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The views expressed in the *Roanoke Bar Review* do not represent the policy or carry the endorsement of the Association unless specifically noted.

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RBA ENDORSES ROGERS AND WARE FOR J&D COURT VACANCIES

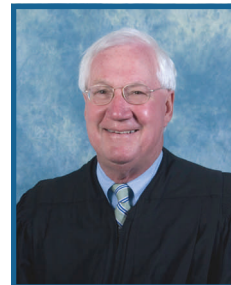
The Roanoke Bar Association has endorsed Frank W. Rogers III and Onzlee Ware as candidates to fill vacancies (one existing and one potentially to be added) on the Juvenile & Domestic Relations Court bench in the 23rd Judicial Circuit. The RBA announced the endorsements February 11, 2014 after members selected Rogers and Ware by secret ballot vote.



Frank Rogers

The Association endorsed Mr. Rogers to fill an existing vacancy created by the retirement of Judge Joseph P. Bounds in January 2014. Mr. Rogers is a partner at Mundy Rogers & Associates, specializing in family law. He is a former president of the RBA.

The RBA voted to endorse Mr. Ware, a former member of the Virginia House of Delegates, to fill a potential second vacancy on the Juvenile & Domestic Relations Court bench. The General Assembly is considering the creation of a new, fifth Juvenile & Domestic Relations Court judgeship during its current session. The Association's Board of Directors has passed a resolution supporting the creation of a fifth judgeship for the 23rd Judicial Circuit.



Judge Bounds



Onzlee Ware

PAUL M. BLACK INSTALLED AS U.S. BANKRUPTCY JUDGE

Roanoke attorney Paul M. Black was installed as United States Bankruptcy Judge for the Western District of Virginia at an investiture ceremony that took place on January 10, 2014 at the U.S. District Court in Roanoke. Judge Black is a long-time member of the Roanoke Bar Association. Prior to taking the bench, Judge Black was a member of Spillman Thomas & Battle, PLLC in Roanoke, where he was co-chair of the firm's bankruptcy and creditors' rights practice group.



Judge Stone

Judge Black fills the judgeship which was previously held by the Hon. William F. Stone, Jr., a fellow graduate of Washington and Lee University, who retired at the end of 2013. Judge Stone served as Bankruptcy Judge following his appointment to the bench in 1999, and became Chief Judge of the Bankruptcy Court in the Western District of Virginia in August 2011. The Roanoke Bar Association thanks Judge Stone for his years of service and wishes him well in retirement.

Judge Black graduated from Washington & Lee University in 1982, and from the T.C. Williams School of Law at the University



PRESIDENT'S CORNER

BY STEPHEN W. LEMON, ESQ., PRESIDENT



The year is off to a good and busy start for the Roanoke Bar. Thank you to all who participated in our recent endorsement meeting.

The Bench-Bar Program was a great success. Thank you to our judges and to Young Lawyers Committee chair Tommy Strelka for making the program successful.

The second session of the Rule of Law Program in the Roanoke County middle schools occurs on March 18. The County schools' calendars require that we present the program in both the fall and the spring. I encourage you to participate in this important program. You will find it personally rewarding and will help us continue our streak of providing a live presentation in every middle school class participating in the program.

Lee Osborne has been hard at work on our spring CLE programs. We are presenting programs on March 19 and again on March 28. Both programs offer two hours of live CLE credits and are available to you for a modest charge. Please check the RBA's website for program details and look for email reminders from Cathy Caddy.

Please submit your volunteer hours to Cathy Caddy by March 31 so that you may participate in the RBA Volunteer Service Awards program this year. I am continually amazed by the volunteer efforts of our members, both in legal-related endeavors as well as in service to our community. I have found lawyers to be effective community leaders in all forms of volunteer ventures and firmly believe that those in our profession most generously share their time and talents to help others.

Finally, please tell your friends and clients about the Roanoke Law Foundation's You and the Law – Aging with Dignity program occurring April 9 from 1:00 to 4:30 p.m. at the Salem Civic Center. Our RBA volunteers are hard at work to provide an informative and meaningful program to the seniors of the Valley and the family members who care for them.

