

116th Annual Meeting of The Virginia Bar Association

January 19-22, 2006 • Kingsmill Resort, Williamsburg, Virginia

Our Winter Weekend Schedule

Thursday, January 19, 2006

- 8:00 am - 12:00 noon **Virginia CLE Committee Meeting**
- 10:00 am - 5:00 pm **Virginia Law Foundation Committee and Board Meetings**
- 12:00 n - 4:30 pm **VBA Board of Governors Luncheon and Meeting** (For 2005 Board Members)
- 2:00 pm - 6:00 pm **Registration and Information Desk Open**
- 5:00 pm - 6:00 pm **Friends of Bill W.** (Open meeting.)
- 6:30 pm - 7:30 pm **Welcome Reception**
Courtesy of Kingsmill Resort
- 7:30 pm - 9:30 pm **Virginia Law Foundation Fellows Dinner and Induction Ceremony**

Friday, January 20, 2006

- 8:00 am - 6:00 pm **Registration and Information Desk Open**
- 8:15 am - 9:15 am **Continental Breakfast**
Courtesy of *Virginia Business Magazine*
- 8:30 am - 9:30 am **Past Presidents Council Breakfast**
- 8:30 am - 9:30 am **Section/Committee Business Meetings**
- 8:30 am - 5:00 pm **Exhibits**
- 9:30 am - 12:30 pm **CLE Programs: Concurrent Sessions**
(See separate listing.)
- 10:00 am - 12:00 n **YLD Law School Liaison Recruiting Roundtable**
- 10:00 am - 11:30 am **Spouse/Guest Program: A Culinary Demonstration and Tasting**
(Separate registration and fee required.)
- 12:30 pm - 2:00 pm **VBA Legacy Series Luncheon Program**
"From Cotton Fields to Sky Scrapers: The Transformation of the South in the 20th Century."
A presentation by Dr. Paul A. Levenson, Managing Editor of the Virginia Historical Society's publication, *Virginia Magazine of History and Biography*.
(Register separately—additional fee for lunch.)
- 12:30 pm - 2:00 pm **YLD Executive Committee/Council Luncheon and Passing of the Gavel**
- 12:30 pm - 4:30 pm **Virginia Association of Defense Attorneys Board Luncheon Meeting**
- 2:00 pm - 4:00 pm **General Session**
"New Road, No Rules: Preparing for the Bonus Years."
A presentation by the Law Practice Management Division dealing with career transitions late in life.
- 5:00 pm - 6:00 pm **Friends of Bill W.** (Open meeting.)

- 6:00 pm - 7:00 pm **Reception** (black tie)
Courtesy of LexisNexis
- 7:00 pm - 9:30 pm **Banquet** (black tie)
Banquet courtesy of The McCammon Group
Our banquet entertainment will be a presentation of "The Bob Noone Show." Litigator by day and irreverent satirist by night, Bob Noone and company will provide comedic relief for your after-dinner enjoyment!
Entertainment courtesy of Wachovia Corporate and Institutional Trust and Evergreen Investments
- 9:30 pm - 11:00 pm **President's Reception**
Courtesy of Williams Mullen and Kaufman & Canoles, PC
- 10:30 pm - 12:30 am **YLD "After-Hours" Social**
Members of the Young Lawyers Division are invited to participate in some after-hours "gambols," the popular tavern games of Colonial times.
Courtesy of Christian & Barton, LLP

Saturday, January 21, 2006

- 8:00 am - 9:00 am **Annual Breakfast and Business Meeting**
(Spouses and guests are welcome.)
Courtesy of Minnesota Lawyers Mutual Insurance Co. and Virginias Legal Directories
- 8:30 am - 1:30 pm **Registration and Information Desk Open**
- 8:30 am - 12:30 pm **Exhibits**
- 9:00 am - 10:30 am **CLE Programs: Concurrent Sessions**
(See separate listing.)
- 10:30 am - 12:00 pm **General Session**
"Dialog on Constitutional Issues Involving the Judiciary."
A presentation by the Committee on Special Issues of National and State Importance and the Judicial Section with the Virginia State Bar.
Courtesy of Hunton & Williams
- 12:00 n - 1:00 pm **Reception**
Entertainment provided by "The Big Boss Combo and Company"
Courtesy of SunTrust Bank
- 1:00 pm - 2:30 pm **Managing Partners Roundtable Luncheon**
"Cutting the Pie: Current Trends in Compensation."
Sponsored by the Law Practice Management Division
Courtesy of BB&T
(Register separately—additional fee for lunch.)
- 2:30 pm - 5:00 pm **VBA Board of Governors Meeting**
(For 2006 Board Members)

