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

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JUDGE CONRAD MEMORIAL AND PORTRAIT UNVEILING

BY JENNIFER WILLIS, ESQ.

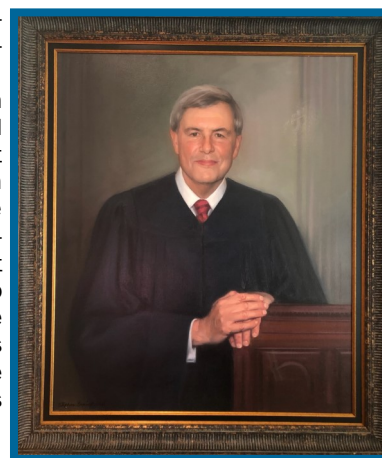
The Honorable Glen E. Conrad's portrait was unveiled during a memorial ceremony held in the Ted Dalton Ceremonial Courtroom at the Richard H. Poff Federal Building on May 19, 2023. Many family members, friends, judicial colleagues, former law clerks, and local attorneys attended the ceremony honoring Judge Conrad, who passed away on May 20, 2021, following a remarkable 45-year career as a judge in the United States District Court for the Western District of Virginia.



Born in Radford, Virginia, Judge Conrad obtained his undergraduate and law degrees from William & Mary. After graduating from law school in 1974, he began his career in federal service as a probation officer and law clerk in the Abingdon Division of the Western District of Virginia. He was appointed United States Magistrate Judge in 1976, and he served in that capacity in the Abingdon, Charlottesville, and Roanoke Divisions for over 27 years. At the time of his appointment, he was the youngest federal magistrate judge in the nation.

In 2003, President George W. Bush nominated Judge Conrad to serve as United States District Judge, and the Senate confirmed his nomination that same year. He served as Chief Judge for the Western District of Virginia from 2010 to 2017. He took senior status in December 2017 but continued to maintain a full civil caseload.

Chief United States District Judge Michael F. Urbanski presided over the ceremony. Judge Urbanski was joined on the bench by other local federal judges, including Fourth Circuit Judge G. Steven Agee, who presented written remarks in memoriam from Circuit Judge J. Harvey Wilkinson III. In his written remarks, Judge Wilkinson described Judge Conrad as "someone of extraordinary experience and erudition," who had the "perfect judicial temperament," a "strict attention to duty," and a balanced perspective. Judge Wilkinson noted that "[w]henver there was any discussion of distinguished judges in the Fourth Circuit, [Judge Conrad's] name always and invariably came up."



Portrait of United States District Judge Glen E. Conrad. Painted by portrait artist Stephen Craighead

State Circuit Judge Robert M.D. Turk, who has known Judge Conrad's family since childhood, delivered remarks at the ceremony. He described Judge Conrad as a "judge's judge" and a great friend, who was hardworking, diligent, fair, and dedicated to his family and the law. Judge Turk also spoke about Judge Conrad's competitive spirit, his strong attachment to the University of Virginia's athletic teams, and his love for his wife of 39 years, Mary Ann Steger Conrad.

Judge Turk was followed by Jennifer Willis, Judge Conrad's longtime career clerk. Willis highlighted some of the many qualities that made Judge Conrad a great judge, a great human being, and a great example to those who had the privi-

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PRESIDENT'S CORNER

BY LORI J. BENTLEY, ESQ.



As my term as RBA President comes to an end, I am reflecting upon the old saying "the days are long, but the years are short." This one short phrase encompasses my feelings about the 2022-2023 bar year. While the year has been jam-packed with events and activities that sometimes seemed a bit overwhelming, I am grateful to have had the opportunity to serve and extremely proud of all that the RBA has been able to accomplish in

such a short time.

Starting in the fall, we were able to assist with the Roanoke City J&DR Courthouse renovation of the attorney/client meeting rooms to help those serving some of our community's most vulnerable citizens. Working closely with Judge Carson, we again hosted a Welcome to the Courthouse event for the young lawyers to help them get acclimated to practice in Roanoke. Moving into the holidays, we hosted the largest Santa at the Station event in years and were greatly rewarded with many smiling and happy children and families. Shortly after that, we held a judicial endorsement meeting for a vacancy in the J&DR court and the membership endorsed Adam Moseley, who was ultimately elected by the General Assembly.

In February, we had another successful Bench Bar Conference. We then moved full steam ahead into spring by donating a large number of books left over from prior years of the Barrister Book Buddies project to the Roanoke City Schools. We provided volunteers for the Rule of Law project to speak with Roanoke County 8th graders on this important topic. We also participated in the investiture ceremony for Judge Moseley. In May, we hosted the second annual Shine and Dine graduation party for homeless students in Roanoke City, which provided more warm smiles and thanks. We took part in the memorial ceremony and portrait unveiling honoring the late Judge Glen E. Conrad. If you have not had a chance to see it, I highly recommend that you take the time to visit the Ceremonial Courtroom at the Richard H. Poff Federal Building and sneak a peek at this wonderful portrait that truly captures his spirit.

