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January 14, 2020

VIA FIRST-CLASS MAIL & FACSIMILE:

The Honorable Ralph S. Northam
Governor, Commonwealth of Virginia
1111 East Broad Street
Richmond, Virginia 23219

VIA FIRST-CLASS MAIL & EMAIL:

Senator John S. Edwards
Chair, Courts of Justice Committee
Senate of Virginia
Pocahontas Building, Room E506
900 E. Main Street
Richmond, Virginia 23219
district21@senate.virginia.gov

VIA FIRST-CLASS MAIL & EMAIL:

Representative Charniele Herring
Chair, Courts of Justice Committee
Virginia House of Delegates
Pocahontas Building, Room E606
900 E. Main Street
Richmond, Virginia 23219
DelCHerring@house.virginia.gov

**Re: Vacancy in the 23rd Judicial Circuit of Virginia,
Roanoke City, Salem City and Roanoke County
Circuit Court**

Dear Governor Northam, Senator Edwards, and Representative Herring:

On behalf of the Virginia Women Attorneys Association (“VWAA”), a judiciary committee (“Committee”) was impaneled to evaluate candidates for a vacancy in the Twenty-Third Judicial Circuit of Virginia, Roanoke City, Salem City and Roanoke County Circuit Court, occasioned by the retirement of the Honorable William D. Broadhurst commencing March 1, 2020.

The VWAA requested that interested candidates complete the VWAA Judicial Candidates Questionnaire (“Application”) and participate in interviews with the Committee. On December 19, 2019, the Committee interviewed four (4) candidates.

It is worth mentioning that the VWAA ratings are based on a review of each candidate's merits against published standards and guidelines, including the following: fairness, integrity, experience, intellect, temperament, professionalism, and pro bono service. Ratings are not a function of a general vote by the VWAA membership, nor are they a comparison of candidates within the "pool" presented.

The following rating categories are used by the VWAA:

- (1) NOT QUALIFIED: Applied to any applicant who fails to meet the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.
- (2) QUALIFIED: Applied to any applicant who meets the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.
- (3) RECOMMENDED: Applied to applicants whose qualifications are sufficiently above the minimum requirements to warrant the Committee's affirmative recommendation.
- (4) HIGHLY RECOMMENDED: Reserved for any candidate who is especially well-qualified for the position and merits special recommendation.

The VWAA's procedures provide that ratings of "Qualified" and "Recommended" require a vote in support by at least a simple majority of the Committee. A rating of "Highly Recommended" requires a vote in support by at least a two-thirds majority of those voting. In order for the Committee to find that a candidate fails to meet the minimum qualifications and is "Not Qualified," at least two-thirds of those voting must so find.

The Board of Directors of the VWAA has approved, in accordance with its procedures, the following endorsements of the Committee for this judicial vacancy:

The Honorable Leisa K. Ciaffone is found *highly recommended*.
Melissa W. Friedman, Esq. is found *highly recommended*.
The Honorable Frank W. Rogers, III is found *highly recommended*.

The Honorable Onzlee Ware is found *recommended*.

Executive summaries of the qualifications of each of the above candidates are attached to this letter.

For your further information, the Committee members participating in the interview process were as follows:

Nanda E. Davis: Ms. Davis opened her solo practice in Roanoke in 2014. She specializes in divorce, custody, and representing individuals in matters involving the Department of Social Services and Child Protective Services. Ms. Davis is on the board for the Roanoke Chapter of the VWAA and is the chair of the Member Recognition Committee. She formerly served as the president of the Roanoke Chapter of the VWAA and a member of the VWAA state board. She is also the past president of the Salem Roanoke County Bar Association. She has been a member of the Virginia State Bar since 2012.

Vicki L. Francois: Ms. Francois is a solo practitioner in Roanoke, Virginia. Her practice involves all facets of litigation, collaboration, and appellate work in the family law arena, as well as criminal law. She is a charter member and co-founder of the Ted Dalton American Inn of Court and has served on the Board of Directors for the Legal Aid Society of the Roanoke Valley. She is an adjunct professor in the Paralegal Studies Program at Virginia Western Community College. She is licensed to practice law in Virginia and the District of Columbia.

Amy H. Geddes: Ms. Geddes has been the co-managing partner of OPN Law, PLC in Roanoke, Virginia since January 2007. Ms. Geddes practices disability law and handles Social Security disability cases at both the administrative level and in federal court, Virginia Retirement System Disability cases at both the administrative level and in state court, and private insurance long term disability appeals at the administrative level. She is a member of the Ted Dalton American Inn of Court, is a member of the Board of Directors for the Roanoke Bar Association, is a past President of the Roanoke chapter of the VWAA, and has been a member of the Virginia State Bar since 1995.