Hotel Reservations

Room reservations can be made by phone, fax or mail. Please return the form provided with your payment or credit card information to:

Kingsmill Resort, Attn: Group Reservations Department
1010 Kingsmill Road, Williamsburg, Virginia 23185
Phone: (800) 832-5665 Fax: (757) 253-8237

Reservation Deadline: December 19, 2005

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Weekend Highlights

Post-Katrina Legal Issues for Business Clients

On Friday morning our Transportation Section will team up with the Federal Bar Association's Transportation and Transportation Security Law Section to present, "**After the Disaster Strikes [Think 9-11/Katrina]: Counseling Your Business Clients.**" This session will focus on the immediate advice your business clients will need if a man-made or natural disaster shuts down key shipping infrastructure, with a particular focus on the transportation and distribution network for goods and services.

Program panelists will include **New Orleans Port Authority President Gary LaGrange** as well as **Denise Krepp, Chief Counsel to the U.S. House of Representatives Homeland Security Committee** who will address such questions as "What are the federal, state and local government's respective roles and responsibilities? What options do shippers have? How will carriers of goods respond? Who's responsible for a client's product at various points in the supply chain? What are some of the lessons learned from Hurricane Katrina?"

Friday Night Festivities

Friday night black-tie festivities are always spectacular features at our Winter Meeting and this year's is certain to be no exception. Following our black-tie reception, we intend to usher in the elegant annual banquet in grand Irish-American style! A few selective awards will be given with special entertainment provided by "The Bob Noone Show." Litigator by day and irreverent satirist by night, Bob Noone, with his supporting cast, are certain to provide some comedic relief for your after-dinner enjoyment! Immediately following the banquet will be our traditional President's Reception. Join us for this memorable evening.

Attention Litigators!

A three-program CLE track is aimed specifically at litigators: On Friday morning at 9:30 a.m., the Civil Litigation Section will join the Joint Committee on ADR and the Judicial Section to present, "**The Judicial Role in Dispute Resolution,**" followed by an 11:00 a.m. presentation by the Civil Litigation Section entitled, "**The U.S. Supreme Court: A Change in the Composition of the Court and the Confirmation Process.**" To round out the weekend, another presentation by the Civil Litigation Section, in conjunction with the Judicial Section, will take place on Saturday morning at 9:00 a.m., "**Science and Engineering in the Virginia Courtroom: Challenging Experts in Litigation After Daubert.**" Collectively, these programs alone provide for 4.5 CLE credit hours.

The Law Practice Management Division Presents...

A General Session Program on Friday Afternoon

VBA members and their spouses and guests are invited to join the Law Practice Management Division for a two-hour general session program on Friday afternoon from 2:00-4:00 p.m. The Division was initially launched as a tool for implementing the VBA's concept of complete professionalism, including care and preservation of the whole lawyer. In furthering this concept, Abigail Trafford's book, *My Time: Making the Most of the Bonus Decades After 50*, was used as the basis for this year's general session program, "**New Road, No Rules: Preparing for the Bonus Years.**"

The 'A'-list panelists—all of whom possess fascinating backgrounds—have blazed the trail of when and how to create second and third professional lives after a full law practice career. Moderator of our prestigious panel will be counselor to organizational leaders Ann E. Hagan, and keynote remarks will be provided by award-winning journalist and public speaker Abigail Trafford. The panel will also include Torrence M. Harman, Assistant Rector of St. James Episcopal Church; George H. Gilliam, Director of the University of Virginia Miller Center Forum; Dr. Phillip C. Stone, President of Bridgewater College; John Tucker, Litigator and Author; and Robert D. Seabolt, Managing Partner of the Richmond office of Troutman Sanders.