At our monthly lunch meetings all year, we had the opportunity to enjoy a meal and fellowship as we heard from informative speakers on a wide variety of topics. Sprinkled throughout the year were a number of excellent free or reduced-cost CLE programs culminating in the well-attended Legally Aging presentation on May 18. These programs are a tremendous benefit to RBA members and we appreciate your dedication and attendance at these presentations throughout the year. If you have a suggestion of a topic that you would like to see covered next year, please reach out and let us know.

Finally, our Operation Family Time project is now in its final stages. I am happy to announce that we received full funding for all requested items. The video monitoring system has been installed and is up and running. The rooms have been painted, and furniture and other requested items are

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UPDATE ON BOOK BUDDIES

In 2019-2020 the RBA celebrated the 20th year of Barrister Book Buddies. Due to COVID-19 the program was put on hold until it was safe to resume in-person events. The Roanoke City Schools has asked us to return for 2023-2024. The RBA has received a thank you letter from one of the teachers who participates in the program.

For the past 11 years, my adaptive curriculum class at Lincoln Terrace has participated in the Book Buddies reading program with Mollie Elder and Ellie Laskey. This program has meant the world to me, my assistants, and my students. The ladies work diligently to bring the stories they read to life for my students, and they ensure that the stories that they read are at an appropriate level for my special needs students to comprehend. As a book buddy, it is important to come to the classrooms with enthusiasm, a desire to have fun, and never be afraid to act silly! Both of my book buddies have provided this year after year. The students are so excited to see them each week and are ready to participate in any activity that they may have planned. The Book Buddy program is an important part of our school day because many of our inner-city children do not have the support at home and aren't read to outside of school. They do not develop the love of reading without fostering it, so anything we can provide is a great asset, which is why the book buddy program is essential. I want to personally thank you for the wonderful experience that my students have had with Mrs. Mollie and Mrs. Ellie, they are truly a blessing, and my kids love reading because of their involvement!

Kim Rakes,

Adaptive Curriculum Teacher, grades 3-5

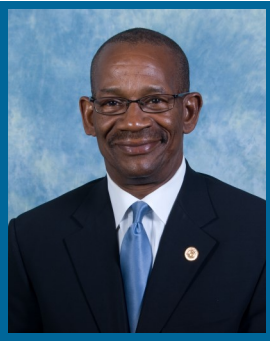


Ellie Laskey and Mollie Elder, book buddies at Lincoln Terrace Elementary School.

The RBA currently has more than 40 teachers who are looking for a Buddy this fall. The elementary schools are: Hurt Park, Preston Park, Morningside, Fallon Park, Lincoln Terrace and Virginia Heights. We are asking for volunteers to register now to ensure we have enough volunteers when school begins in August. Each Book Buddy is asked to read for an hour, at least once a month. You may read more often if you wish. Once the assignments are made, it is the responsibility of the Book Buddy and the teacher to contact each other and determine the schedule. Please see the RBA website to register.

VIEWS FROM THE BENCH: JUDGE ONZLEE WARE

BY CHRISTOPHER S. DADAK, ESQ.



Back in the fall of 2015, the author had the pleasure of interviewing the Honorable Onzlee Ware. That article is available in the September 2015 issue of the Roanoke Bar Review. At the time, Judge Ware was on the J&DR bench. On April 1, 2020, Judge Ware was appointed to the circuit court bench. The author reached out to Judge Ware to do another interview based on his experience as a circuit court judge to which the Judge graciously agreed.

In reflecting on his time on the J&DR court, Judge Ware noted it taught him how to be a judge. "Just like practicing law, you don't know how to do it, until you do it." The workload was significant and "it all involved families." At times Judge Ware was sad to see the same individual repeatedly in his court. He remained empathetic and considerate of the external issues facing many of the individuals appearing in his courtroom. "You can't understand a person until you understand their story. And we all have a story." The court "expanded his understanding of it." He was grateful for his time in J&DR court and the amount of work he put into his service. He believes his experiences there "expanded his understanding" of families' struggles and how those struggles affect how a person thinks and acts.

Judge Ware's experience as a Virginia legislator, "helped prepare [him] for both [his J&DR and circuit court] judgeships." It gave him the background on the laws and the intent in drafting them. Whether he was against or for a bill, he still learned from the process. Still, it took getting used to having a different role. Even outside of being in the legislature, every year, when the session was about to begin and legislators started leaving for Richmond, Judge Ware would "get antsy" and "read all the bills."

