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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.

Editors

Justin E. Simmons - 983-7795
jsimmons@woodsrogers.com

Lori J. Bentley - 767-2041
lbentley@jamlaw.net

Linda L. Gustad - 857-5100, Ext. 5323
lindag@vawd.uscourts.gov

Richard D. Scott - 400-7997
richard@rscottlawoffice.com

Christopher S. Dadak - 387-2320
christopherd@guynnwaddell.com

Alicha M. Grubb - 983-9361
grubb@gentrylocke.com

SIGNATURE REQUIREMENTS IN A COVID-19 AND POST-COVID-19 WORLD

BY ALICHA GRUBB, ESQ.

Over the last few months of quarantine, I found myself frequently having to go into the office, not for files or supplies (I raided the supply closet when I was sent home), but to sign state court pleadings. At first, I was going in almost daily, after hours to avoid interaction with people, to sign discovery or a complaint and numerous other pleadings. Eventually, for pleadings that were not time sensitive, I started going in once a week, and just stacking up 4 or 5 pleadings to sign at a time. That got me thinking—why? Why in the year 2020 do I have to physically sign each pleading with a pen?



Since 2001, federal courts have allowed e-filing through the CM/ECF system. That system gives each user a unique log-in and allows a user to file a pleading in any federal court in the country. Yet Virginia has been slow to follow suit. Virginia Code § 8.01-271.1 says “every pleading, written motion, and other paper of a party represented by an attorney shall be signed by at least one attorney of record in his individual name.” Pro se parties may sign their own pleadings. The Supreme Court of Virginia has held that pleadings that are not signed in handwriting by a party or licensed attorney are nullities. Stamps, electronic signatures, proxy signatures or other markings are not acceptable. In other words, the requirement for a personal, ink signature is a bright-line rule.

Enter a global pandemic where attorneys were working from home, many away from their staff and the conveniences of the office and where many clerk's offices were closed to the public. Actually signing pleadings became a feat of acrobatics, never mind the logistics of having to FedEx pleadings overnight to meet filing deadlines. Before COVID-19, some circuit courts allowed for electronic filing—some using the Virginia Judiciary E-Filing System (VJEFS) and some using their own unique systems with a maze of rules, and the majority not allowing e-filing at all. Not exactly practical.

Signature issues have not just plagued litigation attorneys. Signing affidavits and estate planning documents in a COVID-19 world also became complicated. I saw many stories of drive through will-signings and similar creative set-ups in order to meet signature requirements. Most firms have notaries, but most were not prepared with e-notaries. Since 2012, the Virginia Code has allowed for electronic notarization, allowing for remote notarization of depositions, affidavits, and similar documents. Applying to be an e-notary is separate from a traditional notary application, and there are additional rules and requirements that can be found on the website for the Secretary of the Commonwealth.

Many firms scrambled to have someone become an e-notary as court reporters did the same thing, advertising their new remote-deposition capabilities. Beginning on May 6, 2020, seven weeks into the stay-at-home order, with the fourth judicial emergency order, the Supreme Court of Virginia said “all courts are authorized to accept pleadings, orders and other documents that are electronically signed, including those where the electronic signature is accomplished by scanning.” On June 2, the Supreme Court issued an order allowing electronic filing of all pleadings and documents otherwise required to be filed in hard copy.

(Continued on page 4)

PRESIDENT'S CORNER

BY PATRICK J. KENNEY, ESQ.



How can this bar year almost be over? The year has certainly flown by, seemingly hastened by the onset of the COVID-19 pandemic. Like all in the community, the Association was forced to adapt to judicial emergencies, stay-at-home orders, and the economic slowdown. It has been an honor to serve as President of the Association and I remain humbled at the trust placed in me by our members. I thank all of the officers and directors for their dedication and service during these trying times.

Executive Director Diane Higgs, as usual, has been the tip of the spear navigating the Association through the year and especially through a series of firsts for the Association during the pandemic. In a matter of months, the Association successfully conducted an on-line Judicial Endorsement Meeting and our first on-line membership meeting. These accomplishments simply would not have happened without Diane. Many thanks.

The Board of Directors remains committed to maximizing value for RBA members. The RBA remains committed to keeping our members engaged throughout the pandemic. The Board is in the planning stages of offering CLE webinars to our members to make up for the Spring CLE cancellations. Another change to be on the lookout for is the 2020-2021 dues invoice. The Directors have decided to make dues payments voluntary for the next bar year to all 2019-2020 members. The Association wishes to retain all members, and does not want to lose those that have suffered financial hardships due to the pandemic. Of course, the Association encourages all firms and attorneys that are able to pay their 2020-2021 dues to do so. With this plan, the Board believes we are fulfilling our role to assist our members during this hardship.