Managing Partners Roundtable Luncheon Program

The Law Practice Management Division is continuing its commitment to provide a luncheon forum for managing partners of any and every size firm to address matters that allow law firms to better serve their clients. This year's program, scheduled for Saturday from 1:00-2:30 p.m., amply meets that traditional requirement. "**Cutting the Pie: Current Trends in Compensation.**" Advance registration is required—a nominal fee is being charged to cover the cost of lunch.

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Weekend Highlights

Educational Programming (for spouses, too!)

VBA Sections, Committees and the Law Practice Management Division coordinate many educational programs for our annual meetings that focus on particular practice disciplines as well as areas of general interest. This year, a mix of 16 concurrent and general sessions are being offered during our Winter Meeting, including a number of opportunities for spouses and guests to participate in some of the more substantive presentations taking place. For instance, we have a program which deals with the composition of the U.S. Supreme Court and the confirmation process as well as a program on balance in lifestyle transitions. See the separate listing for a complete schedule.

VBA Legacy Series

As part of the continuing series of alternative programs in collaboration with the Virginia Historical Society, the VBA Committee on Special Issues of National and State Importance is pleased to offer to members and guests, a luncheon presentation on Friday from 12:30 to 2:00 pm. This year's program is **"From Cotton Fields to Sky Scrapers: The Transformation of the South in the 20th Century"** which will be presented by Dr. Paul A. Levengood, Managing Editor of the Virginia Historical Society's publication, *Virginia Magazine of History and Biography*.

A fascinating story will be told. It begins at the turn of the century when the South was mostly agricultural and poor with much of the population living under segregation. By the end of the 20th century, the South had become one of the fastest growing regions in the nation, attracting population and industry. Using several key developments such as World War II, the Civil Rights Movement and the role of business, Dr. Levengood will explain how this remarkable transformation took place.

Help From Virginia Barristers Alliance

Be sure to visit the representatives of the VBA's insurance agency subsidiary, the Virginia Barristers Alliance, Inc. They will be on site during the weekend in our exhibit area to answer questions about how they can help with your insurance and investing needs. Many of you who are facing imminent increases in your health and other insurance costs will want to learn about available alternatives that can help you while also supporting the VBA's non-dues revenue program which funds many of our worthwhile public and professional service projects.

Annual Breakfast Meeting

Our Annual Breakfast and Business Meeting will be held Saturday morning. Members and their spouses and guests are invited to attend and enjoy a full breakfast, at no additional cost, which will be served at 8:00 a.m. At 8:30 a.m. the Association's annual business session will convene where, among other proceedings, we will pay tribute to our outgoing President, Jim Meath, and new President, Bill Van Buren, will be installed.

VBA Community Service Program

It has been a better-than-expected second year for the VBA Community Service Program which was officially kicked-off at the 2004 Annual Meeting in Williamsburg. Better-than-hoped for participation has been realized in 2005. There will be a Community Service Program booth in the exhibit area for first-time sign-ups as well as for current participants to renew their commitment for the new year.

For advance information on committing for 2006, go to the VBA website at www.vba.org.

Programs for the Judicial-Minded!

Programs of judicial interest abound for this year's Annual Meeting! For starters, our Friday line-up of CLE programming includes a presentation by the Joint Committee on ADR and Civil Litigation and Judicial Sections entitled, **"The Judicial Role in Dispute Resolution: Views from the Bench."** Then, we have a session by the Civil Litigation Section being conducted on **"The U.S. Supreme Court: A Change in the Composition of the Court and the Confirmation Process,"** as well as a session by the Domestic Relations and Judicial Sections called, **"The Wisdom of Solomon Revisited: The Experts Tell Us How and When to Divide the Babies."**

If that isn't enough, Saturday morning provides an opportunity for the Civil Litigation and Judicial Sections to team up for **"Science and Engineering in the Virginia Courtroom: Challenging Experts in Litigation After Daubert."** A final program on Saturday will be our showcase General Session where the Committee on Special Issues of National and State Importance, together with the Judicial Section and the Virginia State Bar will present, **"Dialogue on Constitutional Issues Involving the Judiciary."** The always captivating Rodney Smolla, Dean of the University of Richmond School of Law, will moderate a panel discussion on timely matters of interest pertaining to the judiciary.

