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PRESIDENT'S LETTER



It's the Holiday Season....

It is often said that it is better to give than to receive, and it is particularly true at this time of the year. In that spirit, the Alexandria Bar Association continues to give back to the community and to its members.

Those lucky enough to attend our November dinner meeting were treated to traditional Thanksgiving fare and a timely and fascinating presentation by Bud Hart and David Chamowitz on the history of Wales Alley and the ensuing litigation between their client the Old Dominion Boat Club and the City of Alexandria, which reached the Virginia Supreme Court this year.

December continued our annual tradition of collecting for local charities. We have provided toys and money for over 13 years to the Community Partners holiday party (supporting the city's foster children), the Alexandria Domestic Violence Shelter's party, and the Beat the Odds Scholarship program through our bell ringing. Thank you to all those who joined in the holiday merriment and rang the bell to raise funds for these worthy organizations.

Later that evening was our annual Bench Bar Dialogue and holiday cocktail reception at the courthouse in which judges from the Circuit Court, the General District Court and the Juvenile and Domestic Relations District Court answered member questions and discussed the latest developments in their respective courts. I was pleased to see so many new members take advantage of the opportunity to ask those burning questions regarding practice and procedure in the Alexandria courts.

Though the 2013 deadline for MCLE has passed, the Bar continues its commitment of offering interesting and entertaining CLE programs year-round. We are planning a one-hour ethics program for our January dinner meeting. What better way to ring in the New Year than with a free CLE followed by dinner and drinks with your colleagues? Again, I thank the lawyers and judges who have given their time, talent and insight in presenting these programs.

February brings our most popular event, the Gridiron. I know Doug Steinberg and the writers are busy refining the script for this year's skewering of attorneys, judges and politicians from Alexandria and beyond. Tickets are on sale now, and please also consider sponsoring one of our best-attended events of each year. A sponsorship will not only get you tickets, it will get you or your firm special recognition. Don't pass up a great opportunity to market your practice and support the Bar.

Coming in March is a new event for the Alexandria Bar Association, Jazz 4 Justice, and an award-winning fundraiser that has been successfully presented in Fairfax County, Prince William County and throughout Virginia. Please see Katie Uston's article in this issue for information on the concert, scheduled for March 18, 2014.

NEW MEMBERS *Please welcome:*

*Kaamil Khan
KM Khan Law PC
571-483-0074*

*Joseph A. Blaszgow
Law Office of Joseph A. Blaszgow
703-879-5910*

*Christopher Mays
Dua Law Firm, PLLC
703-539-8097*

RETURNING MEMBERS:

*Mark S. Feldheim
Law Office of Mark Feldheim
703-739-9772*



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520 King Street
Suite 202
Alexandria, VA 22314

703.548.1106 tel
703.548.1105 lrs
703.548.4292 fax

Alexbar@alexandriabarva.org
Alexandriabarva.org

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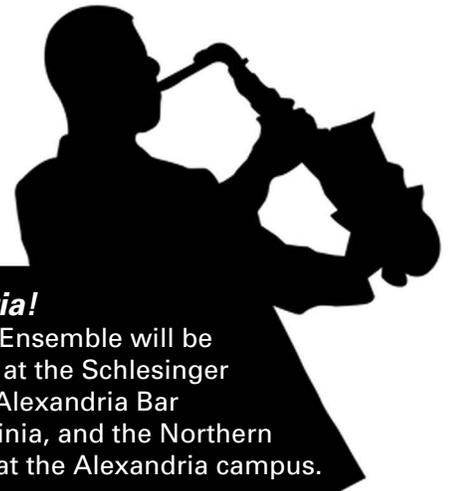
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520 King Street, Rm 202
Alexandria, VA 22314

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Presidents Letter (cont.)

Also in this issue is an article by newly-minted lawyer and new member Gregory Melus on new lawyer apprenticeship, and don't miss a piece by Melinda Douglas on the Alexandria Public Defender Office Moffitt Memorial Fellows.

Finally, please note that the Bar office will be closed for the holidays from December 23, 2013 through January 1, 2014. On behalf of the Board, I wish you peace and joy this holiday season, and a happy, healthy and prosperous New Year.



Jazz 4 Justice is coming to Alexandria!

On March 18, 2014, the Rayburn Street Jazz Ensemble will be tuning up their horns for a live performance at the Schlesinger Center for the Arts, all for the benefit of the Alexandria Bar Foundation, Legal Services of Northern Virginia, and the Northern Virginia Community College's jazz program at the Alexandria campus.

The Rayburn Street Jazz Ensemble is a 20+ member jazz group which performs classic and original big band jazz which is guaranteed to set your toes to tapping!