I hope you will join us for the Association meetings on March 11 when our speaker will be Chief U. S. District Judge Glen E. Conrad, and again on April 8, when Nick Leitch will coordinate our annual legislative update program.

Stephen Lemon is a Partner at Martin, Hopkins & Lemon, PC

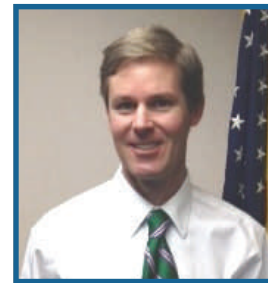
CLE Conferences

March 19 and 28

**For information and to register:
www.roanokebar.com**

NEW U.S. MAGISTRATE JUDGE TAKES THE BENCH

Joel C. Hoppe has been appointed a U.S. magistrate judge for the Western District of Virginia. Chief United States District Judge Glen E. Conrad administered the oath of office to Judge Hoppe on February 10, 2014, and he began handling cases immediately in the Harrisonburg and Charlottesville divisions of the Court.



Judge Hoppe

A native of Richmond, Hoppe graduated from the University of Virginia in 1998 and received his law degree from the University of Richmond, T.C. Williams School of Law in 2002. After law school, Hoppe served as a law clerk to Magistrate Judge Pamela Meade Sargent in Abingdon and later to Magistrate Judge Hannah M. Lauck in the Richmond Division of the Eastern District of Virginia.

Hoppe also worked for the Virginia Attorney General's Office, where he represented the Virginia Department of Corrections and its employees in civil cases in both the state and federal courts. He joined the law firm of Spotts Fain in 2006 as an associate in the commercial litigation section. In 2007, he was appointed to serve as an Assistant Federal Public Defender, representing indigent criminal defendants in Abingdon and Charlottesville.

The judges of the Western District selected Judge Hoppe from a group of five candidates recommended to the Court by the Merit Selection Panel. Magistrate judges are appointed for an eight-year term with the possibility of reappointment. They can try civil cases with the consent of the parties, handle arraignments and misdemeanors in criminal cases, and conduct mediations and settlement negotiations. Judge Hoppe's predecessor, Magistrate Judge B. Waugh Crigler, served four eight-year terms in the Charlottesville Division before his retirement last fall. Judge Hoppe will sit primarily in the Harrisonburg Division. He and his wife have two young children.

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The last issue of this publication focused on the moral and ethical responsibility attorneys have to “give back” to their communities and to the cause of “justice for all” by performing or contributing to pro bono legal services. Local organizations offer varied and rewarding opportunities for you to fulfill this mission to serve others.

But those of us fortunate enough to follow the legal profession also have a broad responsibility to know and understand the law, to keep current with its inevitable changes, and to further its just development. To this end, many active Roanoke Bar Association members also participate in state-wide or national legal organizations to seek and share knowledge and to network on a wider scale. Here, and in future editions, the Roanoke Bar Review will feature an overview of one such association and what it offers you toward fulfilling your professional development goals.

THE VIRGINIA BAR ASSOCIATION - VIRGINIA'S OLDEST AND LARGEST VOLUNTARY BAR ASSOCIATION

BY THOMAS R. BAGBY, ESQ.

The VBA mission

The Virginia Bar Association, the largest statewide voluntary bar group in Virginia, is the independent voice of the Virginia lawyer, advancing the highest ideals of the profession through advocacy and volunteer service. The VBA provides many avenues to assist members in the legal profession, including educational programming, social events, community service opportunities, and benefits.



History of the VBA

In July 1888, more than 100 attorneys met in Virginia Beach to form what is now the VBA, a voluntary membership organization for lawyers. For 50 years, the VBA was the only statewide bar association. But that changed in 1938 when, after 13 years of work by VBA members, the Virginia State Bar was created by statute.