This weekend promises to be a most engaging forum for many intellectual exchanges for both the judiciary and judicial-minded!

Educational Programming

Friday, January 20, 2006

- 9:30 am - 11:00 am
(1.5 Credits) **Business Law Section and Corporate Counsel Section**
“A Variety of Corporate Law Issues for the Business Lawyer.”
Topics include using Disney to compare Delaware and Virginia, the latest on plurality vs. majority voting, and an overview of recent and proposed changes to the Virginia Stock Corporation Act.
- 9:30 am - 11:00 am
(1.5 Credits) **Elder Law Section**
“Sign-off Time—Advance Medical Directives.”
- 9:30 am - 11:00 am
(1.5 Credits) **Environment, Natural Resources and Energy Law Section**
“Hot Topics in Environmental Law.”
- 9:30 am - 11:00 am
(1.5 Credits) **Joint Committee on ADR, Civil Litigation Section and Judicial Section**
“The Judicial Role in Dispute Resolution: Views from the Bench.”
- 9:30 am - 11:00 am
(1.5 Credits) **Labor Relations and Employment Law Section**
“Let’s Play Employment Law Jeopardy!”
- 11:00 am - 12:30 pm
(1.5 Credits) **Civil Litigation Section**
“The U.S. Supreme Court: A Change in the Composition of the Court and the Confirmation Process.”
- 11:00 am - 12:30 pm
(1.5 Credits) **Domestic Relations Section and Judicial Section**
“The Wisdom of Solomon Revisited: The Experts Tell Us How and When to Divide the Babies.”
- 11:00 am - 12:30 pm
(1.5 Credits) **Transportation Section and Federal Bar Association Transportation Section**
“After the Disaster Strikes [Think 9-11/Katrina]: Counseling Your Business Clients.”
A focus on the immediate advice your business clients will need if a man-made or natural disaster shuts down key shipping infrastructure in your community.
- 11:00 am - 12:30 pm
(1.5 Credits) **Wills, Trusts & Estates Section and Taxation Section**
“Estate Tax: Reform, Repeal or Status Quo.”
- 12:30 pm - 2:00 pm
(No Credits) **VBA Legacy Series Roundtable Luncheon Program**
“From Cotton Fields to Sky Scrapers: The Transformation of the South in the 20th Century.”
*A presentation by the Virginia Historical Society.
(Spouses and guests are welcome and encouraged to attend. Register separately—additional fee for lunch.)*
- 2:00 pm - 4:00 pm
(No Credits) **General Session: Law Practice Management Division**
“New Road, No Rules: Preparing for the Bonus Years.”
*A presentation dealing with career transitions late in life.
(Spouses and guests are welcome and encouraged to attend.)*

Spouse/Guest Program

Scheduled for Friday morning from 10:00-11:30 a.m. is a culinary demonstration and tasting conducted by one of the chefs at Kingsmill Resort. The featured ingredient is “pasta,” a favorite of all. The charge for this program is \$25. Space is limited so advance registration is suggested.