Judge Ware has a history of firsts. He was the first student to integrate his local school system in North Carolina. He was the first African-American from Southwest Virginia elected to the legislature. He is also the first African-American circuit court judge in Roanoke. "Being a first is not as glamorous as it appears because nobody knows who you are or what you are because you're the first." "Our judicial system will be as good as how diverse our judges are, and not just by color and gender." We need to appoint judges who "have had some struggles in life" so they can have empathy and different viewpoints. Judge Ware thinks of it as "diversity in understanding." "Being the first is great, but what then? How do we improve?" Judge Ware continued, "If you want the average citizen to have confidence in the criminal system, you need to have judges who have had similar life experience and quite frankly look like them." Judge Ware asks local law firms to "talk about [diversity] because they have more power than they think." "You improve things by talking about" diversity issues—civily of course. "You have to give people a reason to want to stay" in Roanoke. "You have to communicate! Straight up talk." Even if it is uncomfortable at times. Improving diversity in the local legal community is a legacy he hopes to leave behind.

A big positive change in serving on the circuit court for Judge Ware has been "having the time to think." In J&DR

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ROANOKE LAW LIBRARY: NEWS AND INFORMATION

BY JOSEPH KLEIN, LAW LIBRARIAN

I can't believe we are almost halfway through 2023. My kids and most kids in this area are already out of school and it's time for vacation season to begin. Hopefully you all have wonderful plans to get away and relax, spend time with loved ones, and recharge. For me, in addition to vacation, summer also means garden season. This is the time of year when my newly planted vegetables are looking good. That status usually only lasts a few weeks, and then as the heat induces the exponential growth of weeds, things start to decline. Still, while my garden probably won't be as prolific as it could be, you just can't beat fresh vegetables that you have grown yourself.



Summer Reading Program

If you are looking for something to keep yourself or your children occupied this summer, check out the Roanoke Public Libraries. They are the perfect place to spend a lazy afternoon, hang out, and find a great book or movie. As always, our Summer Reading Program, which begins June 12 and ends July 29, will feature hundreds of programs for adults, teens, and children. There will also be opportunities to win fantastic prizes including gift cards, Apple AirPods, Zoo and Transportation Museum memberships, and even a Grill. For more information check out our brochure online at URL <https://www.roanokeva.gov/DocumentCenter/View/18535/Summer-Reading-2023> or call 540-853-2955.



Virginia research using Westlaw and Lexis

As I hope you all are aware, the Roanoke Law Library provides free access to both Westlaw and Lexis. Our subscriptions for both provide access to statutes and case law for all 50 states and federal statutes and case law as well. Both services provide access to case citators so you can ensure that any case you find is still relevant—Lexis with Shepard's and Westlaw with Keycite. Additionally, both services provide access to current and historical annotated Virginia statutes as well as limited legislative history materials and the decisions of Virginia administrative agencies. You can also access Virginia law reviews.

Lexis provides access to historical Virginia statutes dating back to 1991. Lexis also provides access to the comprehensive Virginia legal encyclopedia, Michie's Jurisprudence, as well as Virginia Forms, which is perhaps the most used resource in the Roanoke Law Library. Additionally, Lexis features many authoritative secondary Virginia legal treatises, including Bryson on Virginia Civil Procedure, Domestic Relations Handbook, Goolsby on Virginia Corporations, Harrison on Wills and Administration, Law of Evidence, and Sinclair on Virginia Remedies.

Westlaw provides access to historical Virginia statutes dating back to 2001. Westlaw also provides access to the Virgin-

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MARYELLEN F. GOODLATTE: RECIPIENT OF 2023 FRANK W. “BO” ROGERS, JR. LIFETIME ACHIEVEMENT AWARD



Mark E. Feldmann offered the following remarks in presenting this award.

Madam President, distinguished judges and guests, and fellow members: I am pleased to have the opportunity to recognize Maryellen Goodlatte as this year's recipient of the Frank W. “Bo” Rogers, Jr. Lifetime Achievement Award. I will be brief, as Maryellen would insist.

Maryellen is a native of Norwood, Massachusetts. She is a graduate of Bates College and Washington and Lee University School of Law. She and Bob were married in 1974.

Maryellen entered private practice with Wetherington & Flippin in 1978 and joined Glenn, Flippin, Feldmann & Darby in 1983. Maryellen's practice covers a broad range of real estate, business and finance, land use and zoning matters. Many regard her as the “go to” lawyer for all real estate related matters in the Roanoke Valley. She enjoys the highest ratings by Martindale-Hubbell in recognition of her exceptional ethical standards and professional expertise. She has been regularly recognized by her peers for her professional achievements in Best Lawyers in America, The Virginia Legal Elite, and Super Lawyers.

However, Maryellen's professional accomplishments tell only part of her story. She has also been a valuable contributor to many civic and non-profit organizations in our community, including serving as:

- President of the RBA
- Officer or Director of the Foundation for Roanoke Valley, Downtown Roanoke, Inc., Jefferson College of Health Sciences, Virginia Western Community College Foundation, Carilion Foundation, and The Virginia Museum of Transportation, Inc.
- Co-chair of the City of Roanoke Zoning Ordinance Steering Committee and past recipient of the Dr. Martin Luther King, Jr. Drum Major for Justice Award and the NCCJ Roanoke Region Humanitarian Award.