The purpose of the VBA

From its inception to today, the VBA has addressed the many facets of the practice of law and promoted programs that preserve the efficient and equitable administration of justice. Its members seek to improve the law, serve the people of Virginia, and engage with like-minded lawyers. The VBA actively supports and proposes statutory changes before the Virginia General Assembly that are in the public interest and selectively opposes those that are not.

The numbers

The VBA's more than 5,000 members include attorneys from firms and other entities large and small across Virginia. About two-thirds work in smaller firms - those with 14 or fewer lawyers. More than 10 percent of VBA members are judges and lawyer-legislators. Many of the VBA's members are from the Roanoke area and Southwest Virginia.

Who can join

All licensed Virginia lawyers and lawyers in good standing of the bar in other states and the District of Columbia are eligible for full membership in the VBA. Membership also is extended to all Virginia judges and lawyer-legislators; law school faculty; government and public service lawyers; retired and disabled attorneys; and law students.

(Continued on page 6)

RBA HOSTS THE 2014 BENCH BAR CONFERENCE

BY THOMAS E. STRELKA, ESQ.

On February 21, 2014, the Roanoke Bar Association held the annual Bench Bar Conference at the Jefferson Center. Eighty-one lawyers, including judges, met over lunch to hear a judge from each judicial level of the 23rd Judicial District address that respective court's “state of the judiciary.” Judge Chris Clemens of the General District Court, as well as other members of the judiciary, highlighted the problems generated by losing a judgeship in his Court. Judge Clemens emphasized that the judges' increased workload will likely impact the ability of the Court to grant continuances as readily as in years prior. He further urged attendees to contact the members of the General Assembly to underscore the necessity of an additional judgeship.



While the discussions of the conference consistently touched upon important matters affecting the practice of law in our area, the conference was not without light-hearted and even laugh-out-loud moments. Judge Robert Ballou and attorneys Karri Atwood, Patrice Holland, Josh Johnson, Paul Kuhnel, Tony Russell, and Tommy Strelka participated in a mock “train-wreck” mediation in order to emphasize what *not* to do in a mediation. Their entertaining dialog and the discussion it generated was approved for one live hour of ethics CLE credit.

Circuit Court Judge David Carson mused on his experiences as a recent addition to the courthouse and provided several humorous observations from the bench. When a member of the attending audience asked Judge Joseph Clark of the Juvenile and District Relations Court whether the dramatic events that occur daily in that court ever wear a judge down, Judge Phillip Trompeter shouted, “No!” from the audience. Judge Clark ultimately answered that the “hard-working people” he sees day-in and day-out “such as the probation officers and others who do so much good, serve to balance it out.” Judge Trompeter later received a round of applause for having been awarded the Harry L. Carrico Outstanding Career Service Award in the fall of 2013. Judge Trompeter is the first Juvenile and Domestic Relations Judge to win the award.



Judge Ballou, Tony Russell and Paul Kuhnel set the stage for the CLE session of the Bench Bar Conference

At the conclusion of the conference, the judges took the stage to answer and discuss questions from the audience and anonymous online submissions. One anonymous question was whether the op-

(Continued on page 7)

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Hon. B. Waugh Crigler (Ret.)

Retired Magistrate Judge
United States District Court
Western District of Virginia

After more than thirty years of distinguished judicial service, United States Magistrate Judge Waugh Crigler has recently retired. Prior to his appointment to the bench, Judge Crigler enjoyed a successful litigation career in Culpeper, handling a variety of cases including personal injury, medical malpractice, product liability, and appellate work. As a Magistrate Judge, his docket included complex commercial, construction, employment, and IP matters. A veteran of more than 500 settlement conferences, Judge Crigler now brings his extraordinary dispute resolution experience to The McCammon Group to serve the mediation, arbitration, judge pro tempore, and special master needs of lawyers and litigants throughout the Commonwealth and beyond.