We welcome any jazz fans who wish to help with Jazz 4 Justice to join Katie Uston, Dipti Pidikiti-Smith, Bonnie Carlson, Kay Tibbits, Todd Pilot, Sean Sherlock, Gerylee Baron as we prepare to bring this program to Alexandria. It has had great success in Fairfax, Prince William and other jurisdictions as a fundraiser for their foundations. Contact Katie Uston Katie@uston.com to be part of this exciting new project.

MEET THE NEW MOFFITT FELLOWS

The 2013 school year brought three talented law students to work in the Alexandria Public Defender Office as Moffitt Fellows. The students, Emma Noftz, Sara Quinn and Brittnei Downs, received fellowship awards funded by the Alexandria Bar Association and Catholic University. The fellowship, created in memory of Alexandria lawyer, William B. Moffitt, allows students to receive a stipend while assisting attorneys in the Public Defender Office with the representation of their indigent clients. The Bar Association pays \$3000 toward the fellowship program each year. That contribution is matched with \$9000 per year from the law school.

Emma Noftz is a third year law student who previously served as a law clerk at the San Francisco Public Defender Office, the Orleans Public Defender, the local and federal Defender Offices in the District of Columbia, and at the Maryland Office of the Public Defender. Emma's motivation for attending law school was to become a public defender upon graduation. The fellowship opportunity in the Alexandria Office has helped her to come closer to fulfilling her dream.

Sara Quinn is also in her third year of law school. She comes to the fellowship with an extensive background in public interest work. She worked with the Washington Legal Clinic for the Homeless, the Capital Area Immigrants' Rights Coalition; and at the Haitian Youth Community Center in Miami, Florida, among other public

interest programs. Sara sought the fellowship as an opportunity to spend her final semesters in law school working on criminal cases involving indigent clients.

Brittnei Downs is also in her final year of law school. Brittnei worked as a summer law clerk at the Public Defender Service for the District of Columbia. She also was the recipient of a Diversity Fellowship from the National Association of Criminal Defense Lawyers, through which she was placed at Harden and Pinckney where she assisted in case preparation in indigent criminal cases. Brittnei also mentored youth involved in the Maryland juvenile justice system while pursuing her undergraduate degree at the University of Maryland. Brittnei also volunteered to work in the Orleans Defender Office. She hopes to pursue a career as a public defender.

The Public Defender Office in Alexandria is extremely fortunate to have the assistance of these students with their cases. It is a win/win situation wherein the office benefits from the talent and dedicated efforts of the students and students come closer to achieving their professional goals of legal careers in public interest law. Contributions from bar members that sustain are very much appreciated by the attorneys of the Public Defender Office and by the clients they serve.—*Melinda Douglas*

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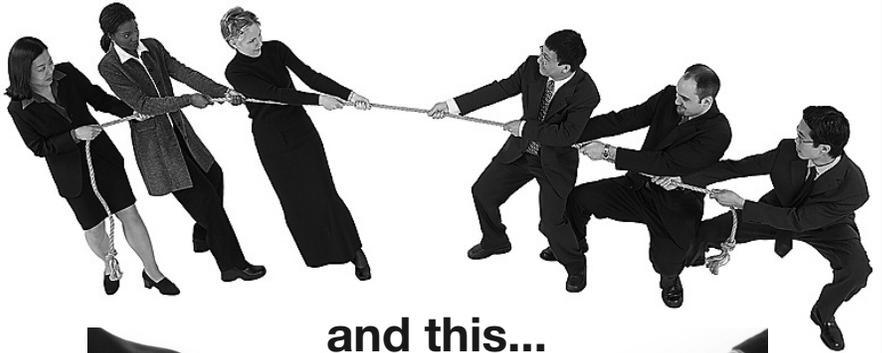



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MOOT COURT COMPETITION

This year the Alexandria Bar Association will enter a team of five students from T.C. Williams High School to participate in the American University Washington College of Law's High School Moot Court Competition. This competition provides students with a unique opportunity to strengthen their reasoning skills and increase their understanding of the Constitution and the judicial system. The competition introduces competitors to 1st and 4th Amendment issues and other contemporary legal topics. The competition will be held on Saturday, March 22nd and Sunday, March 23rd in Washington, D.C. The team coaches are Bonnie Carlson and Dipti Pidikiti-Smith. A special thanks to Curcio Law who sponsored the team. Watch for more news on the competition in March.