Saturday, January 21, 2006

- 9:00 am - 10:30 am
(1.5 Credits) **Civil Litigation and Judicial Sections**
“Science and Engineering in the Virginia Courtroom: Challenging Experts in Litigation (Daubert).”
- 9:00 am - 10:30 am
(1.5 Credits) **Construction and Public Contracts Law Section and Real Estate Section**
“This Land *IS* Your Land; This Land *WAS* My Land: The Aftermath of *Kelso*.”
- 9:00 am - 10:30 am
(1.5 Credits) **Health Law Section**
“The ABC’s of Part D: What You Need to Know About the New Medicare Part D Drug Benefit.”
- 9:00 am - 10:30 am
(1.5 Credits) **Intellectual Property and Information Technology Law Section**
“Intellectual Property Harvesting and Auditing.”
A program on the discovery and care of your client’s intellectual property.
- 9:00 am - 10:30 am
(1.5 Credits/1.5 Ethics) **Lawyers Helping Lawyers**
“Your Responsibility to an Impaired Lawyer: Guidance From the Judiciary, the Bar and Lawyers Helping Lawyers.”
- 10:30 am - 12:00 noon
(1.5 Credits) **General Session: A Program Presented Jointly by the VBA Committee on Special Issues of National and State Importance and Judicial Section with the Virginia State Bar**
“Dialogue on Constitutional Issues Involving the Judiciary.”
- 1:00 pm - 2:30 pm
(No Credits) **LPMD Managing Partners Luncheon Program**
“Cutting the Pie: Current Trends in Compensation.”
*A presentation by the Law Practice Management Division
(Register separately—additional fee for lunch.)*

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Meeting Registration

Registrant: _____ (_____)
(Full Name) (First Name for Name Badge)

Spouse/Guest: _____ (_____)
(Full Name) (First Name for Name Badge)

Firm Name: _____

Business Address: _____

Phone/E-mail: _____

Please indicate if this is the first VBA meeting you have attended.

REGISTRATION FEES: (Check one)

- | | | |
|--|-----------------|--------------|
| | By | After |
| | Jan 3 | Jan 3 |
| <input type="checkbox"/> Single: Member only -- 1 banquet ticket (NOTE: Must register as couple if spouse attends.) | \$215 | . . . \$240 |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is a non-lawyer—2 banquet tickets | 270 | . . . 295 |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer <u>and a member</u> —2 banquet tickets | 270 | . . . 295 |
| <input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer <u>but not a member</u> —2 banquet tickets | 350 | . . . 375 |

ACTIVITIES REQUIRING SEPARATE REGISTRATION AND/OR ADDITIONAL FEES (Check Box)

- | | |
|--|----------------------------|
| <input type="checkbox"/> Fri. Spouse/Guest Program - Culinary Demonstration/Tasting - \$25/person | # _____ \$ _____ |
| <input type="checkbox"/> Fri. Legacy Series Lunch/Program - \$30/person (for member/guest - <u>must register in advance</u>) | . . . # _____ \$ _____ |
| <input type="checkbox"/> Fri. Night Banquet Tickets for Additional Guests - \$65/person | # _____ \$ _____ |
| <input type="checkbox"/> Sat. Annual Breakfast/Business Meeting - FREE (for member/guest - <u>must register in advance</u>) | . . # _____ \$ FREE |
| <input type="checkbox"/> Sat. Managing Partners Lunch/Program - \$30/person (for member only - <u>must register in advance</u>) | . # _____ \$ _____ |
| TOTAL | \$ _____ |

BANQUET

Banquet ticket(s) are included in registration. For planning purposes, however, please let us know your intentions:

- Yes, I/we plan to attend the banquet. No, I/we do not plan to attend the banquet (Order additional tickets for guests above.)

- Enclosed is my check for \$ _____
- My payment of \$ _____ is being processed and mailed separately. I understand that I will be billed if payment is not received, regardless of my attendance.

Please charge my (circle one)
Visa MasterCard AMEX

Amt. \$ _____

Card No.: _____

Exp. Date: _____

Signature: _____

CANCELLATION POLICY—Requests must be received in writing by January 8, 2006. A \$25 non-refundable fee will apply.

NOTICE TO NON-VBA MEMBERS
 Our registration fee schedule is for VBA members only. Non-VBA members registering for the Annual Meeting must add \$100 to this fee. For information about joining the VBA contact us at (804) 644-0041 or by email at thevba@vba.org.