Maryellen and Bob are the proud parents of Jenny and Bobby and grandparents of Caroline and Claire.

As with all lifetime achievement recipients, Maryellen is a perfect example of how members of the bar should strive to conduct their professional careers: always thoroughly prepared, diligent, dependable, polite and strictly adherent to the highest ethical standards.

Maryellen is highly respected and admired by her clients as well as opposing parties and attorneys. As great a lawyer as she is, Maryellen is an even greater person. She is a “difference maker” in all of her endeavors. It has been my privilege and pleasure to have practiced law and collaborated with Maryellen for almost forty (40) years, and, along with Bill Lemon and Steve Lemon, and perhaps others, to have nominated her for this award.

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T. DANIEL “BO” FRITH, IV: 2023 YOUNG LAWYER OF THE YEAR AWARD RECIPIENT

Sarah C. Jessee offered the following remarks in presenting the award.

Good afternoon, I am happy to be here to introduce Bo and talk about someone else's accomplishments. I am glad that both Bo and I could be here today, because until only a few weeks ago, we were scheduled to be in trial—against each other—this week. As fun as a week-long trial would have been, it's much nicer to be celebrating this award today.



Having grown up in Roanoke, I knew Bo and his brother through North Cross School. I have had the pleasure to get to know Bo better through our work against each other and also through the RBA Board. He is a graduate of North Cross School, and currently serves on the Alumni Board. He graduated from Washington & Lee, where he double majored in Political Science and Anthropology. He worked as a legislative correspondent and assistant to the Chief of Staff at the office of U.S. Senator Mark Warner in Washington, D.C. before returning to Washington & Lee for law school, where his greatest accomplishment occurred—meeting his wife, Krista. She is an Assistant U.S. Attorney in the Civil Division for the Western District of Virginia, and has also been a great addition to the Roanoke community. They have a son, Thomas, and a dog, Zoey.

It may not have been surprising that Bo became an attorney, as his parents, Dan & Linda, are good influences as accomplished and talented attorneys. Bo began his career serving as the law clerk to the Honorable Louise M. DiMatteo in Arlington County Circuit Court. He then worked in Arlington, Virginia for Wilson Elser, a large insurance defense firm. When he moved back to Roanoke in 2017, he left the right side of the aisle of defense work and began representing plaintiffs at the law firm of Frith & Ellerman. I had just graduated law school when he started, and it was nice to see a friendly face on the other side of our cases. In fact, the first deposition I ever took was of one of Bo's clients. He is a good example of the professionalism and compassion that we see in the Roanoke Bar. I am sure Bo could have objected throughout that first deposition (and probably many depositions since then) but has always been professional and kind.

It is also always exciting to work with another father-child team. I am sure that when Bo and I were growing up, and our dads had cases against each other, they did not imagine that their children would then have cases against each other years later. I know that Dan and Linda are proud as well as Lauren Ellerman, who could not be here today, but asked that I share the following:

“Working with Bo is a daily gift. He is thoughtful, smart, detailed, kind and humble. Our staff, and our clients love working with him as well. Within a year of joining our firm, a group of our older female clients had already started a Bo Frith fan club! My favorite Bo ritual is our morning coffee chats – where we do quick case check ins, discuss good and bad TV programs, political stories, and general news. I am so proud for his service to our community, the bar, and our firm.”

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The McCammon Group

is pleased to announce:



Michael E. Harman is now available full-time.

Mike Harman has been a part-time Neutral with The McCammon Group for over a decade while simultaneously serving as one of Virginia's most trusted and respected trial lawyers. He recently retired from Harman, Claytor, Corrigan & Wellman and is now committing his energies to mediation full-time. During his part-time tenure with The McCammon Group, he successfully served as a Neutral in over 100 cases. That experience, combined with decades of litigation experience, gives Mike a rich background in a wide variety of civil disputes, including personal injury, professional malpractice, product liability, trucking, and employment matters. Mike is a Fellow of the American College of Trial Lawyers and a Fellow of the Virginia Law Foundation. Known for his warm demeanor and ethical conduct, he was the 2019 recipient of the VADA-VTLA Civility and Professionalism Award. Mike now makes these talents and experience available full-time to serve the mediation needs of lawyers and litigants throughout Virginia and beyond.

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JUDGE CONRAD MEMORIAL AND PORTRAIT UNVEILING

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lege of knowing him. She noted that “Judge Conrad’s knowledge of the law and his ability to recall prior decisions and the facts of prior cases were unparalleled”; that “he had an innate sense of justice”; and that “he exercised his judicial responsibilities with courage and unwavering integrity—the same way that he lived the rest of his life.” She emphasized that Judge Conrad “treated every single person who entered the courtroom with patience, kindness, and compassion, whether the person was a young attorney trying her first federal case, a *pro se* litigant, or a criminal defendant facing a lengthy term of imprisonment.” She also emphasized that he was a beloved friend and mentor to many law clerks and court staff members and that the lessons they learned from him would positively influence their lives for years to come.

