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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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PRESIDENT'S CORNER

BY CHRISTEN C. CHURCH, ESQ.

THIS SPRING BE A POINT OF LIGHT

"The solution to each problem that confronts us begins with an individual who steps forward and says, 'I can help.'" – George H.W. Bush



During his inauguration, President Bush (the elder) spoke of a thousand points of light spread across the nation, composed of individuals and community organizations working together and alongside of each other to accomplish good works. This year, National Volunteer Week is celebrated from April 21-27th and overlaps with this year's Legal Food Frenzy (April 15-26), an annual fundraising competition created in partnership with the Virginia Attorney General, the Young Lawyers Division (YLD) of the Virginia Bar Association, and the Federation of Virginia Food Banks.

A recurring theme this year has been lawyer wellness and the importance of community involvement and volunteer work in building connections within the legal community and the community at large.

I recently attended the Bar Leaders Institute in Richmond, where local bar leaders gathered together to discuss their local programs, including pro bono and community volunteer opportunities. Time after time the bar leaders highlighted a problem in their community that needed to be addressed and an individual or group stepped forward and said "I can help."

There is value in getting out of the office to work with others, especially after the past few years, but there are also opportunities to provide pro bono services remotely. Virginia participates in the ABA Free Legal Answers program, which allows volunteer attorneys to answer questions posed by eligible individuals. The process of signing up is easy and straightforward and allows the volunteer attorney to choose the questions that he or she would like to answer and to stay anonymous.

If you have any questions or would like to discuss opportunities that may be available for our members or where the RBA may be able to support a project or work on a solution to a problem in our community, to be a point of light, please consider reaching out to either myself or the following members of the RBA Board: Martha "Mollie" Elder (mollie.elder@wrvblaw.com) is Chair of the RBA Service Committee and recently led a group of RBA members in volunteering with Habitat for Humanity. Brian Richardson (brichardson@spilmanlaw.com) is Chair of the RBA Pro Bono Committee and is always looking for attorneys who are willing to volunteer to be added to a list of attorneys available to provide pro bono legal services in the event of legal aid conflicts.

Below are a few links to resources mentioned above:

Hands on Blue Ridge - Connects volunteers with volunteer opportunities: www.handsonblueridge.org

Legal Food Frenzy - Register to participate in this year's competition: www.legalfoodfrenzy.com

Virginia Free Legal Answers - Attorney Registration available at: virgin-ia.freelegalanswers.org

Christen Church is the founding partner at Church Legal, PLLC.

VIEWS FROM THE BENCH: JUDGE ADAM MOSELEY

BY T. DANIEL "BO" FRITH IV, ESQ.



Judge Adam Moseley assumed office as a judge of the Juvenile and Domestic Relations Court of the Twenty-Third Judicial District on April 27, 2023.

Judge Moseley grew up splitting his time between Florida and Maine. He lived in Maine for roughly ten years with the rest of his time spent in Plant City, Florida near Tampa Bay. His father was a 100% disabled Vietnam War Veteran and his mother was a homemaker. Respect for military service was something instilled in Judge Moseley at a young age. He earned his Bachelor of Arts degree from the University of Florida and his law degree from Capital University Law School in Columbus, Ohio.

After law school, Judge Moseley decided to serve his country. He went into the Navy Judge Advocate General's Corps, typically referred to as the Navy JAG Corps. Judge Moseley served active duty for six years with roles as varied as prosecutor, defense attorney, and staff judge advocate. For many of those years, he was based on an aircraft carrier in Yokosuka, Japan, about an hour train ride from Tokyo. He looks back on his time overseas fondly and encourages others to travel widely. To this day, he serves as a reserve officer for the JAG Corps.

Serving as a Navy JAG Officer was a formative experience for Judge Moseley. He handled six jury trials in his first two years as a Navy JAG Officer. The job offered substantive legal experience that was rare for someone right out of law school. He handled court martial cases involving serious allegations of criminal wrongdoing, what would typically be defined as felonies in civilian courts. If a case was tried before a jury, the jurors were often ranking officers with years of military experience. After deliberations, jurors would offer unvarnished feedback to attorneys on what worked and did not work at trial. The information gained from those experiences was invaluable.