Lastly, I wanted to specially thank those Directors that are retiring in June 2020 at the end of their terms: Lee Osborne, Justin Simmons, and Bob Ziogas. They have given countless hours in service to the Association, often taking little credit, and they all have left the Board of Directors and the Association better than they found them.

I hope everyone has a safe and prosperous summer and look forward to seeing everyone in the Fall for our 2020-2021 Bar year.

Patrick J. Kenney is a solo attorney.

ProBono Volunteers Handle 30+ Conflicts Cases

Recognizing the importance of equal access to justice for individuals at all levels of the economic spectrum, the Roanoke Bar Association committed to receiving conflicts cases from Blue Ridge Legal Services, Inc. and the Legal Aid Society of the Roanoke Valley. These cases qualified for services from those agencies except for conflicts of interest. In the course of the 2019-2020 calendar year, the RBA handled 30+ conflicts cases for these agencies. Thank you to everyone who volunteered.

MY SUPERLATIVE CASE: WHAT ACCESS TO JUSTICE?

BY DAVID BIEDLER, ESQ.

This article is the latest installment in a series of musings from RBA members about their superlative cases, legal counseling opportunities, or other law-related endeavors that remind us of why we became lawyers. The RBA invites its members to share stories about their superlative cases.

Legal Aid attorneys routinely assist poor people in legal matters, enabling the poor to have access to justice equal to their wealthier adversaries who can afford to hire lawyers to fight for them. But it is unusual to assist a client with a legal problem exacerbated by her inability to access the halls of justice.

I first met Linda Wohlford in the summer of 1997 during one of my monthly outreach treks to Bedford Christian Ministries where, for more than 25 years, I have met with clients unable to meet at our office in Roanoke. Linda told me that she rented an apartment in Bedford County that needed repairs, but the landlord would not accommodate her. I advised her to go to the Bedford County General District Court and file a Tenant's Assertion and Complaint so that a judge could review the repair issues and, if appropriate, order her landlord to make the repairs, and then let me know whether she gained the relief she sought. I drove back to Roanoke.

A week or two later, I followed up with Linda. She told me that she went to the courthouse later that day to file the Tenant's Assertion but couldn't get into the courthouse, so she left. Frustrated with her inability to obtain needed repairs or get into the courthouse for help, she said she moved out of her apartment. I asked her why she couldn't get into the courthouse, and she told me that there was only one available entranceway into the courthouse, requiring a climb of eight steps up to the front door of the courthouse. Why was this a problem for Linda? Because she had mobility limitations and used a wheelchair to get around. She had no access to justice.

I was shocked by what Linda had just told me. It never occurred to me that the courthouse might be inaccessible to a person with mobility limitations, largely for two reasons: First, the Americans With Disabilities Act of 1990 (ADA) had been in effect for seven years and mandated that public institutions, like courthouses, be accessible to the disabled by July of 1992. Second, and probably the major reason it never occurred to me, was because I had never been confined to a wheelchair and never experienced the barriers around us that people with disabilities experience every day in our communities. I was humbled. As a lawyer regularly practicing law in the Bedford courthouse, I became determined to find a way to make the courthouse accessible to Linda, too.

I filed a request under the Freedom of Information Act with Bedford County seeking all documents related to the County's obligation under the ADA to make the courthouse accessible to people with disabilities. I obtained a wealth of information in response, showing that the County clearly had known of its obligations under the ADA for years but had been dragging its feet due to the anticipated costs of making the courthouse accessible (estimated at \$7 million at the time) to people like Linda.

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QUICK REPORT FROM A PAIR OF TELEPHONE ORAL ARGUMENTS AT SCOVA

BY JAY O'KEEFE, ESQ.

REPUBLICATED BY PERMISSION FROM
DENOV0: A VIRGINIA APPELLATE LAW BLOG

I had my first two telephone oral arguments in the Supreme Court of Virginia this morning [April 14, 2020]. Merits arguments at that. They were weird! How so? Glad you asked:

Process. The Court scheduled six arguments this morning starting at 9:00—three before the recess, and three after. The Clerk's office asked the lawyers arguing the first three cases to call in at 8:45 and the lawyers arguing the fourth through sixth cases to call in at 11:00. My cases were set to start at 11:15, so I called in with the second group. The Clerk, Doug Robelen, gave us a briefing and confirmed that our audio sounded okay. He asked the lawyers who weren't participating in an argument to mute their phones. My arguments started at 11:15 and 11:45. Before each argument, Doug took a roll call to confirm that all the participating justices and lawyers were online. Since we did not have a timer or a podium traffic light, Chief Justice Lemons performed basic time keeping duties.