Several former court and chambers staff members were recognized during the ceremony, including Judge Conrad’s long-time courtroom deputy, Susan Moody, and his former judicial assistants, Judy Pace, Linda Draper, and Jan Taylor. Judge Urbanski also recognized Judge Conrad’s former law clerks in attendance at the ceremony, a group that included local attorneys Phillip Lingafelt, Todd Peppers, George Vogel, Carrol Ching, and Linda Gustad.

Representatives of the Roanoke Bar Association, the Roanoke Chapter of the Virginia Women Attorneys Association, the Ted Dalton American Inn of Court, and the Western District of Virginia Chapter of the Federal Bar Association joined in unveiling Judge Conrad’s portrait. The portrait was painted by Stephen Craighead, a Manassas, Virginia artist who has been painting portraits for over forty years. Following the unveiling, Mary Ann Conrad spoke on behalf of Judge Conrad’s family, and Judge Urbanski accepted the portrait on behalf of the court.

A reception sponsored by the bar organizations and local law firms followed the ceremony. The Roanoke Bar Association was pleased to assist with the portrait unveiling and the reception.

As Judge Wilkinson observed, Judge Conrad “showed us all it means to be a Virginian, all it means to be an American, and all it means to be a kind and decent person whose portrait we shall view with gratitude and admiration for many years to come.”

Jennifer Willis served as Judge Conrad’s law clerk for nearly eighteen years and now serves as a staff attorney for the Western District.

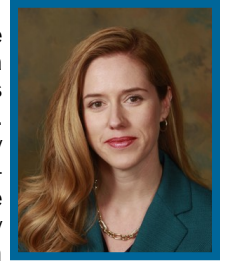


Unveiling the portrait: (left to right) John Jessee, President of the Ted Dalton American Inn of Court; Nancy Reynolds, representing the Board of the Roanoke Chapter of the Virginia Women Attorneys Association and State VWAA Treasurer; Lori Bentley, President of the Roanoke Bar Association; and Kirk Sosebee, President of the Western District of VA Chapter of the Federal Bar Association.

JUDGE ADAM MOSELEY TAKES OATH OF OFFICE

BY ALLEGRA M. C. BLACK, ESQ.

On Thursday, April 27, 2023, Roanoke attorney Adam Moseley was sworn in as a judge in the Twenty-Third Judicial Circuit’s Juvenile & Domestic Relations District Court. Prior to taking the bench, Judge Moseley practiced law in the Roanoke Valley beginning in 2009. From 2003 until 2009, Judge Moseley served in the United States Navy Judge Advocate General Corps and is still an active reservist in the Navy. A native of Florida, Judge Moseley graduated from the University of Florida in 2000 and obtained his law degree from Capital University Law School in 2003.



Judge Moseley was escorted to the well of court and presented his judicial robe by Lori Jones Bentley, President of the Roanoke Bar Association; and Rachel Thompson, Immediate Past President of the Salem-Roanoke County Bar Association. Bryan Garringer, Legalman Chief Petty Officer, United States Navy, Ret., read the commission, and Judge Frank W. Rogers, III, administered the oath of office. Closing remarks by J. Christopher Clemens, Chief Judge of Roanoke City Circuit Court, followed brief remarks by Judge Moseley. He fills the judicial seat formerly held by Judge Melissa Friedman. Judge Moseley began hearing cases on May 1, and will serve a six-year term as J&D Court judge.

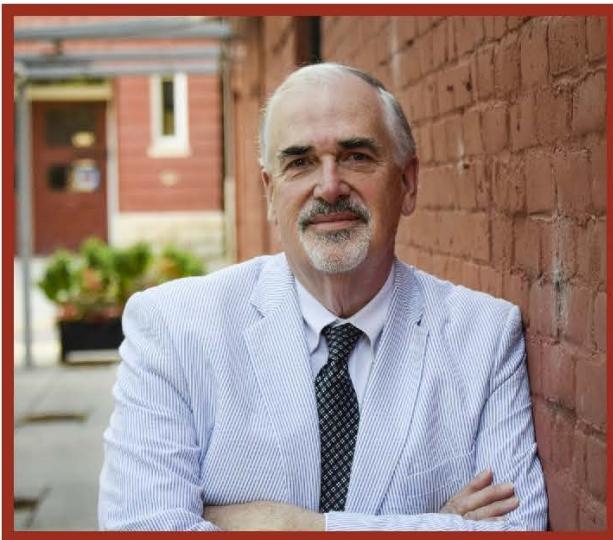
Lori Bentley and Rachel Thompson assist with the robing of Judge Moseley.