While continuing to serve on active duty, Judge Moseley worked as a regional attorney in the Southeast for the Navy JAG Corps in Charleston, South Carolina. During that time, he met Roanoke attorney David Weaver who mentioned the need for another lawyer to help his burgeoning family law practice. Judge Moseley was interested in leaving active duty military service and moved to Roanoke where he practiced with Mr. Weaver for five years.

After a seven-month deployment to Bahrain, Judge Moseley was interested in doing some criminal defense work. He decided to start his own practice with a focus on criminal defense and family law. Starting his own practice was certainly nerve wracking, especially the first few months, but Judge Moseley found it to be a tremendously rewarding experience. After six months, he saved up enough money to hire his first paralegal. Business only grew from there. He continued his successful solo practice for the next six years before taking the bench.

Judge Moseley's varied practice prepared him for being a judge. His varied experiences served him well and it is some-

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SPOTLIGHT ON SERVICE

BY MARTHA W. "MOLLIE" ELDER, ESQ.

Volunteering has been part of my adult life since my Jr. League days both in Norfolk and Roanoke. Once my three sons reached school age, I soon found myself chairing PTA Committees, some years at three different schools. I enjoyed helping and found a community with other volunteers.

Fast forward and my sons are now in their 20's. My youngest son graduated from high school in 2020, which is the year I returned to practicing law full-time. The cohesive nature of a volunteer organization was no longer part of my day to day schedule. What I did not know then is the number of volunteer opportunities available through the Roanoke Bar Association.

I first started my RBA volunteer journey with Barrister Book Buddies. I received my classroom assignment the fall of 2012, an elementary class at Lincoln Terrace Elementary School. I have now been with the same teacher for almost 12 years. The experience has been nothing short of wonderful. When I walk into the class, I am greeted by children with smiling faces and lots of hugs (a far cry from my normal day in the office). When I learned the class did not have holiday parties due to financial reasons, I gladly became the book buddy *and* party planner. My good friend Ellie Lasky helped me with the first holiday party. She officially became a Book Buddy in 2013, and we have shared the same class all these years.

During COVID, I received a telephone call from Dan Frankl, then President of RBA. He wanted to brainstorm about how the RBA could benefit the Roanoke Public Schools especially during COVID. Dan and I met with a school administrator for ideas. I mentioned that a guidance counselor at Patrick Henry High School had once told me that on site washers/dryers would help a lot of students. The administrator emailed all the schools in Roanoke City to see if washers/dryers were a need. Much to his surprise, all the schools quickly replied it was a need as many students do not have access to clean clothing. Thus, Dan campaigned on behalf of the RBA to raise awareness and funding to purchase machines for the schools. I helped by obtaining donations of detergent and dryer sheets. The Keeping it Clean project as it was known continues to receive positive comments.

The RBA started the Shine and Dine dinner in 2022. I am fortunate to have been and continue to be on the planning committee. The dinner celebrates students graduating from the two Roanoke City public high schools who have experienced homelessness. All the volunteers are RBA members. We decorate the event space, serve the dinner and clean up afterwards. We also received the many words of appreciation from the students and their guests.

Each December, I enjoy helping with Santa at the Station. RBA held its first Habitat for Humanity work day on March 9, 2024. RBA members rolled up their sleeves at a home site so a deserving family can experience home ownership.

These are a few of the ways I have volunteered with the RBA, but there are more opportunities available. For example, RBA provides its members several hours of free CLE credits each year. Presenting at a CLE is a great way to share your time and expertise. RBA opportunities are typically listed throughout the



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ADJUDICATION IN THE NEW UNCANNY VALLEY

BY JESSIAH HULLE, ESQ.