Setup. I called in using a headset and my VOIP system. The idea there was to get some freedom of movement without the audio issues that speakerphones entail. If I'd used a speakerphone, I would have taken Willy Jay's advice and spread a towel over my table to reduce paper-shuffling noise. Unlike you BigLaw types, I do not have my own personal lectern, so a very formal banker's box had to suffice:

(If you think this is shabby, I won't tell you about my oral argument hoodie.) I kept my computer at another desk with my softphone on mute when I wasn't arguing. I used my watch's stopwatch function to time the argument. I don't use the stopwatch app on my iPhone because the phone goes to sleep halfway through an argument. I'm sure that there's an easy fix but finding it would cut into my bike time.



Takeaways. Here are some observations, in no particular order:

- *Great Job by the Clerk.* First things first: The Clerk's Office

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ROANOKE LAW LIBRARY NEWS AND INFORMATION

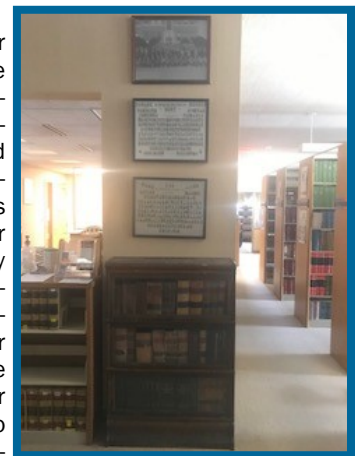
BY JOSEPH KLEIN, LAW LIBRARIAN

This is usually the time of year we are preparing for vacations and fun in the sun. Not in 2020. The only thing we are preparing for is uncertainty. I hope you all are having or have had a productive quarantine. At the Klein household, we built my daughter a new treehouse, planted a garden, and got a puppy. The Law Library has been closed since the middle of March, and I have been missing you all tremendously. I have still been working at the Law Library most days but have also been working at home a few days every week. I gather that many of you are working from home as well, and I hope your workspace is nicer than the unfinished basement I am set up in as I type this. But I cannot speak more highly of my new coworkers (even if they are loud at times). I have been in contact with some of you, but I miss my daily conversations with the members of the Roanoke legal community. Working with and serving you all is a true joy. I can't wait to see you again.



I have been anything but idle during these last few months—shifting collections, reorganizing, making space for future growth, and doing all that I can to make the Roanoke Law Library better organized and easier to use. In the process, I have created a great number of surplus materials that will be available to anyone who is interested. There are a lot of Virginia CLE binders and Virginia Practice series treatises on various topics of Virginia Law, and while they are not completely up to date, they would still be invaluable resources for your law practice. Give me a call or stop by when we reopen to check them out.

During my efforts over the past few months, I have also uncovered a trove of historical Roanoke Bar Association materials, including old RBA Handbooks, photos, binders with attorney biographies and pictures, and many other items. I have created a display with some of the old RBA photos. I plan to make a collection of all the Roanoke Bar Association materials, to be stored in one place for easier access. Eventually, I hope to scan some of these documents and make them available electronically.



Speaking of reopening, the City of Roanoke and the Roanoke Public Libraries are in the process of creating plans to reopen our facilities. At this point, there is no definitive plan in place. I will relay any pertinent information to the Roanoke Bar Association as soon as I have details. In the meantime please do not hesitate to contact me with questions about the status of reopening or any legal research needs you may have. Email me at joseph.klein@roanokeva.gov or give me a call at 540-853-2268.

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SIGNATURE REQUIREMENTS IN A COVID-19 AND POST-COVID-19 WORLD

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So what does the future look like? Hopefully, courts across Virginia will universally adopt e-filing (and e-signatures) through the VJEFS system. Much like the CM/ECF system, attorneys would be able to file anywhere in the state, saving their clients the time and money otherwise required to drive to deliver pleadings or to overnight pleadings by FedEx. E-filing would save paper, time, and money all around. Firms and court reporters and clients alike are seeing the cost savings of remote depositions and e-notarization and are likely to adopt such practices where practical. In the meantime, until June 28 (for now), attorneys are allowed to submit electronic pleadings with electronic signatures to any circuit court and to the appellate courts in Virginia. Most courts have their own requirements and processes, so be sure to call the clerk's office ahead of time to make sure your pleading will be accepted. Stay safe and stay well!