Judge Rogers administering the oath.



Judge Moseley

MEDIATION**ARBITRATION****JONATHAN M. APGAR**

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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NEW CORPORATE DISCLOSURE REQUIREMENTS BASED ON FINCEN'S FINAL RULES UNDER THE CORPORATE TRANSPARENCY ACT

BY WILLIAM S. FUSSY, ESQ.



Years of federal bipartisan efforts to increase corporate transparency in order to help prevent money laundering, fraud, corruption, and other illicit activities in the U.S. are at last coming home to roost. On January 1, 2024, the final rule implementing the Corporate Transparency Act's (CTA) beneficial ownership information (BOI) reporting requirements is anticipated to go into effect. It is difficult to understate the impact of this final rule. Any practitioner who advises or assists in creating business entities must be aware of these new requirements. As a result of this legislation and guidance, most newly formed and existing entities will be required to file reports with the U.S. Treasury Department's Financial Crimes Enforcement Network (FinCEN).

Under the legislation, "Reporting Companies" are required to disclose specific information regarding themselves as well as their "Beneficial Owners" and "Company Applicants" to FinCEN. 31 USC § 5336(b)(1) & (2). Each of the defined terms requires specific analysis.

What is a Reporting Company? The definition of Reporting Company includes all non-exempt corporations, limited liability companies, and other entities created by the filing of a document with the secretary of state or similar office under the laws of any State or Indian Tribe. This definition includes foreign companies registered to do business in any State through the filing of a similar document. This definition is broad and is meant to be interpreted as such. Any entity that fits this definition and does not meet an exemption must report. 31 USC § 5336(a)(11)(A). For attorneys practicing in trusts and estates, note that this definition is intended to include some forms of trusts while excluding common law trusts.

There are 23 categories of exemptions from the definition of Reporting Company. See 31 USC § 5336(a)(11)(B) and 31 CFR § 1010.380(c)(2). When considering whether an entity may be exempt, it is important to remember that the main goal of the CTA was to add reporting requirements to generally smaller, more lightly regulated entities that may not be subject to any other BOI reporting requirements. Therefore, many of the exemptions are directed towards more heavily regulated entities that may already be required to report BOI.

The exemption categories include securities reporting issuers, governmental authorities, banks, credit unions, depository institutions, state-licensed insurance producers, accounting firms, public utilities, tax-exempt entities, large operating companies (companies employing more than 20 employees in the U.S., having U.S. gross receipts or sales over \$5M, and having a physical presence in the U.S.), subsidiaries either wholly owned or controlled by an exempt entity, among others. Due to the minutiae of each exemption category, it is essential to review 31 USC § 5336(a)(11)(B) before making a determination regarding reporting requirements.

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ROANOKE LAW LIBRARY: NEWS AND INFORMATION

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ia Practice series, which covers most important areas of Virginia law, including Criminal Law, Probate, Family Law, and Landlord-Tenant Law. For secondary sources, while our Lexis subscription focuses on Virginia resources, our Westlaw subscription provides access to general legal resources such as American Jurisprudence, Corpus Juris Secundum, and American Law Reports, as well as hundreds of subject-specific treatises, some general in nature and some covering specific states.

Both Lexis and Westlaw are invaluable resources for legal research. They are always available on the computers in the Roanoke Law Library without reservation. If you would like further information about Lexis or Westlaw or if you have questions about anything else regarding the Roanoke Law Library, please do not hesitate to call me at 540-853-2268 or email me at joseph.klein@roanokeva.gov.

PRESIDENT'S CORNER

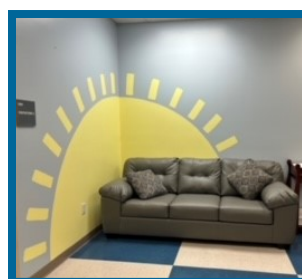
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currently being delivered. Everything is so much more cheerful and welcoming and we hope that the families using these rooms will enjoy them for many years to come! Photos of this wonderful project will be shared as soon as they are available. I am humbled and overwhelmed by the support and commitment of our members to this worthy project. More than that, I am incredibly touched by the responses to the project that we have received from foster families, who are thrilled with all of the upgrades, and DSS staff, who are thankful for our assistance.

Obviously, none of this could have been accomplished without our dedicated Board of Directors, our tireless executive director, Diane Higgs, and you, our wonderful members. You all have my sincere gratitude for a wonderful year that would not have been possible without each and every one of you. I believe that we have one of the best local bar associations in the Commonwealth and I look forward to see what next year holds under the leadership of President Christen Church!

Lori J. Bentley is a partner at Johnson, Ayers & Matthews, PLC.

Renovation Progress in the Family Visitation Rooms at DSS.