In the December 2023 edition of the Roanoke Bar Review, Megan Worley and I reported in our article [Adjudication in the New Uncanny Valley](#) that we were “unaware of any court in Virginia that ha[d] issued an order, local rule, or other guidance restricting the use of [generative artificial intelligence (GAI)] in litigation.” We even confirmed that “no federal district courts or state appellate courts in the Commonwealth, as well as no local trial courts in the Roanoke area, ha[d] issued guidance addressing GAI.”

Not so anymore. As we [predicted](#), a handful of federal judges in Virginia are now issuing orders regulating the use of AI in litigation.

This article surveys the current status of AI use in Virginia, discusses the national trend of judges moderating AI use in litigation (without debating the propriety of such moderation), and provides an analysis of the specific AI orders being used by judges in the Commonwealth.

Virginia Embraces AI

In 2006, Neil Gaiman [quipped](#) during an interview with MovieWeb that “Virginia[is a state], where, technologically speaking, they will burn people at the stake for possessing such things as toasters.”

Thankfully, that quote has aged like milk.

In recent years, publications ranging from [Computer World](#) to [Forbes](#) have ranked Virginia in the top five states for technology innovation and jobs. In fact, according to [24/7 Wall St.](#), a whopping 9.3% of workers in the Old Dominion State work in a STEM (science, technology, engineering, or math) field. That tech business-friendly reputation has only strengthened since generative artificial intelligence’s (GAI) “[breakthrough year](#)” in 2023. Counties in the northern part of the state, for instance, are seeing “[a growing number](#)” of GAI companies establishing offices or [expanding their footprint](#) in the area. In the capital region, the Richmond Technology Council is striving to obtain a \$50 million grant that will make the city “[one of about 20 tech hubs around the country](#)” for AI and machine learning. And right here in the Valley, institutions like [Roanoke College](#) and [Carilion Clinic](#) are working to integrate cutting edge AI into their operations.

The Virginia government has also been remarkably open to AI development and use, especially compared to state governments that [banned use of GAI by their employees after ChatGPT’s release](#). In the executive branch, Governor Glenn Youngkin has issued [Executive Order 30](#), which promulgates “important safety standards to ensure the responsible, ethical, and transparent use of artificial intelligence technology by state government.” EO 30 specifically encourages utilization of AI in governmental operations, K-12 and postsecondary education, and law enforcement. The [Center for Data Innovation](#) has praised the order as a “model” for other states to replicate, because it encourages using AI ethically and economically rather than “treating it as a fundamentally dangerous technology.” Not to be outdone, in the legislative branch the Subcommittee on General Government of the Senate Finance and

ROANOKE LAW LIBRARY: NEWS AND INFORMATION

BY JOSEPH KLEIN, LAW LIBRARIAN

A majority of what I do here at the Roanoke Law Library is legal research. But since the Law Library moved to the Main Library, I am being tasked with providing answers to many general research questions as well. As you know, we provide free access to Westlaw and Lexis here at the Law Library. But did you know that your Roanoke Valley library card provides you access to many powerful general research databases as well, most from the comfort of your home. So whether you are trying to find important statistical data for a case, assist your children with a school assignment, or just bone up on local history, one of our databases is always a great place to start.



Non Legal Research

Depending on how familiar you are with the Roanoke valley library consortium this may be something that you already know, but your Roanoke Valley (RVL) library card works at libraries from four different library systems—the City of Roanoke, Roanoke County, Botetourt County and Salem. Each system has slightly different offerings as far as database access. All the libraries in the system provide access to Find It Virginia (<https://finditva.com/>), so anyone with a Roanoke valley library card can access the databases in Find It Virginia. There are numerous databases in Find It Virginia, but my favorite database is “MasterFILE Complete,” which features thousands of journals, magazines, newspapers, and reference books. I particularly like it because it allows you to limit searches to peer-reviewed articles, so you get more scholarly information. Incidentally, Find It Virginia also provides access to the Gale Legal Forms library that provides quick access to hundreds of Virginia legal forms on a variety of topics. You can access Find It Virginia as well as links to the other libraries in the consortium’s database offerings from the Roanoke Public Library’s internet resource page at <https://www.roanokeva.gov/1176/Internet-Resources>.