/s/Alicha M. Grubb

Alicha M. Grubb is an associate at Gentry Locke.

RBA ANNOUNCES AWARD RECIPIENTS FOR 2020

At the Roanoke Bar Association's 95th Annual Meeting, President Patrick Kenney announced the recipients of this year's awards. The awards will be presented this fall when in-person meetings resume.

The Frank W. "Bo" Rogers, Jr., Lifetime Achievement Award will be presented to G. Michael Pace, Jr., Esq.

The 2020 Young Lawyer of the Year will be presented to Andrew S. Gerrish, Esq.



G. Michael Pace, Jr., Esq.



Andrew S. Gerrish, Esq.

Congratulations to Mike and Andy on their well deserved awards. Thank you to the members of the Awards Committee for their hard work.

MY SUPERLATIVE CASE: WHAT ACCESS TO JUSTICE?

(Continued from page 2)

Next, I interviewed each of the judges in the courthouse, along with their clerks, to see how they might react if I sued Bedford County. I knew that a successful suit would likely disrupt their work and how important it would be to have the judges on board with my plans. As it turned out, I had nothing to worry about. All of the judges and clerks were supportive of my plan to force the issue, not only because the courthouse should be accessible to all, but also because the courthouse was crumbling down around them.

I learned that the judges had discussed filing their own lawsuit against the County to renovate the courthouse. Judge Phil Wallace, now retired from the bench of the Bedford Juvenile and Domestic Relations Court (J&DR), told me that he had broken his leg skiing the previous winter and had great difficulty navigating the stairs down to the J&DR courtrooms. He also told me about the times he had to leave his home during heavy rainstorms in the middle of the night in order to lift cardboard boxes of files off the courthouse floor so they wouldn't get wet from water seeping into the basement. Carol Black, then Clerk of the Circuit Court, also told me that water would stream from the walls of her third floor office during heavy rains, causing her staff to scramble to preserve documents.

I also learned from courthouse personnel that when they saw someone in a wheelchair at the bottom of the steps, they would go out and meet them. If the person wanted into the courthouse, then the personnel would lift the person out of the wheelchair, carry her up the eight steps and into the courthouse, then retrieve her wheelchair. The court personnel also confided that they sometimes accidentally dropped a person on the steps as they carried the person up the stairs. I knew the time was ripe for taking action on Linda's behalf.

I quickly prepared a complaint and filed suit in the U.S. District Court, alleging violations of the ADA by Bedford County. Bedford officials and the County Attorney worked rapidly to reach an agreement with us once suit was filed. Judge James C. Turk entered an injunction ordering immediate, temporary measures to make the courthouse accessible, including building a wooden wheelchair ramp up the courthouse steps and installing motorized seats on stairwells, since there were no elevators inside the courthouse. Judge Turk also ordered that the County begin permanent renovations to the courthouse. The ugly wooden ramp zig zagging up the front of their coveted courthouse prompted County administrators to find a permanent solution.

As predicted, there were disruptions to the administration of justice. The County built a one-floor, pre-fab temporary courthouse in an industrial park a few miles northeast of downtown Bedford, where all of the judges would be holding court for the next two and a half years. That required removing and relocating court files and records, courtroom benches, tables, and pews to the new location. The old Bedford courthouse and the adjacent Burkes-Scott Building, which housed the Bedford County Department of Social Services, were renovated and made fully accessible during that time, at a final cost of about \$17 million. The delays in addressing accessibility were costly.

Now everyone, including Linda, has access to justice through Bedford's courthouse doors. The renovated building, sitting at the top of the hill on Main Street, is a centerpiece of downtown Bedford for which its citizens can be proud. Our mis-

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Having previously served twenty-one years as both a full time and a retired, recalled circuit court judge, Jonathan M. Apgar has successfully mediated scores of cases. He is also certified in civil mediation by the National Judicial College. He offers skilled mediation and arbitration at a modest cost.

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MY SUPERLATIVE CASE: WHAT ACCESS TO JUSTICE?

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sion at Legal Aid to provide equal access to justice for the poor was successful and continues today.

David Beidler is the Executive Director and General Counsel for The Legal Aid Society of Roanoke Valley.