MARYELLEN F. GOODLATTE: RECIPIENT OF 2023 FRANK W. "BO" ROGERS, JR. LIFETIME ACHIEVEMENT AWARD

(Continued from page 4)

Please join me in congratulating Maryellen Goodlatte as the 2023 recipient of the RBA's Frank W. "Bo" Rogers, Jr. Lifetime Achievement Award.



Maryellen Goodlatte



Mark Feldmann



Lori Bentley presents Award to Maryellen Goodlatte



Mark Feldmann, Maryellen Goodlatte and Bob Goodlatte

T. DANIEL "BO" FRITH, IV: 2023 YOUNG LAWYER OF THE YEAR AWARD RECIPIENT

(Continued from page 4)

In addition to being appreciated by his colleagues and clients, Bo has been recognized as Virginia Legal Elite by *Virginia Business Magazine*; by *Best Lawyers in America*; by *Super Lawyers Magazine* as a Rising Star; as Top 40 Under 40 by *National Trial Lawyers*; and 40 Under 40 by *Roanoker Magazine*.

In addition to serving on the RBA Board, he serves on the Board of Directors for Virginia Trial Lawyers Association, the Board of the Jefferson Center, and on the Heart Ball Committee in Roanoke to Benefit the American Heart Association. In addition to being a dedicated family man, Bo has dedicated service to our community and our profession. The recognition of Young Lawyer of the Year Award is well deserved. Please welcome and congratulate, Bo.



Lori Bentley and Bo Frith



Bo Frith, Krista Frith, Dan Frith and Linda Frith

Bo Frith



VIEWS FROM THE BENCH: JUDGE ONZLEE WARE

(Continued from page 3)

court, cases moved much faster, and judges were expected to enter orders the same day as the hearing. But in circuit court, he can take “two to three days, maybe five days, to think about” his decision. And in J&DR court, he did not have law clerks to help with the research. In discussing his approach to his cases, Judge Ware called it “making gumbo.” “You have to look at the law. You have to look at what’s the right thing to do. And then you stir it up.” He “weighs every factor of a person’s life before [he] sentences them.” This process has helped him “understand people in ways [he] never thought [he] could.”

Judge Ware praised his colleagues on both benches in our circuit. They are “all great” and they all have the freedom to remain individuals. They “can be who they want to be.” It is an atmosphere that promotes inclusion and diversity. Judge Ware expressed his gratitude to his colleagues and the court staff for creating this collegial and motivating atmosphere.

The judge is also grateful that he has not felt isolated in his role. He “still lives in the community.” He “is always doing something with the schools.” He stays connected that way. He did have to resign from a host of organizations, but he says “you have to fill your life with other things.” He “is interested in teaching young people how to think and reason.” They “have to have an education.” Judge Ware goes to middle and high schools and meets with students. They “talk about decision making.” He explains to them how they can achieve their goals “if they change the way they think.” He has considered teaching a leadership course and hopes to do so once he retires from the bench. He “would love to teach second, third, fourth, and fifth graders.” Judge Ware believes these lessons at that age could lay a foundation and greatly improve young people’s chances of overcoming challenges and obstacles in their lives. This desire is clearly rooted not just in Judge Ware’s experience in the law and volunteering at the schools, but his inquisitiveness from when he was a child. In terms of local RBA activities, Judge Ware would love to continue to see speakers “talk not just about the law, but how the law affects people” in their daily lives, and “to humanize” the law. “Because that’s what people want to know.”

Even when discussing difficult topics like diversity or the difficulty of being the first African-American student or judge, Judge Ware remains upbeat and positive overall. His family and community growing up formed his positive attitude. “They had expectations.” They taught him his work ethic and to care for others who were less fortunate. He “loves to help other people.” He reminds his listener, “Nobody cares about you complaining.” He “has always tried to remain positive, it’s just who” he is. This positive attitude and focus on communicating effectively explains why at every juncture of his political and judicial career he was feted by conservatives as well as liberals.

Christopher S. Dadak is a principal at Guynn Waddell, P.C.



NEW CORPORATE DISCLOSURE REQUIREMENTS

(Continued from page 8)

After understanding which companies must report, the next question is: **what information are they required to report?** Reporting Companies will need to report identifying information on their Beneficial Owners and Company Applicants. 31 USC § 5336(a)(3) sets forth that Beneficial Owner means any individual who, directly or indirectly, either exercises substantial control over such reporting company or owns or controls at least 25 percent of the ownership interests of such reporting company. Substantial control includes serving as a senior officer of a reporting company, having authority over the appointment or removal of officers, and/or direction and substantial influence over important decisions of a reporting company. This definition, as with many others within this topic, is broad and can even include rights associated with a financing arrangement or interest in a company.

“Company Applicants” include anyone who directly files the document that: creates a domestic reporting company or first registers a foreign reporting company; and the individual who is “primarily responsible” for directing or controlling such filing if more than one individual is involved in the filing of the document. 31 USC § 5336(a)(2) and 31 CFR § 1010.380(e). If you or someone in your firm submits filings and other documents on behalf of clients, and think that this definition may include you, you are probably right. However, as regulations were finalized, lawmakers included that reporting companies formed before January 1, 2024 do not need to report information with respect to any Company Applicant so long as the company notes that it was formed prior to that date on the report. However, new companies will need to report information on its Company Applicant.

