



V·B·A

The Virginia Bar Association

127th Summer Meeting

July 20 - 22, 2017

*The Omni Homestead Resort
Hot Springs, Virginia*

127th Summer Meeting of The Virginia Bar Association

July 20-22, 2017 • The Omni Homestead Resort • Hot Springs, Virginia

The Agenda

Thursday, July 20, 2017

- 12:00-4:30 p.m. **Board of Governors Luncheon & Meeting**
- 2:00-6:00 p.m. **Registration and Information Desk**
Courtesy of: SunTrust Bank, Legal Specialty,
Private Wealth Management
- 6:00-7:00 p.m. **Opening Reception** (*Children welcome.*)
In Honor of VBA Past Presidents
Courtesy of: The Omni Homestead Resort

Friday, July 21, 2017

- 7:30-8:15 a.m. **Fun Run**
(Separate registration and fee required.)
- 8:30-6:00 p.m. **Registration and Information Desk**
Courtesy of: SunTrust Bank Legal Specialty,
Private Wealth Management
- 9:00-10:30 a.m. **Concurrent CLE Programs**
(See separate listing.)
- 10:30-12:00 n **Spouse/Guest Program:**
A Culinary Demonstration and Tasting
*A Presentation by The Omni Homestead
Executive Chef.*
(Separate registration and fee required.)
- 10:40-12:10 p.m. **Concurrent CLE Programs**
(See separate listing.)
- 12:30-2:00 p.m. **Legacy Series Luncheon Presentation**
“Virginia—The Startup Venture That
Changed History.”
*A presentation of the Committee on Special Issues
of National and State Importance by Jamie O.
Bosket, President and CEO of The Virginia
Historical Society.*
Courtesy of: Hunton & Williams LLP
- 12:30-5:00 p.m. **Golf Tournament**
*Members, spouses and guests are welcome, and
players of every level are encouraged to
participate. Prizes will be awarded at the
Saturday evening reception.*
Golf balls courtesy of: Troutman Sanders LLP
Prizes courtesy of: Equity Concepts, L.L.C.
2:30 p.m. Union Bank & Trust Golf Clinic
(See “Recreational and Leisure Activities” for details.)
- 2:00-4:00 p.m. **General Session: Law Practice Management
Division** (*120 mins. CLE/120 mins. Ethics*)
“Confidentiality: Part IV (Non-Clients’
Misconduct).”
*A fast-paced ethics presentation by Thomas E.
Spahn utilizing hypotheticals.*
- 4:10-5:10 p.m. **General Session: Supreme Court of Virginia
Access to Justice Commission Update**
- 6:30-7:30 p.m. **Reception** (*black tie*)
Courtesy of: CSX Corporation
and
Norfolk Southern Corporation



Adriana Trigiani

*Best-selling authors Adriana
Trigiani and David Baldacci
will provide the after dinner
entertainment during the
Friday night banquet.*

Courtesy of: McCandlish
& Lillard, P.C.



David Baldacci

VBA Gubernatorial Candidates Debate

Leading candidates for the Virginia gubernatorial race are invited to offer their opinions on issues important to citizens of the Commonwealth of Virginia on Saturday morning. This will serve as the first debate between the major party candidates during this campaign year. Judy Woodruff, anchor and managing editor of “PBS NewsHour” will moderate the debate.



- 7:30-9:30 p.m. **Banquet** (*black tie*)
Presentation of VBA Awards
Recognition of 2017 VBA Life Members
Decor Design Courtesy of: MercerTrigiani
Audio Visuals Courtesy of: McGuireWoods LLP
Entertainment: An engaging exchange between
best-selling authors Adriana Trigiani and
David Baldacci.
Courtesy of: McCandlish & Lillard, P.C.
- 9:30-11:00 p.m. **President's Reception on the Front Porch**
Courtesy of: MercerTrigiani
and
Timberlake, Smith, Thomas
& Moses, P.C.