Here are a few highlights of offerings to which the other libraries in the consortium provide access. Salem subscribes to a database of Sanborn maps that the map and local history nerd in me thinks is incredibly cool. Sanborn maps are historical fire insurance maps that show how cities have changed over the last 100-plus years. Botetourt County provides access to HeinOnline and their excellent databases that address slavery, civil rights, and gun legislation among other topics. The City of Roanoke, Roanoke County and Salem all provide access to Newsbank which features editions of the Roanoke Times dating back to 1990. Roanoke County also provides access to Newspapers.com which has historical national newspaper editions dating back into the 1800s, and a US Major Dailies database that provides access to the Chicago Tribune, Los Angeles Times, New York Times, The Wall Street Journal, and The Washington Post.

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ADJUDICATION IN THE NEW UNCANNY VALLEY

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Appropriations Committee has [recommended](#) allocating \$22,048 solely for a new commission to evaluate AI policy.

Although slower to jump, many lawyers in Virginia are also joining the pro-AI bandwagon. Most notably, [McGuireWoods](#), the largest law firm in the Commonwealth by headcount, is “incorporating new AI tools,” such as Thomas Reuters’s software CoCounsel, to “enhance client service.” Likewise, the fourth-largest firm in the state, [Troutman Pepper](#), reports that its 160+ attorneys in Richmond and Virginia Beach “use internal and third-party generative AI on a daily basis.” Indeed, if the Virginia bar is replicating national trends, [15% of lawyers](#) in the state are currently using GAI tools for work, and [an additional 73%](#) expect to integrate such tools into their work “in the next year.”

In short, AI—and in particular *generative* AI—is here to stay, both in Virginia and in the legal profession.

Judges Scrutinize AI

Despite its popularity, GAI has not received a red-carpet welcome from *everyone*. Nationwide, many judges are watching GAI with skepticism because of its propensity to fabricate case citations in court filings, which [wastes](#) litigation resources and [abuses](#) the judicial process.

Judicial scrutiny of AI first exploded following the high-profile misuse of GAI in [Mata v. Avianca, Inc.](#) last May. In *Mata*, two attorneys filed a brief with fake case citations [hallucinated](#) by GAI tool ChatGPT, attempted to coverup their mistake, and ended up sanctioned by a federal judge. The case was heavily covered in national publications like [The New York Times](#) and [Wall Street Journal](#). Yet even after the notoriety of that fiasco, misuse of GAI has only [snowballed](#) since last summer. In the past two months alone, lawyers and litigants in [New York](#), [Missouri](#), and [Massachusetts](#) have been caught filing briefs with fake citations fabricated by GAI. Many have been [disciplined by ethics committees](#) or [sanctioned by courts](#).

In light of this proliferation of GAI misuse, more and more judges and courts have decided to issue official guidance—whether through standing orders, local rules, or other general orders—on using AI in litigation. District Judge Brantley Starr of the Northern District of Texas was the first, issuing his [standing order](#) on GAI on May 31, 2023. Since then, *at least* 24 federal judges, 5 federal courts (encompassing an additional 56 federal judges), 9 state judges, 3 state courts (encompassing an additional 29 judges), and 1 state commission (consisting of 6 administrative law judges) have released such guidance. In total, that’s *over 130 judges* that are known to moderate the use of AI, especially GAI, in their courtrooms. An additional 55 judges sit on courts (namely the [Fifth Circuit](#) and the [Eastern District of Michigan](#)) that have proposed local rule amendments on GAI that will likely be approved in 2024.

To be sure, the type of moderation in these orders and rules ranges from judge to judge. Some prohibit GAI use. Others require parties to certify the accuracy of GAI-drafted court filings. Still others simply warn parties about the pitfalls of GAI hallucinations. Nevertheless, the end goal of each order is the same: preventing fake case citations.

Three Judges in EDVA Regulate AI

As was inevitable, the increased presence of GAI in Virginia recently crossed paths with the national trend of judges moderating AI use in litigation.