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ROANOKE LAW LIBRARY NEWS AND INFORMATION

BY JOSEPH KLEIN, LAW LIBRARIAN



As the blisters on my hands from shoveling 20-plus inches of snow heal, I anxiously await the start of spring. Spring is such a magical time in the Roanoke Valley, as the landscape again turns green, and flowers and trees slowly begin to bloom in every imaginable color. We are so blessed to live in such a beautiful place, and while every season brings its own unique beauties, spring in

Roanoke rivals anything. I hope you all have had a wonderful winter, and if not, that with spring, you will get a chance to begin anew. As always, I would invite you to please contact me with any legal research questions you might have, or to find out if we have any resources that might assist you.

Spotlight on the Collection

Virginia and West Virginia Digest- Most case law research at the Roanoke Law Library is done using Westlaw, but it is still possible to do thorough legal research for Virginia cases without using a computer. This comprehensive set published by West is a valuable resource. I use it almost daily, especially when I am beginning to research case law and am unsure of the proper terminology. The editors have done a fabulous job of organizing thousands of cases in accessible subject order with the Key Number system, taking the guess work out of your case law research.

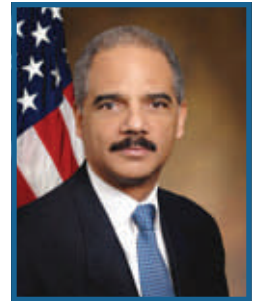
Corpus Juris Secundum- While Michie's *Jurisprudence* is the authoritative legal encyclopedia on Virginia and West Virginia Law, *Corpus Juris Secundum* (CJS) is one of the two major legal encyclopedias that summarize general principles of state and federal law. (The other, *American Jurisprudence*, is part of our Westlaw subscription.) CJS is organized by subject, with excellent "Research References" which suggest other places to search for information on that subject, including Westlaw databases and West Key numbers, which are helpful for later case law research. While *American Jurisprudence* and CJS are similar, generally speaking, *American Jurisprudence* has more federal case law citations, while CJS has more state case law citations.

2014 Roanoke Law Library hours of operation

I want to remind you about the recent change in the Roanoke Law Library's hours of operation. For as long as the Main Library on Jefferson Street is closed for renovation, the Roanoke Law Library will be open all day on Wednesdays. Our hours are now Mondays and Wednesdays from 8:00 a.m. until 4:30 p.m.; and Tuesdays, Thursdays, and Fridays from 8:00 a.m. until 12:00 p.m. If you have any questions about this or any other issue, please give me a call at 853-2268.

U. S. ATTORNEY GENERAL ERIC HOLDER ENDORSES WESTERN DISTRICT VETERANS COURT

Participants of the Veterans Treatment Court held a Special Session on January 23, 2014, to welcome a special guest: U.S. Attorney General Eric Holder. The event gave Holder a chance to learn about this Western District diversion program and the positive changes it has fostered in the lives of its veteran graduates, while sharing with his audience the Justice Department's newly launched "Smart on Crime" initiative that focuses on crime prevention and successful reentry. Holder praised the veteran's court as a model of "the unique power of collaboration [to] address[] the root causes of criminal conduct" and "empower[] veterans . . . to rejoin their communities as productive, law-abiding members of society."



As Holder's remarks indicate, the goal of the Veterans Treatment Court program is to give veterans facing federal charges for nonviolent misdemeanors a rehabilitative alternative to a criminal conviction record. The local program began in the spring of 2011 under the leadership of then Magistrate Judge, now District Judge Michael F. Urbanski. Currently, Magistrate Judge Robert S. Ballou serves as presiding judge. The program operations rely on a team of dedicated officers, however, including the judge, federal prosecutors and defense lawyers, probation officers, court personnel, and staffers from the Veterans Affairs Medical Center in Salem.

The path through veterans court starts from the point when a veteran incurs a petty offense charge on federal land. Veterans Justice Outreach Specialist Machele Huff at the Salem VA meets with that veteran and explains the veterans court option. Instead of serving a jail term, participants who elect to join the program receive individualized support services focused on identifying and alleviating the causes of their troubles, be it substance abuse or post traumatic stress or whatever.

