 years straight. He never lost his childlike sense of enthusiasm, or his boyish athletic sense of competition. Even better, he was always one of the best players on the court, and certainly the most intense. I won't forget the time that Hunton & Williams' rock band came to play. The band's motto was, "We might not be very good, but we make up for it with volume." Of course, the cops came, but David was there to stroll up to the squad car. He walked back in a few minutes saying..."Don't worry, we're cool." David had the heart of a young lawyer to the end.

Paul Terpak

David was a great help to me when he was Fairfax County Attorney and I was reading law. I will always be grateful for the time and attention he freely gave to me at a time when he clearly had a lot more important things to do. David was a kind person and a good friend who will be missed.

Bill Rucker

I worked with Judge Stitt when he was County Attorney, and appeared before him many times. He was always welcoming, helpful, friendly, good-natured, wise, and a good listener who treated everyone before him with courtesy and fairness. Those qualities made him a great trial judge and a wonderful human being.

Chuck Anderson

David Stitt was a wonderful judge. He always treated litigants with dignity and candor. He had a wonderful sense of humor. And he had a spectacular voice. It started down at his toes and came out with that soft Texas drawl. It was a privilege to know him and practice before him. He was filled with a comfortable sense of humanity. He took his responsibilities seriously. He will be missed for years to come.

Robert Surovell

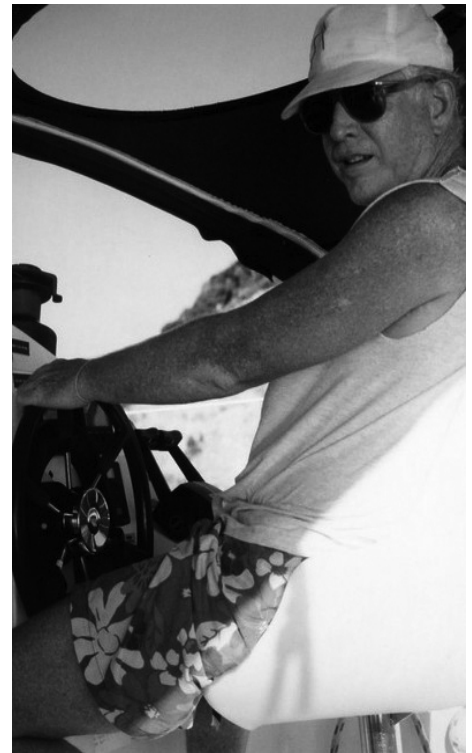


LEGAL SERVICES CORPORATION Notice of Availability of Competitive Grant Funds for Calendar Year 2009

The Legal Services Corporation (LSC) announces the availability of competitive grant funds for calendar year 2009. An annualized grant of approximately \$1.1 million is available for the provision of a full range of civil legal services to eligible clients throughout the VA-20 service area in Northern Virginia. The Request for Proposals (RFP), the description of the VA-20 service area in Northern Virginia, and other information pertaining to the LSC grants competition is at www.grants.lsc.gov. Refer to the RFP for details on preparing the grant proposal, applicant eligibility requirements, the regulations and guidelines governing LSC funding, the submission requirements. Applicants must file a Notice of Intent to Compete (NIC) to participate in the competitive grants process. The NIC is available from the RFP. The deadline for filing grant proposals is October 10, 2008, 5:00 p.m., E.D.T. E-mail inquiries pertaining to this notice and the LSC competitive grants process to Competition@lsc.gov.

**The Fairfax Law Foundation Acknowledges the Generous Donations
Made in Memory of Judge David T. Stitt
(Donations received as of 6.17.08)**

Ain & Bank, PC
American Council for Capital Formation
Anonymous
Robert W. & Gail J. Bearden
David P. & Catherine H. Bobzien
Jan L. & Capt. Glenn L. Brodie
Charapp & Weiss, LLP
Colten Cummins Watson & Vincent, P.C.
Richard J. Colten & Elizabeth S. Johns
John F. Cooney
Bobby M. & Mary Drickey Craig
Bette R. Crane
John, David and William Crow & Wendy Olesker
Culin, Sharp, Autry & Day, P.L.C.
Devine, Connell & Sheldon, P.L.C.
Laurie L. Dolson
John T. & Eve E. Ezell
Richard & Arline Fabsitz
Andrew H. Goodman, Esq.
Grenadier, Anderson, Simpson, Starace & Duffett, P.C.
Jane W. Gwinn
Harrington, Miller, Neihouse & Kieklak, P.A.
P. H. Harrington, Jr.
Karen J. Harwood
Sandra L. Havrilak & James E. Fey
Hefty & Wiley, P.C.
The Susan Hicks Group PC
Law Offices of Kelly S. Hite, PLLC
Hottell Malinowski Group
Robert & Elaine Howell
Marilla B. & Carter King
John & Raymonde Koonce
Gail Phillips Langham
Corinne N. Lockett & David W. Lease
Michael & Evelyn Long
Lisa C. Mackem
McCandlish & Lillard, P.C.
Marilyn S. McHugh
Susan M. Pesner, Esq.
Lawrence W. Phelps & Kathryn M. Anderson
Ellen F.M. Posner
Karl A. Racine
Joseph P. & Margie C. Rapisarda
Roberts, Mardula & Wertheim, LLC
Edward & Cinda Rose
Marc J. Scheineson
William L. Schmidt & Associates, P.C.
Carol J. Schrier-Polak
James M. Scott
Donna C. Searson
Sensei Enterprises, Inc.
Shoun, Bach, Walinsky & Curran, P.C.
Michael W. & Ellen Bain Smith
Ruth E. & Frank G. Soulier
Sparks & Craig, L.L.P.
Margaret M. Spillenkothen
David W. Stroh & Susan M. Mockenhaupt
Edward R. & Susan C. Swift
Betty A. Thompson, Ltd.
Cynthia L. Tianti
Hon. George D. Varoutsos
William L. & Patricia A. Walsh
Erin C. Ward & Richard A. Canty, Jr.
Weiner, Rohrstaff & Spivey, PLC



*Photo courtesy of
Stirling Elmendorf Photography*

FAIRFAX PUBLIC LAW LIBRARY ANNOUNCES NEW SERVICES

First, the Fairfax Public Law Library is pleased to announce that free wireless Internet service has been installed and is available to any visitor with a laptop equipped with a wireless networking card. Call 703-246-2170 for more information.

Second, we invite you to schedule time in our Conference Room. This a free service available for use by small groups (between two and ten individuals) conducting court-house-related business that requires a level of interaction that might be distracting to other library users during regular operating hours (Mondays & Thursdays 8:00 AM - 8:00 PM; Tuesdays, Wednesdays & Fridays 8:00 AM - 4:30 PM). Reservations are accepted up to one day in advance for up to one hour per day. Call 703-246-2170.

Third, visitors to the Fairfax Public Law Library are reminded that food and drink are not permitted inside. A small café for refreshments is conveniently located just down the hall from us on the first floor of the Courthouse.



Photos courtesy of Stirling Elmendorf Photography



JOURNAL

4110 Chain Bridge Road, Suite 215
Fairfax, VA 22030

PRSRT STD
U.S. POSTAGE
PAID
FAIRFAX, VA
PERMIT NO 6565

Address Service Requested



Printed on Recycled Paper
Design/Production by RODANGraphics
301-338-2755 • 240-727-5206 Cell • rodangraf@aol.com
Printed by Fairfax Printing & Copying
703-591-0322 • printers@cox.net