For Office Use

- VBA Member: Yes No
- Member ID#: _____
- Patron: Gold Silver Blue
- Check #: _____
- Amount: _____
- Payment by: Firm Personal

Educational Programming Registration

Friday, January 20, 2006

- | | |
|------------------------------------|---|
| 9:30 am-11:00 am
(1.5 Credits) | Business Law and Corporate Counsel Sections <input type="checkbox"/>
"A Variety of Corporate Law Issues for the Business Lawyer." |
| 9:30 am-11:00 am
(1.5 Credits) | Elder Law Section <input type="checkbox"/>
"Sign-off Time—Advance Medical Directives." |
| 9:30 am-11:00 am
(1.5 Credits) | Environment, Nat'l Resources & Energy Law Section <input type="checkbox"/>
"Hot Topics in Environmental Law." |
| 9:30 am-11:00 am
(1.5 Credits) | Jt. Cmte. on ADR, Civil Lit. & Judicial Sections <input type="checkbox"/>
"The Judicial Role in Dispute Resolution: Views from the Bench." |
| 9:30 am-11:00 am
(1.5 Credits) | Labor Relations and Employment Law Section <input type="checkbox"/>
"Let's Play Employment Law Jeopardy!" |
| 11:00 am-12:30 pm
(1.5 Credits) | Civil Litigation Section <input type="checkbox"/>
"The U.S. Supreme Court: A Change in the Composition of the Court and the Confirmation Process." |
| 11:00 am-12:30 pm
(1.5 Credits) | Domestic Relations and Judicial Sections <input type="checkbox"/>
"The Wisdom of Solomon Revisited: The Experts Tell Us How and When to Divide the Babies." |
| 11:00 am-12:30 pm
(1.5 Credits) | Transportation Section & Federal Bar Association Transportation Section <input type="checkbox"/>
"After the Disaster Strikes [Think 9-11/Katrina]: Counseling Your Business Clients." |
| 11:00 am-12:30 pm
(1.5 Credits) | Wills, Trusts & Estates and Taxation Sections <input type="checkbox"/>
"Estate Tax: Reform, Repeal or Status Quo." |
| 12:30 pm-2:00 pm
(No Credits) | VBA Legacy Series Luncheon Program <input type="checkbox"/>
"From Cotton Fields to Sky Scrapers: The Transformation of the South in the 20th Century." |

2:00 pm-4:00 pm
(No Credits)

General Session: Law Practice Management Div. . . .
 "New Road, No Rules: Preparing for the Bonus Years."

Saturday, January 21, 2006

- | | |
|--|--|
| 9:00 am-10:30 am
(1.5 Credits) | Civil Litigation and Judicial Sections <input type="checkbox"/>
"Science and Engineering in the Va. Courtroom: Challenging Experts in Litigation (Daubert)." |
| 9:00 am-10:30 am
(1.5 Credits) | Construction/Public Contracts & Real Estate Sections <input type="checkbox"/>
"This Land IS Your Land; This Land WAS My Land: The Aftermath of <i>Kelso</i> ." |
| 9:00 am-10:30 am
(1.5 Credits) | Health Law Section <input type="checkbox"/>
"The ABC's of Part D: What You Need to Know About the New Medicare Part D Drug Benefit." |
| 9:00 am-10:30 am
(1.5 Credits) | Intellectual Property & Info. Technol. Law Section <input type="checkbox"/>
"Intellectual Property Harvesting and Auditing." |
| 9:00 am-10:30 am
(1.5 Credits/1.5 Ethics) | Lawyers Helping Lawyers <input type="checkbox"/>
"Your Responsibility to an Impaired Lawyer: Guidance From the Judiciary, Bar and Lawyers Helping Lawyers." |
| 10:30 am-12:00 n
(1.5 Credits) | Gen. Session: Cmte. on Special Issues of Nat'l and State Importance, Judicial Section and Virginia State Bar . . . <input type="checkbox"/>
"Dialogue on Constitutional Issues Involving the Judiciary." |
| 1:00 pm-2:30 pm
(No Credits) | LPMD Managing Partners Roundtable Luncheon . . . <input type="checkbox"/>
"Cutting the Pie: Current Trends in Compensation." |