The veterans court's demanding regimen is not a stay-out-of-jail-free card for everyone. The veterans must stay accountable to VA staff, a probation officer, and the judge, who will track their progress toward completing the prescribed treatment plan. If they accomplish this goal, they are rewarded with dismissal of the charge. Of 16 people who have enrolled since the program's inception, seven have graduated, while nine have been discharged for failing to meet requirements.

Several of the graduates attended the Special Session to share their experiences and had a chance to meet informally with Holder after the speeches. Holder wistfully recounted his experience losing a cousin who returned deeply changed and troubled after his military service during the Vietnam War. That cousin, who died at age 60, would have benefitted from the kind of support the veterans court offers, Holder said.

Veterans Treatment Courts are rare in the federal court system, but have become comparatively common in state courts, with around 131 such courts in operation across the country. Virginia state courts do not currently operate any veterans courts. General Assembly action would be necessary to start such a court program in the Commonwealth.

¹To read more of Attorney General Eric Holder's remarks on January 23, 2014, to the Veterans Treatment Court, go to:
<http://www.justice.gov/iso/opa/ag/speeches/2014/ag-speech-140123.html>

PAUL M. BLACK INSTALLED AS U.S. BANKRUPTCY JUDGE

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of Richmond in 1985. Following law school graduation, he served as law clerk to the Honorable Blackwell N. Shelley, United States Bankruptcy Judge for the Eastern District of Virginia in Richmond. After his clerkship, Judge Black practiced in Richmond with Mays & Valentine, before returning to Roanoke in 1991 to join the firm of Melchionna, Day, Ammar & Black, P.C. His practice has involved representation of clients in the U.S. District Courts and U.S. Bankruptcy Courts in the Eastern and Western Districts of Virginia as well as numerous Virginia state courts. He also served as a member of the Virginia State Bar Disciplinary Board starting in 2007. Judge Black and his wife have three daughters.

Judge Black is presently hearing cases in the Roanoke, Lynchburg, Danville, Abingdon, and Big Stone Gap divisions of the Western District of Virginia Bankruptcy Court.



Judge Black and His Family

THE VIRGINIA BAR ASSOCIATION - VIRGINIA'S OLDEST AND LARGEST VOLUNTARY BAR ASSOCIATION

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VBA programming and conferences

In addition to its signature membership meetings - the Annual Meeting held every January in Williamsburg and Summer Meeting held every July generally in a mountain resort - the VBA offers a wide variety of substantive law programs and supports other affiliated legal education opportunities to benefit its members.

Sampling of VBA community service programs

The following are just a few of the VBA's community service programs:

- **Virginia Law Foundation and the VBA Rule of Law Project:** Aims to change fundamentally the way the rule of law is taught in America's schools by explaining the origin, meaning and applicability of the rule of law;
- **VBA Veterans Initiative:** Assists in providing free or reduced-cost legal advice to military veterans;
- **Legal Food Frenzy:** A food and fund drive among all Virginia law firms and organizations;
- **Disaster Legal Assistance:** Coordinates attorneys willing to volunteer time to assist individuals rendered needy by emergency situations such as natural disasters.
- **Lawyers for the Arts:** Provides legal information to artists, arts organizations and nonprofit organizations; and
- **Pro Bono Hotlines:** Provides telephone advice to callers who meet financial eligibility requirements.

Thomas Bagby is the immediate past president of The Virginia Bar Association. He is President of Woods Rogers PLC.

ROANOKE LAW FOUNDATION INDUCTS 2013 CLASS OF FELLOWS

On January 9, the Roanoke Law Foundation inducted thirteen members of the Roanoke bench and bar as members of its 2013 Class of Fellows.

The Roanoke Law Foundation is the philanthropic arm of the Roanoke Bar Association. It was created in 1997 to improve and facilitate the administration of justice, and to provide and support law-related education through its own efforts and jointly with the Roanoke Bar Association. Since its inception, it has awarded over \$144,000 in scholarships and grants.