The Roanoke Bar Association Receives a
2020 Award of Merit

for

*You and the Law: Legal and Social Tools
for Assisting Survivors of Violence*

Presented by

The Conference of Local and Specialty Bar Associations

 **YOU AND THE LAW**

QUICK REPORT FROM A PAIR OF TELEPHONE ORAL ARGUMENTS AT SCOVA

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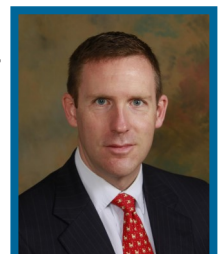
did a fantastic job getting this thing up and running under trying circumstances. Overall, it worked beautifully. Huge compliments to Doug, Muriel Pitney, and everyone else involved.

- *Defense Against the Dark Arts.* One of my arguments apparently had some feedback issues that didn't seem to be coming from my end (because I'm told that they weren't present during the soundcheck or my other argument). Not a big deal. The Court's IT staff thought that it might be the result of another participant leaving his phone unmuted. That has some potential for mischief, no? If a lawyer can disrupt an argument by putting opposing counsel on speaker and forgetting to hit mute, then we need to police phone etiquette pretty zealously. We might also consider having a separate line for each argument. (To be 1,000% clear, I AM NOT SAYING THAT THIS IS WHAT HAPPENED TO ME. I don't know what happened. I haven't even listened to the audio yet. And I certainly don't mean to imply that any of the lawyers in my cases did anything intentionally; I like the lawyers in my cases, and I know that they'd never do that. I'm just suggesting that if this kind of interference is even a possibility, we should be mindful of it going forward. Or try Zoom. ;-))
- *Pacing.* It is about 10x easier to handle argument stress when you can pace around your office while the Other Guy is talking. You can physically work off the tension and nerves while keeping your energy up. Big plus.
- *No Body Language or Eye Contact.* This was really challenging for me. I speak quickly and wind myself up as I go. In person, I rely heavily on eye contact and body language to know when to shut up and let somebody ask a question. Without that input, I tried to slow down and take more time after my points, but I am not sure that I succeeded. At all.
- *No Routine.* I am a creature of habit and routine. I have a definite routine for arguments in Richmond—same hotel, same meals, same bedtime, etc. All of that went out the window. I tried to make up for it by crafting a pretty comfortable setup in my office, but it was still disconcerting.
- *Fewer Questions.* The Court asked fewer questions than usual. (Or I didn't give them enough room to jump in?)

So what's the verdict? I was wrong: Telephone oral argument wasn't as awkward as I'd feared. I hadn't considered how comfortable it would be to work from my own office.

Live arguments are still better, though.

Jay O'Keeffe is a partner at Johnson, Rosen & O'Keeffe LLC.



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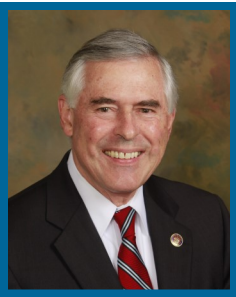

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Traditionally, the RBA invites local legislators to speak at its annual Law Day meeting on recent developments in the Virginia General Assembly. Since this year's Law Day meeting was canceled due to the COVID-19 pandemic, the editors asked local legislators to provide their legislative update in writing for publication. The editors received responses from Senator John S. Edwards and Delegate Sam Rasoul, which are published in full below.

REPORT OF 2020 SESSION OF THE VIRGINIA GENERAL ASSEMBLY

BY SENATOR JOHN S. EDWARDS, ESQ.



The 2020 Session of the General Assembly was the most productive of my 25 years in the Senate. It has also been historic.

We voted to ratify the Equal Rights Amendment to the U.S. Constitution. We raised teacher pay and the minimum wage, and took steps to lower the cost of prescription drugs and health insurance.

We made major investments in transportation and began to reform our criminal justice system. We passed the Clean Economy Act and made great strides to deal with climate change.

Of 3001 bills introduced, 1351 (45%) were passed in the two-month session. Here are a few of the bills I pushed for this year to move the Commonwealth forward.

Lowering the Price of Prescription Drugs

Last year, as a member of the Joint Commission on Health Care, I initiated a study of prescription drug "price gouging." After an in-depth study, we learned that Pharmaceutical Benefit Managers (PBMs), used by insurers to determine the price of drugs, were engaging in nontransparent practices that caused extraordinarily high prices for prescription medicines. As a result, I introduced Senate Bill 251 to license PBMs by the Bureau of Insurance and to outlaw a little-known practice called "spread pricing," used to extract massive profits. I was delighted that the bill passed the Senate 33-7 and the House 98-0. This should have the effect of reducing the high cost of prescription drugs.