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TRUE GRIT: GOING OUT WITH BLAZE OF GLORY



No Plan B? No Problem

Local practitioners in the midst of their golden years should think about how to hang up their spurs after many years in the saddle. Regardless if you have or have not

given retirement much thought, lawyers should develop a plan for what happens for when their hands are not on the reins due to health reasons. The graying of the Virginia Bar is no secret, and the Virginia State Bar is weatherizing the house to withstand the demographic tsunami. The Bar Ethics council encourages lawyers to plan for when those lawyers may not be able to continue. In fact, the Bar released a pamphlet to that effect titled, "Planning Ahead: Protecting Your Client's Interests in the Event of Your Disability or Death." Locally, at the Ethics CLE titled "The Devil Wore Green" on October 10, Richard Mendelson reminded the attendees of the numerous challenges he faces when unwinding law practices for lawyers that did not have a plan b for when that lawyer could not continue to serve his or her clients.

After all, this is the law, or at least the duty of all lawyers who serve in the Commonwealth. The Virginia Rules of Professional Conduct Rule 1.1 (Competence) and Rule 1.3 (Diligence) require lawyers to plan how their clients will be protected in the event of death or disability. In fact, Comment 5 to Rule 1.3 explicitly states that "[t]he plan should be in writing and should designate a responsible attorney capable of making, and who has agreed to make, arrangements for the protection of client interests...."

However, creating such a plan and finding a 'responsible attorney' is

not as simple as one would like. Properly finding the method and means of handing your practice to a colleague is difficult. Lawyers, naturally, are cautious about the potential problems that arise if another seasoned attorney is injected in their practice. Problems include: appointing family or colleagues in living wills to decide the details of how to transfer control to a second attorney; messy power of attorneys and directives of when that attorney can assume responsibility of cases and clients; potential conflicts of interest between the past and future clients of the assuming attorney; and last but not least, how to manage client money held in trust accounts.

Returning to the Roots, The Renaissance of Law:

Thankfully, there is a proven method to finding that perfect 'responsible attorney' to this problem that coincidentally solves many of the other collateral problems facing the practice of law today. It is how law and most trades were taught in this country and others for many years: apprenticeship. Make that newly minted JD your 'responsible attorney,' and turn your one-(wo)man operation into a posse. Apprenticing a younger attorney fresh from law school could provide a practical exit plan (both planned and unplanned) and provide personal satisfaction of serving as a mentor to the next generation.

The opportunities for personal satisfaction are numerous. Gain the gratification of helping a novice eager to learn, the pride from serving as a resource to the younger generation, and the praise as you dazzle a newly minted JD from your war stories of serving in the trenches. Allowing a younger attorney to do contract work on a few of your cases would allow him or her to earn money and

launch their careers. That much needed income could eventually return to you in the form of the funds that purchase your practice as you wind down. Under your supervision, that attorney would be grateful for the opportunity to do the heavy lifting of many of the more unglamorous aspects of your cases. Transferring the grunt work would leave you free to spend more time developing the interests you will pursue in retirement (see golf and grandchildren). Additionally, you could relax knowing your clients would be secure and that you had cover in the event something unfortunate should happen.

This solution, also, addresses the many challenges currently facing the legal profession. One casualty of the demographic tsunami would be avoided, Rick's workload is reduced, and young attorneys have opportunities to advance. Additionally, bringing in a junior partner could serve as a secure and lucrative retirement plan from selling your practice. Lastly, and most importantly, your new addition can easily integrate themselves in your offices with the advances of law practice management technology.

Please do Rick a favor and develop a plan to apprentice a greenhorn to take over your practice.—*Greg Melus*

BELL RINGING ON DECEMBER 19



In the morning...



Bell ringing and singing was, maybe, melodic, certainly enthusiastic, and contributed \$1,215 to divide among the Domestic Violence shelter program, Beat the Odds scholarships, and Community Partners for Children's annual party for Alexandria children in foster care. Thanks to Judge Giammittorio for his accordion accompaniment (some groups still insisted on singing but others showed respectful restraint and King Street was tuneful as a result). He said to call him "Don" in memory of Don Mela who played the accordion for bell ringing from the 1990's until 2009.



Thanks are owed to: Kay Tibbits, Katie Uston, Karla DeSteuben, Madeline Trainor and Jim Smalley; Dipti Pidikiti-Smith, Bonnie Carlson and Jessica Killeen; Bud Hart, Mary Catherine Gibbs, Connie Pierce and Kaamil Khan; Dave Mercer, Pia Trigiani, Mike Zupan, Jeremy Moss, Doug Diffie; Paul Maloof, Gant Redmon, Tom Carter, Jack Coffey, Nick Gehrig, Dan Mauler, Rebecca Larson; Jeanne Franklin, Monique Miles; Tamika Jones and Tom Tousley; Tom Curcio, Steve Bergeron, and Robert Dunn with Randy Stein on the English concertina and staff and





In the evening...