Saturday, July 22, 2017

- 8:00-9:00 a.m. **Membership Committee Meeting**
- 9:00-10:00 a.m. **YLD Leadership Council Meeting**
- 8:30-1:00 p.m. **Registration and Information Desk**
Courtesy of: SunTrust Bank, Legal Specialty,
Private Wealth Management
- 9:00-10:30 a.m. **Concurrent CLE Programs**
(See separate listing.)
- 11:00-12:30 p.m. **Virginia Gubernatorial Debate**
*(Members, spouses and guests are welcome.
Members of the public welcome at no charge
with separate registration.)*
Refreshments Courtesy of: Hogan Lovells U.S. LLP
- 12:45-1:30 p.m. **Meet-the-Candidates Reception**
Courtesy of: Dominion Resources
(Members, spouses and guests are welcome.)
- 1:30 p.m. **Golf Tournament/Tennis Round Robin**
*Members, spouses and guests are welcome, and
players of every level are encouraged to partici-
pate. Prizes will be awarded at the Saturday
evening reception.*
*(Advance sign-up required for tennis—see
“Recreational and Leisure Activities” for details.)*
Golf balls courtesy of: Troutman Sanders LLP
Prizes courtesy of: Equity Concepts, L.L.C.
2:30 p.m. Union Bank & Trust Golf Clinic
- 6:30-7:30 p.m. **Reception** (*Business attire.*)
Courtesy of: LexisNexis
- 9:30-11:30 p.m. **YLD Social on the Front Porch**
Courtesy of: Pender & Coward, PC

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Educational Programming

Friday, July 21, 2017

- 9:00-10:30 a.m. **Administrative Law Section • Intellectual Property and Information Technology Law Section**
“Software Audit Readiness Tactics.”
(CLE: 90 mins.)
- 9:00-10:30 a.m. **Appellate Practice Section • Civil Litigation Section**
“The Roberts Court at Age Eleven:
The 2016 U.S. Supreme Court Term in Review.”
(CLE: 90 mins.)
- 9:00-10:30 a.m. **Business Law Section**
“Virginia Legal Issues in Mergers and Acquisitions.”
(CLE: 90 mins.)
- 9:00-10:30 a.m. **Elder Law and Special Needs Section**
“Recent Developments in Elder Law and Special Needs Planning.”
(CLE: 90 mins.)
- 9:00-10:30 a.m. **Lawyers Helping Lawyers**
“When Push Comes to Shove—Why, When and How to Assist the Impaired Attorney.”
(CLE: 90 mins./ 90 Ethics)
- 10:40-12:10 p.m. **Corporate Counsel Section**
“Principles and Guidelines in Providing Legal Services to Corporate Family.”
(CLE: 90 mins./ 60 mins. Ethics)
- 10:40-12:10 p.m. **Criminal Law Section**
“Cigarette Trafficking...The Marlboro Man Can't Save Virginia, But the Law Can! Efforts by the State and the Feds to Curb the Lucrative Crime of Cigarette Trafficking.”
(CLE: 90 mins.)
- 10:40-12:10 p.m. **Civil Litigation Section • Domestic Relations Section,**
“Evidence – You Be the Judge!”
(CLE: 90 mins.)
- 10:40-12:10 p.m. **Law Practice Management Division**
“Using Legal Skills Outside of the Practice of Law.”
(CLE: 90 mins./ 60 mins. Ethics)
- 10:40-12:10 p.m. **Taxation Section • Wills, Trust and Estates Section**
“Which Dragon Do We Slay? Tax Issues in Estate and Gift Plans.”
(CLE: 90 mins.)
- 2:00-4:00 p.m. **General Session: Law Practice Management Division**
“Confidentiality: Part IV (Non-Clients' Misconduct).”
(CLE: 120 mins./ 120 mins. Ethics)
- 4:10-5:10 p.m. **General Session**
“Supreme Court of Virginia Access to Justice Commission Update.”
(CLE: 60 mins.)

Saturday, July 22, 2017

- 9:00-10:30 a.m. **Civil Litigation Section • Judicial Section**
“19th Annual Review of Civil Decisions of the Supreme Court of Virginia”
(CLE: 90 mins.)
- 9:00-10:30 a.m. **Construction and Public Contracts Law Section • Transportation Section**
“Follow the Money – New Rules for Construction Funding and Public-Private Partnerships in the Commonwealth.”
(CLE: 90 mins.)
- 9:00-10:30 a.m. **Health Law Section**
“Checking up on Health Care Reform 2017: What's the Prognosis?”
(CLE: 90 mins.)
- 9:00-10:30 a.m. **Labor Relations and Employment Law Section**
“Handling Non-Compete, Restrictive Covenant, and Breach of Fiduciary Duty Claims.”
(CLE: 90 mins.)
- 9:00-10:30 a.m. **Virginia Barristers Alliance, Inc.**
“A Fiduciary's Guide to Managing Trust-Owned Life Insurance—What Every Trustee Needs to Know.”
(CLE 90 mins.)

Note: MCLE Credit for all programming pending.

Meeting Registration

Registration is available online through the VBA website at vba.org/vbasummer17 or by faxing, mailing or emailing the attached form. Register by June 23 for a discounted rate. Please be sure to mark the activities in which you and your family want to participate that require a separate registration and/or additional fees.