Nancy F. Reynolds: Ms. Reynolds is a member of Woods Rogers PLC. She focuses her practice on medical malpractice law and long term care facility defense. She has been a member of the Virginia State Bar since 1995 and has appeared before and tried cases in Circuit Courts across Virginia. Ms. Reynolds is a member of the Board of Directors of the VWAA and is the Committee Chair on Judicial Selection for the Roanoke Chapter. She has also served as a member of the Board of Directors of the Roanoke Bar Association and the Ted Dalton American Inn of Court.

Johneal White: Ms. White is a partner at the law firm of Glenn, Robinson, Cathey, Memmer & Skaff, in Roanoke, Virginia. She is a practiced trial lawyer, having represented individuals, companies and local governments in a variety of litigation matters in both state and federal courts, including appeals. Ms. White regularly litigates personal injury cases, insurance coverage matters, and employment law disputes. She was admitted to the Virginia State Bar in 2007 and the Massachusetts State Bar in 2005.

We hope that this information will prove helpful to you during your review process for this very important judicial position. Please feel free to contact Nancy F. Reynolds at 540-983-7605 should you have any questions or need additional information.

Respectfully yours,



Janet Cho
President
Virginia Women Attorneys Association



Nancy F. Reynolds
Chair, Roanoke Judiciary Evaluation Committee
Virginia Women Attorneys Association

Enclosures: Executive Summary of The Honorable Leisa K. Ciaffone
 Executive Summary of Melissa W. Friedman, Esq.
 Executive Summary of The Honorable Frank W. Rogers, III
 Executive Summary of The Honorable Onzlee Ware

CC (by e-mail only): The Honorable Leisa K. Ciaffone
 Melissa W. Friedman, Esq.

The Honorable Frank W. Rogers, III
The Honorable Onzlee Ware

CC (by e-mail only): Senator Stephen D. Newman, district23@senate.virginia.gov
Senator David R. Sutterlein, district19@senate.virginia.gov
Delegate Christopher T. Head, DelCHead@house.virginia.gov
Delegate Joseph P. McNamara, DelJMcNamara@house.virginia.gov
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Senator R. Creigh Deeds, district25@senate.virginia.gov
Senator L. Louise Lucas, district18@senate.virginia.gov
Senator Jennifer L. McClellan, district09@senate.virginia.gov
Senator Ryan T. McDougle, district04@senate.virginia.gov
Senator Joseph D. Morrissey, district16@senate.virginia.gov
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Senator Mark D. Obenshain, district26@senate.virginia.gov
Senator J. Chapman Petersen, district34@senate.virginia.gov
Senator Richard L. Saslaw, district35@senate.virginia.gov
Senator William M. Stanley, Jr., district20@senate.virginia.gov
Senator Richard H. Stuart, district28@senate.virginia.gov
Senator Scott A. Surovell, district36@senate.virginia.gov

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CC (by e-mail only): Nanda E. Davis, Esq.
Vicki L. Francois, Esq.
Amy H. Geddes, Esq.

Johneal White, Esq.

THE HONORABLE LEISA K. CIAFFONE

Experience and Legal Ability: Judge Ciaffone earned her Juris Doctorate degree from the T.C. Williams School of Law at Richmond University in 1987. She was admitted to practice law in the Commonwealth of Virginia in 1987.

From 1987 to 2000, Judge Ciaffone practiced in Roanoke at Gentry Locke, Rakes & Moore, working on a wide variety of cases from insurance defense (automobile, premises, and products liability) to plaintiff's personal injury, from the small to the catastrophic. She was the firm's appellate manager from 1996 to 2000, handling approximately 65 appeals to the Virginia Supreme Court, the Virginia Court of Appeals, the United States Bankruptcy Court, and the Court of Appeals for the Fourth Circuit. On January 1, 2001 she opened her own law firm, Leisa K. Ciaffone, P.C. in Salem, Virginia. The majority of her work involved domestic relations matters, including divorce and child custody, and she served as Guardian ad Litem for children. She also continued her work on various civil matters, continuing to try jury trials in Circuit Court.

Throughout her career, Judge Ciaffone has always handled a multitude of pro bono matters, including an appeal in a Legal Aid divorce case to the Virginia Court of Appeals. After opening her solo practice in 2001, she continued to handle routine domestic relations matters on referral from the Legal Aid Society of Roanoke Valley.

Judge Ciaffone began her term as a Judge for the 23rd Judicial District's Juvenile and Domestic Relations District Court on July 1, 2013, after serving as a substitute Judge since 2002. She has also served as a Circuit Court Judge pro tempore at the request of several Circuit Court Judges in divorce matters.