The information to be reported on Beneficial Owners and Company Applicants includes each such individual’s full legal name, date of birth, residential address (for a beneficial owner), business address (for a professional applicant), residential address for any other applicant, a unique identifying number from an acceptable identification document (e.g., unexpired passport number), and an image of a document with the ID number. A reporting company must also report its full legal name, and trade name or d/b/a designation, the address of its principal place of business, and TIN. 31 USC § 5336(b)(2) and 31 CFR § 1010.380(b).

FinCEN is currently finalizing an online reporting process by which reporting companies, or their attorneys, can upload the reports directly to a secure database. While individuals may submit reports on behalf of reporting companies, the final rules set forth that the reporting company is ultimately responsible for the filing and the certification. The criminal and civil penalties for willful violations of the reporting requirements include \$500 for each day that the violation continues, and criminal fines may be up to \$10,000 and/or imprisonment for two years. Safe harbor provisions allow for corrected filings within 90 days of submission and within 30 days of the individual becoming aware or having reason to know of any inaccuracy in the report.

Finally, **what are the important deadlines?** Beginning on January 1, 2024, within 30 calendar days of formation, each reporting company must submit its report to FinCEN. For reporting companies in existence before January 1, 2024, the deadline to report is January 1, 2025. 31 CFR § 1010.380(a).

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SPOTLIGHT ON SERVICE

BY LAUREN E. DAVIS, ESQ.



What's in it for me? That's how my rec basketball volunteer coaching career began. With kids playing on different teams, I could not be in two places at once and, inevitably, games and practices conflicted. So I signed up to coach, knowing I would be able to pick practice times and knowing my two teams would not be scheduled to play at the same time. That plan worked.

Then the real magic happened. About six years in, coaching kids is one of my favorite and most humbling ways to spend time. The kids excite, surprise, and impress me, every single time. I feel more connected to our community – and to a future generation. I have learned to practice more patience, to be more present, and to give more unconditional positive regard. In short, it turns out there is a lot in it for me.

My original reason for coaching is gone now. One of my kids has aged out of rec basketball. The rec schedule for my younger one inevitably interferes with the older one's school team schedule. At this point, coaching is actually inconvenient. Will I be coaching next year? Without a doubt.

Lauren Davis is the founder of First Truth Law, PLLC.

President Volunteer Service 2022 Awards

Lifetime Achievement Award

Henry Woodward

Gold Award 500+ Hours of Service

Roy Creasy

Henry Woodward

Silver Award 100-249 Hours of Service

John Eure

Lee Osborne

Bronze Award 100-249 Hours of Service

Lori Bentley Christen Church David Cohan

Gene Elliott Dan Frankl Kevin Holt

Jessiah Hulle Patrick Kenney Lori Thompson

Hugh Wellons

RBA Certificates of Commendation

50-99 Hours of Service

Grimes Creasy Lauren Davis John Fishwick

Sarah Jessee Stephen Lemon Kathleen Wright

24-49 Hours of Service

Martha Elder David Paxton Ken Ries

RBA 98TH ANNUAL MEETING, JUNE 13, 2023



Macel Janoschka, RLF Chairman, presenting Scholarship to Tyler McNeil.



Lori Bentley, RBA President, presenting donation to Shannon Honaker, RVPA President.



Lori passing the gavel to Christen Church



Christen presenting Lori with her Past President plaque.

NEW CORPORATE DISCLOSURE REQUIREMENTS

(Continued from page 10)

As a result of these new reporting requirements, the era of same-day entity formation may be over. Firms across the country must adjust their intake procedures and properly set expectations with clients. Sending photos of your driver's license and passport information to your corporate attorney will be the new normal. It is certainly worth everyone's time to preemptively evaluate how these changes will impact your practice.

Will Fussy is an associate at Gentry Locke.

ANNOUNCEMENTS

NEW MEMBERS

The Roanoke Bar Association welcomes the following new members:

Active Members

Effective May 1, 2023

Charlene Day, US Attorney's Office, WDVA

Effective July 1, 2023

Jacob P. East, Darkhouse Law PLLC

Brian H. Richardson, Spilman Thomas & Battle

Aidan C. Williams, Gentry Locke

Jamie H. Woods, Woods Rogers
Vandeventer Black

UPCOMING EVENTS

Roanoke Bar Association Meetings 2022 - 2023

September 13, 2022

October 11, 2022

November 8, 2022

December 13, 2022

January 10, 2023

February 14, 2023

March 14, 2023

April 11, 2023

May 1, 2023 (Law Day)

June 13, 2023

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

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Email: rba@roanokebar.com