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VIRGINIA STATE BAR UPDATE: SPRING 2024

BY DANIEL P. FRANKL, ESQ. AND KEVIN W. HOLT, ESQ.

We are pleased to be your representatives from the 23rd Judicial Circuit on Bar Council, the governing body of the Virginia State Bar. At its meeting on February 24, 2024 in Richmond, Council took the following significant actions.

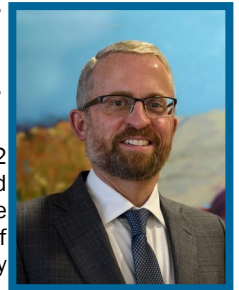
It approved by a vote of 61-0 the VSB budget for Fiscal Year 2025. Total FY 2025 projected revenue is approximately \$13.9 million, \$10 million of which is projected to come from current dues paying members. Total projected expenses are \$15.6 million. The projected cash balance as of June 30, 2025 is approximately \$4.77 million.

Council approved by a vote of 57-2 (with three abstentions) proposed amendments to the relevant Rules of the Supreme Court of Virginia and sections of the VSB Bylaws increasing the lay membership of the Committee on Lawyer Discipline (“COLD”) from two to three members in order to facilitate the Oversight subcommittee’s review of complaints dismissed by Bar Council. Currently, COLD has twelve members, ten of whom must be active lawyers of the VSB and two of whom must be lay members.

Council approved by a vote of 59-0 (with two abstentions) the Nominating Committee’s recommendations for volunteer entity vacancies. Vacancies on the following entities for 2024-2025 were filled: the American Bar Association’s House of Delegates, the Clients’ Protection Fund Board, Bar Council Members at Large, the Disciplinary Board (Jennifer D. Royer of Roanoke to serve another term on the board) and the Mandatory Continuing Legal Education Board.

Finally, Bar Council approved the 2024-2025 Disciplinary Board Chair and Vice Chair recommendations by a vote of 54-0 (with three abstentions). Jennifer D. Royer of Roanoke will be elevated from the position of Second Vice-Chair to First Vice-Chair. As ever, please contact either of us with any questions, issues, or concerns. It is our privilege to represent you on Bar Council.

Dan Frankl is with Harman Claytor Corrigan & Wellman and Kevin Holt is a partner at Gentry Locke.



RBA Habitat Build Volunteers March 2024

The McCammon Group

is pleased to announce our newest Neutral



Hon. C. Randall Lowe (Ret.)

Former Chief Judge, 28th Judicial Circuit Court of Virginia, Washington County

The Honorable C. Randall Lowe recently retired as the Presiding Judge of the Circuit Court of Washington County after twenty-two years of distinguished judicial service, including eleven years as Chief Judge. As a lawyer, he enjoyed a successful career in private practice, litigating a wide range of civil cases. Judge Lowe is the 2022 Recipient of The Honorable Harry L. Carrico Outstanding Career Service Award and the 2022 Recipient of the Virginia Mountain/Valley Lawyer's Alliance, Roscoe Boler Stephenson Jr. Lifetime Service to Justice Award. He is a Past President of the Washington County Bar Association, Former Chairman of the Washington County Planning Commission, and Former Chairman of the Virginia Judicial Conference Education Committee. Judge Lowe now brings this record of dedication and accomplishment to The McCammon Group to serve the mediation, arbitration, judge pro tempore, and special master needs of lawyers and litigants throughout the Commonwealth.

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call 888.343.0922 or visit www.McCammonGroup.com

ADJUDICATION IN THE NEW UNCANNY VALLEY

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In January 2024, District Judge Roderick C. Young of the Eastern District of Virginia (EDVA) became the first known judge in the Commonwealth to address AI through an order. Specifically, Judge Young modified his form scheduling order to contain the following requirement: “Should any party utilize artificial intelligence for the preparation of any filing, they must identify the use of the artificial intelligence in the filing and provide a certification that they have reviewed all citations for accuracy.” (A representative example of this modified standing order can be found at ECF 32 in *Jcai v. Wiseleap Solutions*, No. 3:23-CV-350 (E.D. Va. January 10, 2024).)