Surprise Billing

People have been complaining about receiving a "surprise bill" from an out-of-network health care provider after a visit to the hospital. This practice will now stop. Due to legislation I cosponsored this year (Senate Bill 172), a patient's health insurance carrier will pay the out-of-network provider an amount determined through mediation. Patients need only pay the copay required by their own insurer. I was pleased the legislation passed the Senate 36-4 and the House 99-0. Patients will no longer be responsible for the out-of-network provider's "surprise bill."

Medigap Insurance

I have been working for several years to require supplemental Medicare insurance to be offered for people under 65 years of age who are eligible for Medicare by reason of a disability. These supplemental policies are essential to pay for healthcare for people under 65 living with a disability. This year

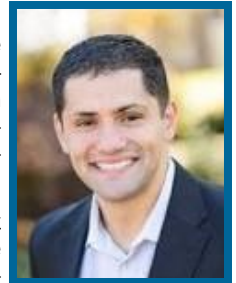
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VIRGINIA CHANGING WITH THE TIMES

BY DELEGATE SAM RASOUL

The 2020 General Assembly session was one of firsts. In addition to being the first legislative session overseen by a nearly all-female leadership team, that team shepherded in some of the most progressive legislative packages in Virginia's history.

The following are some laws that were introduced or passed that might have an impact on future criminal and civil cases.



In the realm of criminal justice reform, our General Assembly pushed to eliminate policies that disproportionately affect low-income Virginians and people of color. Unfortunately, too many people continue to suffer for a mistake they made early in life, long after their sentence is completed. Many in our families, businesses, and workforce are kept from actively participating in our communities because of Virginia's severe and unforgiving justice system.

Some of the top criminal justice policy reforms include:

Juvenile Age Increase. Fourteen-year-old children should not be treated as adults in our court system. HB 477 increases the minimum age at which a juvenile can be charged as an adult from 14 to 16 in most circuit court cases.

Suspended License. HB 1196 ends the practice of suspending driver's licenses due to unpaid court fines, allowing more people to drive safely on Virginia's roadways.

Felony Larceny Threshold. Under HB 995, we voted to increase the felony larceny threshold from \$500 to \$1,000.

Equality and equity are cornerstones of our democracy. This session, we fought to ensure that our Commonwealth is a place where everyone can thrive. There were numerous historic moments during the 2020 session, but none quite as momentous as when we became the 38th state to ratify the Equal Rights Amendment. This long-standing fight brings together generations of empowered women and allies to demand women's equality.

Some additional policies around equality and equity include:

Virginia Values Act. Every Virginian should feel safe from discrimination. The Virginia Values Act, HB 1663, not only adds sexual orientation and gender identity as protected classes in housing, employment, and public accommodations, but it also establishes a new framework for people who feel they've been discriminated against to take legal action. This historic vote makes Virginia the first state in the South to create a protected class for LGBT individuals.

Immigrants' Rights. HB 1211 removes the citizenship requirement for driver's licenses in Virginia to ensure safer roads for all. Immigrants who previously drove without testing for fear of deportation will have access to a state-issued license as of January 1, 2021.

Domestic Violence Housing Protections. HB 99 ensures victims of domestic abuse can find safe and secure housing if their abuser previously controlled and wrecked their finances. The bill was the brainchild of our "You Write the Bill: Participatory

(Continued on page 10)

SENATOR JOHN S. EDWARDS, ESQ.

(Continued from page 9)

my legislation, Senate Bill 250, passed the General Assembly unanimously! Virginians under 65 with disabilities will now have access to supplemental Medicare insurance.

Health Insurance Exchange

To lower the costs of health insurance, I introduced legislation (Senate Bill 226) to establish a Virginia state-based exchange (SBE) as an alternative to the federal exchange (Healthcare.gov). This should allow more Virginians to be enrolled in private health insurance. My bill was rolled into an identical bill, Senate Bill 732, which passed both houses.

Epinephrine in Restaurants

With childhood allergies on the rise, restaurants should be able to stock epinephrine and provide training and civil protection to employees who may need to administer the medication in an emergency. This lifesaving drug can stop anaphylactic shock in persons who may be unaware of having a deadly food allergy, which can be as common as peanuts or strawberries. I introduced Senate Bill 530 to give Virginia families the same protection 36 states already have. The bill also passed the General Assembly without opposition.

Clean Energy

I introduced Senate Bill 532 to promote solar and clean energy. It was rolled into the Virginia Clean Economy Act (Senate Bill 851), which requires utilities to be carbon-free by 2045. It expands residential solar energy by lifting the net metering cap, requires Virginia to join with northeastern states in the Regional Greenhouse Gas Initiative (RGGI), and sets a retirement schedule for existing coal power plants. Our responsibility to future generations requires bold steps to preserve our environment and protect against climate change.