Hotel Accommodations

There are four ways to make room reservations at The Omni Homestead Resort:

- **Online:** www.omnihotels.com/hotels/homestead-virginia/meetings/vba-summer-conference
- **By Phone:** Call **540-839-1766** during regular business hours
- **By Fax:** Fax the hotel's reservation form to **540-839-7670**;
- **By Mail:** Mail the hotel's reservation form to
Group Reservations, P.O. Box 2000, Hot Springs, VA 24445

Reservations must be made by July 6 to take advantage of the discounted group rate. For general information call 800-838-1766.

Spouse/Guest Program

The Homestead Executive Chef will present a culinary demonstration and tasting planned for spouses and guests on Friday morning from 10:30 a.m.-12:00 p.m. The cost is \$50 per person. Register in advance using the accompanying meeting registration form.

Children's Programs

A private program is being planned for children ages 5 to 12 during the Friday evening reception and VBA banquet. From 6:00 p.m. to 11:00 p.m. children will have dinner and be entertained with activities including a movie. The cost for this fun-filled evening is only \$20 for each child. Register for this program using the accompanying meeting registration form.

The hotel's Kid's Club offers a full schedule of organized fun every day. Call The Homestead's Activities Department at (800) 838-1766, option 3; direct: (540) 839-7677.

Private baby-sitting is offered on an hourly basis by calling (540) 839-7758.

Recreational and Leisure Activities

All members of the Association, their family members and guests are eligible to participate in our golf and tennis tournaments, as well as the Fun Run:

GOLF TOURNAMENT—Declared play on Thursday, Friday or Saturday on the Cascades Course will make players eligible for prizes to be awarded at our Saturday evening reception. There is a 14 day cancellation policy and fees will be charged to the individual golfer. Call the golf operations staff person, Cindy Richards, at 540-839-7648 or the Activities Reservation Department at 800-838-1766, option 3, to reserve a tee-time.

Union Bank & Trust is sponsoring a one hour golf clinic on Friday and Saturday. A Golf Pro will provide one on one instruction which has become a meeting staple for many members and their guests (16 and older). Register with Union Bank & Trust in the exhibit area.

TENNIS TOURNAMENT—The Tennis Tournament format will be a round robin, all doubles, with interchanging partners. Mens, Ladies and Mixed Doubles will be played on Saturday at 1:30 p.m. The top four scorers in each of the three categories qualify for the finals with the Tennis Pro determining the format. Register in advance, identifying yourself as a VBA tournament participant, by calling the tennis center at (540) 839-7545 or (800) 838-1766 ext. 7545. The cost is \$30 per event and may be charged to your guest room upon arrival at The Homestead. Advance sign-up is suggested but on-site registration will be allowed on a space-available basis. Non-tournament play can be arranged through the Activities Reservation Department at 1-800-838-1766, option 3.

FUN RUN—Start Friday morning with a Fun Run (approximately 30 minutes). Check-in is at 7:30 a.m. The cost is \$20 per person with proceeds being donated to the area food bank. Prizes will be awarded for one female and one male adult winner (ages 12+) and one children's winner (under age 12).

THE HOMESTEAD'S ACTIVITIES RESERVATION DEPARTMENT is happy to arrange a variety of individual recreational and leisure activities. Call (800) 838-1766, option 3. Dinner reservations for Thursday and Saturday evenings should also be made well in advance of your arrival through the Activities Reservation Desk.



The Virginia Bar Association

701 E. Franklin Street, Suite 1120
Richmond, Virginia 23219

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Fellow Members of The Virginia Bar Association and Guests:
On behalf of the Board of Governors of the VBA, I invite you and your family to join us for the 127th Summer Meeting of The Virginia Bar Association as we return to The Omni Homestead Resort in Hot Springs, Virginia, July 20-22, 2017.

We are busy making plans to host the first Virginia Gubernatorial Debate in this year's campaign season. This election is expected to generate much attention and we are very pleased to have Judy Woodruff from PBS join us again to moderate the event.

General and concurrent session presentations from our substantive law sections never disappoint in the quantity, quality and breadth of their CLE programming. The Supreme Court of Virginia Access to Justice Commission will also provide an update on its work. Our social and athletic events offer opportunities to reconnect with old friends and to make new ones, and our Friday night black-tie banquet is always a highlight of the meeting. I am particularly pleased to announce that the banquet will be short on proceedings and long on entertainment! The new 2017 Class of Life Members will be recognized and Past Presidents will commemorate the founding of the VBA at this 127th Summer Meeting, followed by an engaging exchange between two renowned authors: Adriana Trigiani and David Baldacci, both of whom have published numerous bestsellers. In a departure from recent years, in lieu of a dance following the banquet, there will be an open bar on the always-popular front porch of the hotel to wind down the evening. We know that everyone will enjoy the programs, scenic mountain views, resort amenities, and VBA hospitality and collegiality.