Within a few weeks, three other judges in the Richmond Division of the district—David J. Novak, M. Hannah Lauck, and Henry E. Hudson—adopted the same exact requirement in their respective scheduling orders. (As of March 21, 2024, neither Judge Robert E. Payne nor John A. Gibney, Jr. has joined the trend.)

Of note, the AI orders in EDVA are broader than similar orders in other districts. Whether this expansiveness was intentional or inadvertent is unclear. Regardless, putting aside any [scholarly debate](#) about the superfluousness of such orders requiring certification of AI use, it is important to understand their actual text to avoid filing defective certifications with Judges Young, Novak, Lauck, and Hudson.

First, the orders apply to “**any party**.” Although this is of no moment to lawyers, it affects pro se litigants, who file [40+% of civil cases](#) in EDVA.

Second, the orders cover “**any filing**.” That term ostensibly includes everything from briefs and pleadings to motions, affidavits, proposed orders, and other written papers filed with the court.

Third, the orders cover “**artificial intelligence**” generally rather than *generative* AI specifically. The plain meaning of “AI” [encompasses a wide array of software](#) that uses machine learning algorithms and AI-assisted functions, including Google, Siri, certain versions of Microsoft Word, or [Lexis Answers](#) (the natural language Q&A search function in Lexis). This means that, according to the plain text of the EDVA scheduling orders, lawyers and self-represented litigants may need to file a certification whenever they use AI-enhanced products like [Microsoft Outlook](#) to prepare a court filing.

Fourth, the orders cover the use of AI “**for the preparation of any filing**.” This open language is not restricted to drafting or research, which are the two tasks that GAI is generally used for. Accordingly, even using [Grammarly](#) to verify spelling and readability may trigger the duty to file a certification under the EDVA scheduling orders.

Finally, the orders require lawyers or litigants to certify that they “reviewed all citations” in a court filing “**for accuracy**.” The impetus for this certification was clearly to prevent citations to hallucinated cases in briefs, like what happened in *Mata*. However, the plain meaning of “review[ing] all citations for accuracy” goes beyond verification that a case merely exists. Instead, this requirement mirrors Federal Rule of Civil Procedure 11(b), which mandates that lawyers and litigants “[present accurate and nonfrivolous assertions of fact and law in their writing filings](#)” and verify that with a signature.

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VIEWS FROM THE BENCH: JUDGE ADAM MOSELEY

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thing he recommends to young lawyers. He tells young lawyers to try cases at a young age, especially if they can do so with an experienced mentor. Being exposed to different cases, clients, areas of the law, and judges offers myriad opportunities and styles that a young lawyer can adopt in future cases.

Judge Moseley stressed the importance of civility. Not only is civility a more enjoyable way of practicing law, but it is also a smart strategic decision. The judge and jurors always pay attention to the demeanor of attorneys.

T. Daniel “Bo” Frith, IV, Esq. is a partner at Frith & Ellerman Law Firm, PC.



SPOTLIGHT ON SERVICE

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year on the RBA website and/or in the newsletter.

The RBA has been a great organization for me both professionally and personally. I have met RBA members that I probably would not have crossed paths with except for volunteering alongside them. As one of my friends once said, we all “think” we volunteer to help others, but in reality, we volunteer to help ourselves.

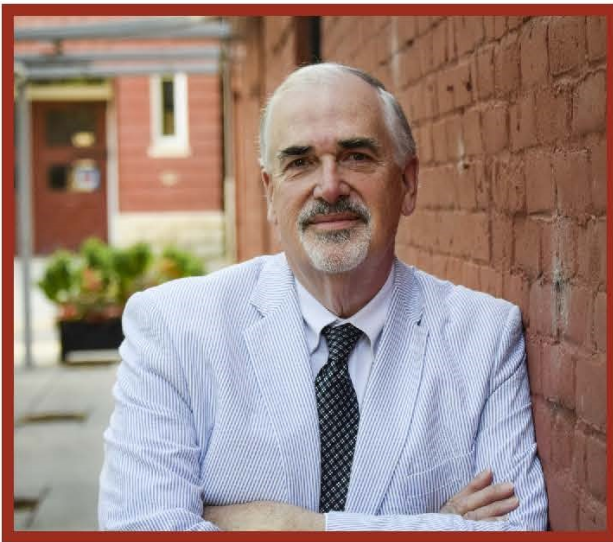
Mollie Elder is of counsel at Woods Rogers Vandeventer Black..