Prior to taking the bench in 2013, Judge Ciaffone served in several capacities in service to the bar, including the Virginia State Bar Council, the Virginia State Bar Family Law Section Board of Governors, the Judicial Council of Virginia, President of the Roanoke County Bar Association, and a Virginia Board of Bar Examiners Grader. Since becoming a Juvenile and Domestic Relations Court Judge, she has continued serving the bar as a member of the Association of District Court Judges of Virginia, the Virginia Association of Women Judges, the Virginia Council of Juvenile and Domestic Relations Court Judges, and the National Council of Juvenile and Family Court Judges.

Fairness and Temperament: Through her submissions and interview, Judge Ciaffone demonstrated to the Committee that she possesses in excess of the requisite fairness and temperament to serve on the Circuit Court bench.

Professionalism and Integrity: The Committee finds that Judge Ciaffone possesses in excess of the requisite professionalism and integrity to serve on the Circuit Court bench.

Overall Evaluation: The Committee finds that Judge Ciaffone is **HIGHLY RECOMMENDED** for the position of a Circuit Court Judge based on her extensive trial experience, her varied experience outside of domestic relations law, her extensive commitment to public service, and her willingness to self-educate on areas of law not covered in her current judicial position.

MELISSA W. FRIEDMAN, ESQ.

Experience and Legal Ability: Ms. Friedman earned her Juris Doctorate degree from Vanderbilt University School of Law. She was admitted to practice law in the Commonwealth of Virginia in 1987.

Following her graduation from law school, Ms. Friedman clerked for the Honorable Edward H. Johnstone, United States District Court for the Western District of Kentucky, from 1984 to 1986 and for the Honorable James C. Turk, United States District Court for the Western District of Virginia, from 1986 to 1987.

Ms. Friedman was an associate attorney with the law firm of Anthony Anderson, Esq. from 1990 to 2004, and since 2005 has been a non-equity partner in the law firm of Anderson & Friedman. Ms. Friedman specializes in criminal and civil litigation in state and federal courts, including the Juvenile and Domestic Relations Court, the General District Court, the Circuit Court, the Virginia Court of Appeals, the Virginia Supreme Court, and the Fourth Circuit Court of Appeals. Ms. Friedman also has experience in divorces, custody matters, and sex and age discrimination matters, and has represented clients in Petitions for Writ of Certiorari in the United States Supreme Court, one of which was granted and ended with a successful result.

During her career, Ms. Friedman has accepted numerous pro bono cases, including a court appointed civil appeal in the Virginia Supreme Court. In addition, Ms. Friedman has provided pro bono services regarding traffic or criminal charges and in the preparation of wills, petitions for expungement, restoration of driving privileges, and preparation of divorce documents. In addition to providing extensive pro bono services throughout her career, Ms. Friedman has frequently served as a mentor to other attorneys. Ms. Friedman also served on a Virginia Supreme Court Digital Evidence Working Group chaired by Judge Robert Humphreys and on a committee that prepared and presented the seminar “Neuroscience & Law,” which addressed the opioid crisis and science-based treatment with a target audience of actors in the criminal justice system.

Fairness and Temperament: Through her submissions and interview, Ms. Friedman demonstrated to the Committee that she possesses in excess of the requisite fairness and temperament to serve on the Circuit Court bench.

Professionalism and Integrity: The Committee finds that Ms. Friedman possesses in excess of the requisite professionalism and integrity to serve on the Circuit Court bench.

Overall Evaluation: The Committee finds that Melissa Friedman is **HIGHLY RECOMMENDED** for the position of a Circuit Court Judge based on her extensive trial experience, her varied experience outside of criminal law, her extensive commitment to pro bono work and the legal community, and her willingness to self-educate on areas of law not covered in her current legal practice.

THE HONORABLE FRANK W. ROGERS, III

Experience and Legal Ability: The Honorable Frank Rogers, III earned his Juris Doctorate degree from the Washington & Lee University School of Law in 1984. He was admitted to practice law in the Commonwealth of Virginia in 1984.

Judge Rogers has served as a Juvenile and Domestic Relations District Court Judge in the 23rd Judicial District since January 2015. In that capacity, he conducts civil hearings in matters including, *inter alia*, custody, support, protective orders, removals, foster care, child in need of services, adoption, and other matters involving the Department of Social Services. He also conducts misdemeanor trials involving juvenile delinquency and crimes against family and household members. He also presides over bond hearings and probable cause hearings for felonies involving juveniles and crimes against family and household members.