Nell and I look forward to visiting with you in the Allegheny Mountains!

Best regards,

David S. Mercer
President

For the 127th VBA Summer Meeting, President David Mercer and his wife Nell encourage meeting attendees to give back to the local community by bringing Pre-K books (new/gently used) for children 3-5 years of age to donate to the area Head Start Program. Please bring your contributions to the VBA meeting registration desk by 11:00 a.m. Saturday, July 22.

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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: _____ Email: _____

Check if this is the first VBA meeting you have attended.

Check if you require special disability accommodations (deadline July 6). We will contact you.

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
 Visa MasterCard AMEX

Amt. \$ _____

Card No.: _____

Exp. Date: _____ Sec. Code: _____

Name on Card: _____

REGISTRATION FEES: (Check one)

	By June 23	After June 23
<input type="checkbox"/> Single: Member only—(1 banquet ticket) (NOTE: Must register as couple if spouse attends)	\$350	\$375
<input type="checkbox"/> Couple: Member and Spouse/Guest who is a non-lawyer (2 banquet tickets)	450	475
<input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer <u>and a member</u> (2 banquet tickets)	500	525
<input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer <u>but not a member</u> (2 banquet tickets)	550	575

REGISTRATION FEES FOR MEMBERS OF THE JUDICIARY AND FULL TIME GOVERNMENT OR PUBLIC SERVICE LAWYERS AND LAW SCHOOL FACULTY: (Check one)

	By June 23	After June 23
<input type="checkbox"/> Single: Member only – (1 banquet ticket) (NOTE: Must register as couple if spouse attends.)	\$250	\$275
<input type="checkbox"/> Couple: Member and Spouse/Guest who is a non-lawyer (2 banquet tickets)	350	375
<input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer <u>and a member</u> (2 banquet tickets)	400	425
<input type="checkbox"/> Couple: Member and Spouse/Guest who is also a lawyer <u>but not a member</u> (2 banquet tickets)	450	475

FRIDAY NIGHT BANQUET: Ticket(s) are included in the registration for the primary registrant and their spouse/guest. For planning purposes, 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 below.)

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

Fri. Spouse/Guest Program-Culinary Demo./Tasting - \$50/person (must register in advance) . . . # _____ \$ _____

Fri. Legacy Series Lunch/Program-\$50/person (for member/guest - must register in advance) . . . # _____ \$ _____

Fri. Night Banquet Tickets for Additional Guests-\$120/person # _____ \$ _____

Fri. Night Children's Program (ages 5-12) during banquet-\$20/child # _____ Ages: _____ \$ _____

Fri. Morning Fun Run (all ages) - \$20/per person # 12 yrs. and over _____ # Under 12 yrs. _____ \$ _____

TOTAL \$ _____

CANCELLATION POLICY—Requests must be received in writing by July 13. A \$50 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 Meeting must add \$125 to this fee. For information about joining the VBA, contact us at (804) 644-0041 or by email at thevba@vba.org or apply for membership online at www.vba.org.

Check here if not registered at the Resort. (A banquet surcharge will be billed.)

For Office Use

VBA Member: Yes No

Patron: Yes No _____

Check #: _____ Amount: \$ _____

Educational Programming Registration

ALL PROGRAMS ARE INCLUDED IN THE MEETING REGISTRATION FEE.


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 “Handling Non-Compete, Restrictive Covenant, and Breach of Fiduciary Duty Claims.” (CLE: 90 mins.)
- 9:00-10:30 a.m. **Virginia Barristers Alliance, Inc.**
 “A Fiduciary’s Guide to Managing Trust-Owned Life Insurance—What Every Trustee Needs to Know.” (CLE: 90 mins.)



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**VIRGINIA
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INSURANCE AGENCY
A subsidiary of The Virginia Bar Association

Mission of The Virginia Bar Association

The Virginia Bar Association is the independent voice of the Virginia lawyer, advancing the highest ideals of the profession through advocacy and volunteer service.

Registrants, instructors and guests attending VBA events agree they may be photographed, videotaped and/or recorded during the event. The photographic, video and recorded materials are the sole property of the VBA and the VBA reserves the right to use attendees' names and likenesses in promotional materials or for any other legitimate purpose without providing monetary compensation.

V·B·A

The Virginia Bar Association

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(804) 644-0041 • FAX: (804) 644-0052

Email: thevba@vba.org • Conference Webpage: vba.org/vbasummer17 • Social Media: #vbasummer17