ROANOKE LAW LIBRARY: NEWS AND INFORMATION

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Additionally, the City of Roanoke Library provides interlibrary loan services. These services are free unless the lending library charges a fee in which case we will check with the requestor to make sure the charge is acceptable before proceeding. If you are looking for a book or article that isn't available anywhere in the consortium, it is usually possible to get that item from another library through interlibrary loan (<https://www.roanokeva.gov/1185/Interlibrary-Loan>). This is a powerful service that brings the world to your door.

Using the internet, it is possible to find information on just about anything. But sometimes it is hard to distinguish if the information is from a reliable source. Using these powerful resources reduces the likelihood of using unreliable information in your research. You have to expend a little effort to access them, but they allow your search to be as broad or as focused as you need to get the best results and be confident of the reliability. If you have questions about any of these resources, please do not hesitate to give me a call at 540-853-2268 or send me an email at joseph.klein@roanokeva.gov.

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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BENCH BAR CONFERENCE

BY ALICHA M. GRUBB, ESQ.



The Roanoke Bar Association (RBA) conducted its annual Bench-Bar Conference on February 23, 2024 at the Shenandoah Club. With over 80 people in attendance, including twelve judges on the panel, the event was a success! Special thanks to Diane Higgs, our executive director, Harrison Richards, Jessiah Hulle and Travis Graham for all of their work to put on the CLE programming.

The program began with a thirty-minute ethics CLE presentation by Mr. Richards and Mr. Hulle regarding the use of AI (Artificial Intelligence) in the legal practice. The key take-aways for ethical considerations were (1) do not cite cases generated by an AI platform without first checking to be sure they are real cases; (2) do not upload confidential client information into an AI platform; and (3) be truthful with the court and counsel. They also reminded us to keep an eye on the court’s local rules, to make sure we have our own AI policies where we practice, and to proceed with caution.

Mr. Graham also gave a thirty-minute ethics CLE presentation on the dangers of Bar country – both grizzly and Virginia State Bars. Mr. Graham reminded us to avoid ethical issues in the first place by using the ethics hotline and avoiding potential conflict issues. Mr. Graham also advised that if someone files a bar complaint against you, hire counsel and be sure to respond in a professional and contrite manner to the Bar – do not run away.

The rest of the program was the State of the Judiciary Address, given by our esteemed panel of local judges. Judge Black presented on the bankruptcy court. He indicated that filings are down, but he remains busy. Judge Dillon updated us on the closure of the Big Stone Gap division of the United States District Court for the Western District of Virginia, as well as the potential for funding to renovate the Danville federal courthouse. The judges also reminded us to have good etiquette on virtual hearing calls. Do not drive and present evidence.

Judge Friedman let us know that the Court of Appeals remains busy, and he encouraged us to attend local proceedings if interested in observing appellate arguments. Judge Clemens thanked the attorneys for being flexible with the Circuit Court’s scheduling and reminded us to continue to act with the civility for which our region is known. Judge Talevi encouraged young attorneys to get on the court-appointed list with the General District Court?. She reported that the Mental Health Docket is strong and successful and remains a model throughout the Commonwealth. Finally, Judge Ferguson updated us on the Juvenile and Domestic (J&D) Court and the rise in juvenile protective order issues. The J&D court continues to need more attorneys to serve as Guardians ad Litem (GAL). There is a bill in the General Assembly, aimed at raising court-appointed counsel rates, so hopefully that will alleviate some of the issues attorneys are facing when considering GAL cases?.