The Fellows program was created in 2011, permitting the Foundation's Trustees to designate Fellows of the Foundation. The Fellows program was designed to help provide additional funding for the Foundation's activities. Fellows of the Foundation generously commit financially to support the Foundation's efforts.

According to the Foundation's Trust Agreement, membership as a Fellow is by invitation only, and is limited to not more than ten percent of the active and associate members of the Roanoke Bar Association.

The generosity and initial contributions of the 2013 Class of Fellows provided approximately \$12,250 to support the Foundation's charitable grants and scholarships.



Roanoke Law Foundation 2013 Class of Fellows: Tom Bagby, Tom Miller, Monica Monday, Al Knighton, Dick Rakes, Diana Perkinson, Anne Edenfield, and Mark Feldmann. Not pictured: John Edwards, James Jennings, Roberts Moore, Hon. Diane Strickland, and Charles Williams.

RBA HOSTS THE 2014 BENCH BAR CONFERENCE

(Continued from page 3)

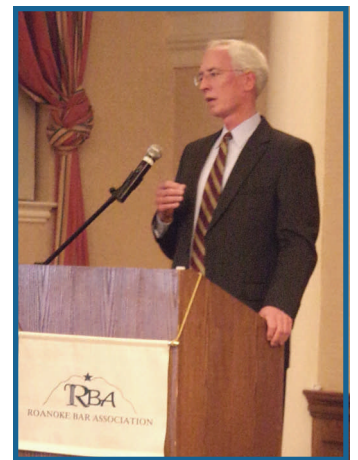
portunity to receive a judgeship was simply "all political." Judge Clifford Weckstein responded, "In a way, it is political because it is a political process that provides judgeships." Judge Weckstein urged that those who were interested in serving as a judge would behoove themselves to act in a professional and respectable manner to every other member of the bar. Judge William Broadhurst added, "Be the kind of guy who you would like to talk to when you have a bad day."

The conference was arranged and presented by the Young Lawyer's Committee (YLC) of the Roanoke Bar Association.

Tommy Strelka, current YLC chair, practices law with Strickland, Diviney, and Strelka. He and his wife, Attorney Leigh Rhoads Strelka, are the proud parents of twins Vivienne and Griffith, born December 24, 2013.



Something Unethical Happened on the Way to the Mediation
Starring Josh Johnson, Tony Russell, Hon. Robert Ballou, Paul Kuhnle, Karri Atwood and Patrice Holland



State of the Judiciary

Hon. Christopher Clemens
General District Court

Hon. Clifford Weckstein
Circuit Court

Hon. Joseph Clarke
Juvenile and Domestic Relations Court

On Being a New Judge . . .

Hon. David Carson



Thanks to RVLSA members Melinda Childress-Dearing, Monica Guillems, and Nancy Stewart for their assistance with registration



Open Forum Discussion with Judges Clifford Weckstein, William Broadhurst, Philip Trompeter, Vincent Lilley, and David Carson

ANNOUNCEMENTS

NEW MEMBERS

The Roanoke Bar Association welcomes the following new Associate Member:

Nathan H. Schnetzler
Law Clerk, 23rd Circuit Court

CLE CONFERENCES

March 19, 2014

Better Legal Writing
Divorce Is Not Domestic Bliss
in Bankruptcy Court

March 28 2014

Protecting Your and Your Clients'
Interests in the Event of Your
Disability, Death or Other Disaster

Roanoke Higher Education Center
10:00 a.m. - 12:00 noon

UPCOMING EVENTS

Roanoke Bar Association Meetings
2013 - 2014

March 11, 2014

April 8, 2014

May 1, 2014 (Law Day)

June 10, 2014

Red Cross Blood Drive
May 20, 2014

Go to www.roanokebar.com for more information on all upcoming events.

OFFICERS:

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Joseph W. H. Mott Secretary-Treasurer	857-2250
Thomas H. Miller Past President	527-3510
Catherine L. Caddy Executive Director	342-4905

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