Transportation

This session we took steps to address our rural roads, and not just the Interstate highways as was the case last year. I introduced Senate Bill 452 to equalize the gas tax across regions and direct the new revenue of \$120 million annually to improving our rural roads. After passing the Senate 24-15, my bill was also added to the Governor's omnibus transportation package (Senate Bill 890). The legislation also includes bonding authority for the I-81 Commission to expedite improvements to I-81. Longer term, the legislation also calls for a study of passenger rail connecting the New River Valley to Hampton Roads.

Rural Broadband

I introduced Senate Bill 536 to direct the Tobacco Commission to invest \$50 million in broadband for Virginia's rural areas. The bill was continued to next year, but \$70 million was appropriated in the budget over 2 years for this purpose. Broadband in our rural communities is a necessary infrastructure just like roads, electricity, and schools to bring jobs and improve the economy.

Gun Safety Legislation

We accomplished historic gun safety legislation this year. The public is demanding that steps be taken to prevent more senseless deaths and save lives. This year, seven of the Governor's eight proposals passed and will become law.

My bill (Senate Bill 543) requires mandatory background

(Continued on page 11)

DELEGATE SAM RASOUL

(Continued from page 9)

Lawmaking Forum" that my office hosts annually.

One of the most common complaints I receive from constituents is the rising cost of healthcare. As one of the world economic leaders, our country should provide every American with access to high-quality healthcare. So often people hear that and assume we are talking about low-income Americans, but as COVID-19 spreads across the United States, we see how many of our rural communities suffer from a lack of healthcare access. This session, we worked on finding solutions to the gaps in coverage.

Here are some of the top changes in healthcare:

Insulin Cap. Astronomical insulin prices led to some people rationing or forgoing taking this critical medication, which can have lethal results. HB 66 prohibits insurance companies from charging more than a \$50 co-pay for a 30-day supply of insulin.

Surprise Medical Billing. Surprise medical bills most often arrive in the wake of an unexpected emergency room visit when there's no time to determine whether an ER physician or the hospital you're taken to is an "in-network provider." HB 1251 protects patients from these surprise bills.

State-Based Healthcare Exchange. Following the federal rollbacks of several key provisions of the Affordable Care Act—including a dramatic reduction in funding for groups that help consumers navigate and enroll in the federal marketplace—our General Assembly opted to pass legislation to join 13 other states by creating a state-based healthcare exchange. HB 1428 aims to stabilize the often volatile health plan marketplace and funnel more money back to the state for outreach and enrollment efforts. Stay tuned for additional information.

Since the beginning of the COVID-19 crisis, we have seen an unprecedented amount of unemployment claims filed in our Commonwealth. In order to get through this crisis, we will need to push for policies that uplift our workers, and protect our small businesses.

Some of the top changes in economic development include:

Predatory Lending Reform. Some of the lending going on now gouges borrowers and makes obscene profits for predatory lenders who have no interest in helping people. I chief co-patroned the Virginia Fairness in Lending Act, HB 789. The final version, which goes into effect July 1, 2021, largely centered around the parameters of short-term loans. The bill incorporated four other proposed House bills aimed to tighten regulation on consumer lending, financing for personal or household purposes, and to close existing loopholes for corporations.

Minimum Wage. The majority of Virginians support a living wage. I co-patroned HB 395 to incrementally increase the minimum wage to avoid negatively impacting small businesses. The bill increases the minimum wage from its current level of \$7.25 per hour to \$9.50 per hour effective May 1, 2021.

Roanoke Regional Airport. The General Assembly passed HB 1602 to create the Governor's New Airline Service Incentive Fund to provide the means for attracting new passenger air service routes to the Roanoke Regional Airport.

As we move through these changing times, please do not hesitate to reach out to my office. We need to work together to get through this.

SENATOR JOHN S. EDWARDS, ESQ.

(Continued from page 10)

checks at gun shows, "closing the gun show loophole," replacing voluntary background checks available through the Virginia State Police. This bill passed the Senate on a bipartisan 26-14 vote and passed the House 54-44.

Criminal Justice Reform

We raised the felony larceny threshold from \$500 to \$1,000, decriminalized possession of small amounts of marijuana (\$25 civil fine for possession up to one ounce), and prohibited the automatic revocation of drivers' licenses solely for failure to pay fines and costs.

My bill (Senate Bill 91) to replace the rigid no parole system and bring back the parole board's ability to determine parole eligibility on a case-by-case basis was continued to be studied during the year, along with Senate Resolution 9.