Didn't we have fun!



family; Marie Tavernini, Jessica Strock and Trevor Anderson; Christina Brown, Doug Coleman, Geoff Burke; Sean Sherlock, Lisa Bowman, Monica Hart, Cat Evans and Bryan Porter; Heather Gonzales, Lana Manitta, Mark Sullivan, Shannon Kroeger; Phil Harvey, Kim Fiske, Dede Potts; Josh Bushman, Sean Schmergel; Barbara and Alan Anderson, Rick Mendelson. You were wonderful!



AIR FORCE COURT OF CRIMINAL APPEALS



Left to Right: John Heck, Brenna Daugherty, Alexis Stackhouse, Chair of Military/Veterans Law Section, Dennis Mersberger, Geoff Burke

On 15 Nov at Andrews Air Force Base, the Military/Veterans Law Section of the Alexandria Bar sponsored a CLE entitled, Appellate Arguments before Military Courts of Appeal and Ethical Considerations in Representing Military Clients. This was the first CLE held in the history of the Commonwealth of Virginia in conjunction with appellate arguments before a military court of appeal. The group was given a special tour of the state of the art military judicial campus by the Senior Judge, Colonel William Orr and had a specially convened round-table ethics seminar with the Chief Judge of the Air Force Court of Appeals, Col James Roan. The CLE

ended with a special presentation given to the Military Court for outreach to the civilian community and an invitation to the Alexandria Bar to return with even more members. Given the success of this CLE "field trip", the Military/Veterans Law Section is planning to make this an annual event!

YOUNG LAWYERS

Young Lawyers hosted a happy hour on November 14 at the Light Horse Tavern on King Street to celebrate the five Alexandria Bar Association student members who all passed the Virginia State Bar this fall.



About 20 young lawyers came for the happy hour; mugging for the camera are Nick Gehrig, Jessica Leischner and Sarah McElveen.

Pictured at left are Sam Moore and Jessica Killeen who are co-chairs of the young lawyers committee. Both Jessica and Greg Melus (at right) celebrated their success at the bar. Not pictured but also to be congratulated are: DeeDee Potts, Sakeena Farhath, and Anne Robinson.

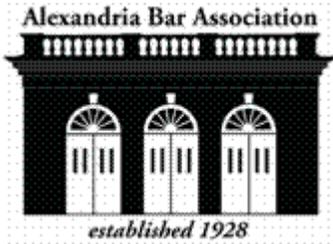


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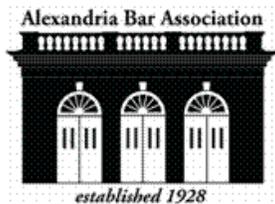
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Table Sponsor: \$1,500 reserved seating for 8, Gridiron program recognition, name on the table, name tag ribbon.

Back the Band: \$1,000 reserved seating for 4 in the booths, name at the entrance to the club, recognition by the Alexandria Bar Association president, name tag ribbon

Sponsor: \$500, reserved seating for 2 in the booths, Gridiron program listing, recognition by the Alexandria Bar Association president, name tag ribbon

To order tickets or to sponsor the Gridiron, see the next page.



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Gridiron Dinner February 20, 2014

The Carlyle Club

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Cocktail Hour Sponsor

\$2,500 (*Redmon Peyton Braswell*) 1 sponsorship

14 tickets to the Gridiron, (seating along the whole bar)

Half page acknowledgement in the Gridiron program

2- ½ page complimentary ads in the OYEZ

Sign recognition in cocktail area and on the bars (3 spaces)

Recognition by president at the theater

Name Tag ribbon

Back the Band

\$1,000 3 sponsorships

4 tickets (\$400 value) reserved seating in booths seating (4-5) or at tables seating 6

Name in the Gridiron program

Complimentary ¼ page ad in the OYEZ

Name at the entrance to the Theater

Recognition by president at the theater

Name tag ribbon

Dinner Table Sponsor

\$1,500 8 sponsorships

8 tickets to the Gridiron (\$800 value) largest tables seat 8 (reserved seats)

Name in the Gridiron program

Complimentary ¼ page ad in the OYEZ

Name displayed on the tables

Recognition by president at the theater

Name Tag ribbon

Sponsor

\$500 *No Limit*

2 tickets to Gridiron reserved seats in booths (seating 3-4) or at tables seating 6

Name listed in Gridiron program

Recognition by the president at the theater

Name tag ribbon

Wine Bar Sponsor

\$500 (*RRBMDK*) 1 sponsorship

No tickets but name or banner at the bar.