Prior to serving on the bench, Judge Rogers was a partner at Mundy, Rogers & Associates, LLP, where he specialized in divorce and family law. Earlier in his career, Judge Rogers practiced criminal defense and insurance defense work. He argued one case before the full Supreme Court of Virginia and a number of cases before the Supreme Court of Virginia writ panels and the Court of Appeals of Virginia. Virtually all of his work in his thirty years of law practice was litigation related.

Judge Rogers has served in various capacities for non-profit and community service organizations. He is a founding member of the steering committee for the Roanoke Valley Trauma Informed Community Network and is a chair of the Roanoke City Truancy Team. When he assumed the bench in January 2015, he agreed to lead the Roanoke City Juvenile and Domestic Relations District Court Best Practices Group, where he brings together lawyers, members of law enforcement, members of the medical community, mental health experts, and other professionals involved in the Juvenile and Domestic Relations Courts for quarterly breakfast meetings that feature speakers and promote networking among the attendees. He was the 2019 recipient of the Golden Halo Award by Children’s Trust of the Roanoke Valley. He is active in local, statewide, and national organizations in his capacity as a Juvenile and Domestic Relations Judge and is a mentor judge in Virginia’s Judicial Mentoring Program. He has also served as the Trustee Emeritus for the Foundation for Roanoke Valley, as a board member for Total Action for Progress, and as a board member and chair for Conflict Resolution Center in Roanoke. Judge Rogers is very involved in his local community and the statewide legal community, and the activities listed here are not an exhaustive list of his civic involvement. While in private practice, he handled many cases for indigent clients at no fee or a reduced hourly rate in domestic relations and family practice matters.

Fairness and Temperament: Through his submissions and interview, Judge Rogers demonstrated to the Committee that he possesses in excess of the requisite fairness and temperament to serve on the Circuit Court bench.

Professionalism and Integrity: The Committee finds that Judge Rogers possesses in excess of the requisite professionalism and integrity to serve on the Circuit Court bench.

Overall Evaluation: The Committee finds that Judge Rogers is **HIGHLY RECOMMENDED** for the position of a Circuit Court Judge based on his extensive trial experience, his varied experience outside of domestic relations law, his extensive commitment to public service, and his willingness to self-educate on areas of law not covered in his current judicial position.

THE HONORABLE ONZLEE WARE

Experience and Legal Ability: The Honorable Onzlee Ware earned his Juris Doctorate degree from the North Carolina Central School of Law in 1988 and was admitted to the Virginia State Bar the same year.

From 1988 to 2014, Judge Ware practiced law as a solo practitioner. In his private practice, Judge Ware's practice consisted of 60% criminal cases, 30% domestic relations cases, and 10% bankruptcy cases, with a majority of the cases in state courts of record. He tried over twenty trials in the five years before assuming the bench. Judge Ware also served in the House of Delegates of the Virginia General Assembly from 2004 to 2014.

Judge Ware has served as a Judge on the 23rd Judicial Circuit Juvenile and Domestic Relations District Court since 2014 and was the Chief Judge from June 2016 to June 2018. In his role as a Juvenile and Domestic Relations District Court Judge, he has presided over approximately 300 trials that have gone to verdict. These cases were bench trials in which 65% were criminal cases and 35% were civil cases.

Prior to assuming the bench, Judge Ware served his community on the Boards of the Roanoke Symphony, Juneteenth Freedom Day, Carilion Clinic, Taubman Museum, Harrison Museum of African American History, Northwest Child Development Day Care Center, Boy Scouts of America Blue Ridge Mountains Council, and Mental Health Services. Judge Ware has served as a guest lecturer in the Roanoke City Public Schools and at Radford University. Judge Ware has received numerous awards for his service, including Key to the City of Roanoke for Distinguished Service in the General Assembly, distinguished speaker awards from the City of Roanoke Public Schools, Omega Psi Phi Humanitarian of the Year Award, and Distinguished African American Trailblazer Award from the Roanoke Academy of Math and Science. Judge Ware has demonstrated a commitment to public service both personally and professionally.

The materials Judge Ware provided were incomplete in several respects and no sample of his writing (to include his legal analysis) was made available. For those reasons, the Committee was not able to evaluate certain aspects of Judge Ware's qualifications.

Fairness and Temperament: Throughout the interview and in his submission, Judge Ware demonstrated that he possesses the requisite fairness and temperament to serve on the Circuit Court bench.

Professionalism and Integrity: The Committee finds that Judge Ware possesses the requisite professionalism and integrity to serve on the Circuit Court bench.

Overall Evaluation: The Committee finds that Judge Ware is **RECOMMENDED** for the position of a Circuit Court Judge. The Committee noted that the Circuit Court Judge position involves writing opinions as a routine and essential component of the job, but the Committee was not able to evaluate that aspect of Judge Ware's qualifications because he did not provide a writing sample.