The Governor's New Airline Service Fund

In order to bring new air travel from Roanoke, I sponsored Senate Bill 990 to incentivize the industry to offer new flights from the Roanoke-Blacksburg Regional Airport. This legislation will benefit other Virginia airports as well, and we should see new flights from Roanoke to places such as Dallas and Denver. This bill passed the Senate 40-0 and the House 82-12.

* * * *

I was able to obtain additional funding for our region in the biennial budget:

Roanoke Higher Education Center. Funding for increased campus security and a new Student Success Center.

Radford University. Funding to equalize tuition at the Roanoke and Radford campuses, and additional funding for need-based financial assistance.

Virginia Western Community College. Funding to cover associate degree programs in Physical Therapy and Surgical Technology due to the Radford-Jefferson College merger.

Virginia Tech. In-state undergraduate tuition moderation.

Blue Ridge PBS. \$500,000 each year of the biennial budget for educational outreach programs.

Woodrow Wilson Presidential Library. \$250,000 for facilities support for one of the few presidential libraries that receives no federal funds.

Amtrak. Study of a "connector bus" from Roanoke to the Clifton Forge Amtrak station.

* * * *

Representing the 21st Senatorial District continues to be fulfilling and rewarding service which I enjoy every day. Please share your views on my website at www.johnedwardsva.com or I can be reached by email at either senator@edwardsva.com or at district21@senate.virginia.gov.

You can visit the General Assembly website at lis.virginia.gov for more information on legislation considered this year. Thank you for your continued commitment to a more just and progressive Commonwealth.

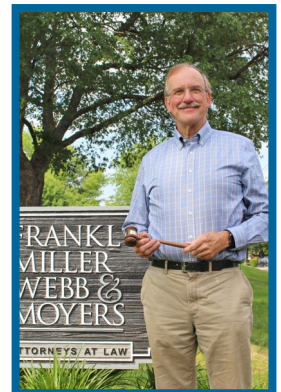
I look forward to hearing from you.

RBA 95TH ANNUAL MEETING

On June 9, 2020, via video conference, President Kenney called the Roanoke Bar Association's 95th Annual Meeting to order. He announced the Roanoke Law Library and the RVLSA had received donations for 2020. Officers and directors for the 2020 – 2021 RBA year were elected. Patrick Kenney virtually passed the RBA gavel to new president Daniel Frankl, who then recognized Patrick for his service as president to the RBA.



Patrick Kenney



Dan Frankl

ROANOKE LAW FOUNDATION ACTIVITIES

There are over 120 Carilion employees who are dedicated to caring for the patients impacted by Covid-19. To say "thank you" to these dedicated professionals, the "Meals for Heroes" program has provided catered lunch, dinner and desserts to those working shifts in the Covid-19 unit at Roanoke Memorial Hospital. This program is a joint effort coordinated by the Shenandoah Club and the Roanoke Law Foundation with support from the RBA membership, the Salem Roanoke County Bar Association, and area organizations. Over \$14,000 has been raised to support this program.



Clay Goode



Harrison Putney

The RLF presented two 2020 James N. Kincanon scholarship awards. The recipients are Clay Goode, who will be attending Santa Clara University School of Law in California, and Harrison Putney, who will be attending the University of North Carolina School of Law. A grant from the RLF was also awarded to the Legal Aid Society of Roanoke Valley to help fund a project to make its website more user friendly.

ANNOUNCEMENTS

NEW MEMBERS

The Roanoke Bar Association welcomes the following new members:

Effective July 1, 2020

Active Members

Christina Hubbard, Gentry Locke

UPCOMING EVENTS

Roanoke Bar Association Meetings 2019 - 2020

September 10, 2019

October 8, 2019

November 12, 2019

December 10, 2019

January 14, 2020

February 11, 2020

March 10, 2020

April 14, 2020-CANCELLED

May 1, 2020 (Law Day)-CANCELLED

June 9, 2020 (Annual Meeting)-
GOTOmeeting Event

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

OFFICERS

Patrick J. Kenney 982-7721
President

Daniel P. Frankl 527-3515
President-Elect

Macel H. Janoschka 725-3372
Secretary-Treasurer

J. Lee E. Osborne 983-7516
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DON'T FORGET TO CHANGE YOUR ADDRESS!

Name: _____ Firm: _____

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Phone: _____ Fax: _____

Email: _____

Complete and Forward to: Roanoke Bar Association, P.O. Box 18183, Roanoke, VA 24014

Email: rba@roanokebar.com