Recognition by president at the theater

Name in the Gridiron Program

Name tag ribbon

During the dinner, there will be a slide show which will feature the sponsors of the event and pictures of the members of the bar and past bar events.

To sponsor: contact the Alexandria Bar Association office at 703-548-1106 or via email at alexbar@alexandriabarva.org



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Alexandria, Virginia 22314

Phone: 703.548.1106 Fax: 703.548.4292

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Gridiron reservation form:

Number of tickets _____ x \$100 = _____ (total)

Sponsorship level:

- ◇ Wine Bar \$500 (sponsored by RRBMDK)
- ◇ Cocktail Hour \$2,500 includes 14 tickets (sponsored by RPB)
- ◇ Table Sponsor \$1,500 includes 8 tickets _____
- ◇ Back the Band \$1,000 includes 4 tickets _____
- ◇ Sponsor \$500 includes 2 tickets _____

Names of those attending: (for name tags)

Name On Card	
Address/City/State/Zip	
Credit Card Number	expiration
Total amount to be charged	
Signature	date

TOY COLLECTION

Bar members do read the Week in Brief! After two weeks of complaining that the toy bins were empty, members donated enough to overflow two bins. Thanks to everyone who donated toys, books, clothing, art supplies, and games for the needy families in Alexandria. The Community Partners for Children annual party was held on December 21.



NEW IN THE LIBRARY

Because you asked:

Getting to Yes: Negotiating Agreement Without Giving In, 3rd ed.
by Roger Fisher, William Ury, and Bruce Patton

Model Asset Purchase Agreement with Commentary
American Bar Association

Model Stock Purchase Agreement with Commentary, 2nd ed.
American Bar Association

Is there something you'd like to see in the library? Requests are welcome!
Contact the Alexandria Law Librarian Christine Hall at Christine.Hall@alexandriava.gov

January, February, March 2014

January	Happy New Year!	Jan 22	CLE Committee Meeting, 4 pm <i>King Street Blues, 3rd Floor, N. St. Asaph St</i>	March	
Jan 2	Bar office opens			Mar 6	Networking Lunch, 12:30 pm <i>Columbia Firehouse, 109 S. St. Asaph St</i> \$15 cash at door
Jan 7	Trusts Estates and Tax Section Happy Hour <i>Columbia Firehouse, 109 S. St. Asaph St</i>	February		Mar 11	Board of Directors meeting, 8:00 am <i>Grenadier Room</i>
Jan 9	Networking Lunch, 12:30 pm <i>Columbia Firehouse, 109 S. St. Asaph St</i> \$15 cash at door	Feb 6	Networking Lunch, 12:30 pm <i>Columbia Firehouse, 109 S. St. Asaph St</i> \$15 cash at door	Mar 18	Jazz for Justice
Jan 14	Board of Directors meeting, 8:00 am <i>Grenadier Room, Alexandria Law Library</i>	Feb 11	Board of Directors meeting, 8:00 am <i>Grenadier Room</i>	Mar 18	Family Law Section Meeting, 8:00 am <i>Bread & Chocolate, King St</i>
Jan 15	Family Law Section Meeting, 8:00 am <i>Bread & Chocolate, King St</i>	Feb 17	<i>George Washington's Birthday</i> <i>Courts and Bar office closed</i>	Mar 19	LRS Committee Meeting, 4 pm <i>King Street Blues, 3rd Floor, N. St. Asaph St</i>
Jan 15	LRS Committee Meeting, 4:00 pm <i>King Street Blues</i>	Feb 19	Family Law Section Meeting, 8:00 am <i>Bread & Chocolate, King St</i>	Mar 26	CLE Committee Meeting, 4 pm <i>King Street Blues, 3rd Floor, N. St. Asaph St</i>
Jan 16	Dinner meeting with Ethics CLE, 6:00 pm <i>American Legion Hall</i>	Feb 19	LRS Committee Meeting, 4 pm <i>King Street Blues, 3rd Floor, N. St. Asaph St</i>		
Jan 17	<i>Lee-Jackson Day</i> <i>Courts and Bar office closed</i>	Feb 20	GRIDIRON, 6:00 pm <i>Carlyle Club, 411 John Carlyle Street</i>		
Jan 20	<i>Martin Luther King Day</i> <i>Courts and Bar office closed</i>	Feb 26	CLE Committee Meeting, 4 pm <i>King Street Blues, 3rd Floor, N. St. Asaph St</i>		

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