Thank you to the judges and to all of you for making this another successful Bench-Bar Conference.

Alichia Grubb is a partner at Gentry Locke.



Jessiah Hulle



Alichia Grubb



Harrison Richards



Travis J. Graham



Judges Friedman, Rogers, Ciaffone, Moseley, Roe and Carson



Judges Talevi, Clemens, Ferguson, Friedman, Rogers and Ciaffone



Judges, Black, Dillon, Burkhart, Geddes and Friedman.

ADJUDICATION IN THE NEW UNCANNY VALLEY

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Takeaway

Judicial moderation of AI—like GAI itself—is just getting started in Virginia. Although it currently only exists in the Eastern District of Virginia, murmurs in local bar grapevines suggest that the Virginia Court of Appeals and Supreme Court are considering issuing guidance on AI as well. After all, a handful of [other state supreme courts](#) have done so. Moreover, the Richmond-based [Fourth Circuit](#) has asked IT staff to “prepare a report on AI issues and recommend possible next steps the court could take.” It is thus not a matter of *if* more Virginia courts will address AI. Rather, it is a matter of *when* and *how*.

Lawyers must therefore continue to pay close attention to guidance on AI issued by judges in the Commonwealth, whether the guidance is embedded in a standing order, local rule, scheduling order, or [another type of order](#).

Jessiah Hulle is a litigation associate and member of the artificial intelligence taskforce at Gentry Locke.

Registration Continues for
the CLE Program

**Lawyers Gone Viral:
Trying Cases with Today's Media**

**Wednesday, May 15, 2024
2:00 to 5:00 pm**

The panel includes John P. Fishwick, Jr., Fishwick & Associates PLC, Ben Rottenborn, Woods Rogers Vandeventer Black, Scott Sexton, Gentry Locke and James C. Turk, Turk & Turk, PC. The Honorable David Carson will moderate the program.

Presented in-person or virtually.
Register on the RBA website

Thank you to our wonderful Speakers.



Retired Lt. General James Clapper



Dr. Todd Pepper



Benjamin Leigh, Esq.,
VBA President



Chidi James, Esq.
VSB President



The Honorable Steven Agee



Roanoke City Police
Chief Scott Booth



Justice D. Arthur Kelsey



Ben Rottenborn, Esq.

ANNOUNCEMENTS

NEW MEMBERS

The Roanoke Bar Association welcomes the following new members:

Active Members

Effective April 9, 2024

Tyler S. Butt, Woods Rogers
Vandeventer Black

Charles Henry Evans, Woods Rogers
Vandeventer Black

Jaime McGuire, Poarch Thompson
Law

Mary Sirmans, Poarch Thompson
Law

Alexandra M. Smith, Legal Aid
Society of Roanoke

Yanrong Zeng, OPN Law

UPCOMING EVENTS

Roanoke Bar Association Meetings 2023 - 2024

September 12, 2023

October 10, 2023

November 14, 2023

December 12, 2023

January 9, 2024

February 13, 2024

March 12, 2024

April 9, 2024

May 1, 2024 (Law Day)

June 11, 2024

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

OFFICERS

Christen C. Church President	566-5653
Amy H. Geddes President-Elect	989-0000
Jonathan D. Puvak Secretary-Treasurer	983-9399
Lori Jones Bentley Past President	767-2041
Diane Higgs Executive Director	342-4905

BOARD OF DIRECTORS

Allegra M.C. Black	857-7111
Christopher S. Dadak	387-2320
Martha W. Elder	983-7535
T. Daniel "Bo" Frith, IV	985-0098
Alicha M. Grubb	983-9361
Sarah C. Jessee	283-0134
Brian Richardson	512-1800
John M. McNeil, Jr.	853-2626
Mona A. Raza	344-2088
Victor S. "Dinny" Skaff, III	767-2217
Daniel R. Sullivan	628-7529



DON'T FORGET TO CHANGE YOUR ADDRESS!

Name: _____ Firm: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

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

Email: rba@roanokebar.com