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June 3, 2021

*Via First Class Mail and Email*

Hon. John S. Edwards, Senator  
Pocahontas Bldg. Room E506  
Senate of Virginia  
PO Box 396  
Richmond, VA 23218  
Email: C/O Shannon Heard: [sheard@dls.virginia.gov](mailto:sheard@dls.virginia.gov)

Hon. Charniele L. Herring, Delegate  
General Assembly Building, Room 816  
PO Box 406  
Richmond, VA 23218  
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Re: Vacancies on the Virginia Court of Appeals

Dear Senator Edwards and Delegate Herring:

On behalf of the Virginia Women Attorneys Association ("VWAA"), three judiciary committees (the "Committees") were impaneled to evaluate candidates for the seven vacancies on the Virginia Court of Appeals.

The VWAA requested that interested candidates complete the VWAA Judicial Candidates Questionnaire (the "Application"), submit a writing sample, and participate in an interview with the Committee. Prior to the interviews, members of the Committee contacted the references listed on each candidate's Application, as well as other members of the local bar and legal community to inquire as to each candidate's suitability for the Court. On May 10, 2021 and May 13, 2021, the Committees interviewed thirty-five (35) candidates *via* Zoom. An additional twenty-six (26) candidates who participated in the application process within the last eighteen months opted to maintain their VWAA rating.

It is worth noting that the VWAA ratings are based upon 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:

**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 for Reviewing Qualifications for Judicial Office (“ABA Guidelines”). Candidates rated “Not Qualified” are given the opportunity to withdraw their name and rating from all materials disseminated by the VWAA. If the candidate declines to withdraw, the rating is disseminated along with a summary stating the reasons for such rating.

**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.

**RECOMMENDED:** Applied to any applicant whose qualifications are sufficiently above the minimum requirements to warrant the Committee’s affirmative recommendation.

**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 Executive Committee of the Board of Directors of the VWAA has approved, in accordance with its procedures, the following endorsements of the Committees for these judicial vacancies:

Amy L. Austin, Esq. is found *Highly Recommended*.  
Hon. David Bernhard is found *Highly Recommended*. \*  
Patrick Michael Lawrence Blanch, Esq., is found *Highly Recommended*. \*  
Vernida R. Chaney, Esq. is found *Highly Recommended*.  
Hon. Leisa K. Ciaffone is found *Highly Recommended*.  
Jennifer Franklin, Esq., is found *Highly Recommended*. \*  
Frank Kevin Friedman, Esq., is found *Highly Recommended*. \*  
Hon. Junius Phillip Fulton, III, is found *Highly Recommended*. \*  
Hon. Richard E. Gardiner is found *Highly Recommended*. \*  
Hon. Angela Horan is found *Highly Recommended*.  
Hon. David W. Lannetti is found *Highly Recommended*. \*  
K. Lorraine Lord, Esq. is found *Highly Recommended*.  
Hon. Bryan K. Meals is found *Highly Recommended*.  
Hon. Stacey W. Moreau is found *Highly Recommended*. \*  
Mary T. Morgan, Esq. is found *Highly Recommended*.  
Hon. Daniel Eric Ortiz is found *Highly Recommended*. \*

Stuart A. Raphael, Esq., is found *Highly Recommended*. \*  
Patricia P. Rene (*nee* Nagel), Esq., is found *Highly Recommended*. \*  
Hon. Ricardo Rigual is found *Highly Recommended*.  
Hon. M. Scott Stein is found *Highly Recommended*.  
Hon. Tracy Thorne-Begland is found *Highly Recommended*.  
Samuel T. Towell, Esq. is found *Highly Recommended*.  
Hon. Victoria A.B. Willis is found *Highly Recommended*. \*  
Daniel Taylor Young, Esq., is found *Highly Recommended*. \*

Joan Burroughs, Esq. is found *Recommended*.  
Dominique A. Callins, Esq. is found *Recommended*.  
James P. Cargill, Esq. is found *Recommended*.  
Doris Henderson Causey, Esq. is found *Recommended*.  
Hon. John Christopher Clemons is found *Recommended*.  
Trevor Stephen Cox, Esq., is found *Recommended*. \*  
Hon. Dale Durrer is found *Recommended*. \*  
Hon. Douglas L. Fleming is found *Recommended*.  
Hon. William E. Glover is found *Recommended*.  
Carlos L. Hopkins, Esq. is found *Recommended*.  
Shelly R. James, Esq. is found *Recommended*.  
Lisa Marie Lorish, Esq., is found *Recommended*. \*  
Hon. Wesley Gilmer Marshall is found *Recommended*. \*  
Edward Kyle McNew, Esq., is found *Recommended*. \*  
Brendan D. O'Toole, Esq. is found *Recommended*.  
Doug Ramseur, Esq., is found *Recommended*. \*  
Melissa W. Robinson, Esq. is found *Recommended*.  
Cullen D. Seltzer, Esq. is found *Recommended*.  
Julie A. Seyfarth, Esq. is found *Recommended*.  
Jonathan Sheldon, Esq., is found *Recommended*. \*  
Virginia B. Theisen, Esq., is found *Recommended*. \*  
Catherine French Zagurskie, Esq., was found *Recommended*. \*

H. Shannon Cooke, Esq. is found *Qualified*.  
Charles E. Haden, Esq. is found *Qualified*.  
Scott David Helsel, Esq., is found *Qualified*. \*  
Michael V. Hernandez, Esq. is found *Qualified*. \*  
Karen Anderson Holman, Esq. is found *Qualified*.  
Matthew R. Hull, Esq. is found *Qualified*.  
Sean S. Jung, Esq. is found *Qualified*.  
Thomas K. Plofchan, Jr., Esq. is found *Qualified*.  
Ernest Wayne Powell, Esq. is found *Qualified*. \*  
Elwood Earl "Sandy" Sanders, Jr., Esq. is found *Qualified*. \*  
Hon. Rupen R. Shah is found *Qualified*.  
Fay F. Spence, Esq. is found *Qualified*.  
Jack A. Thornton, III, Esq. is found *Qualified*.  
Marie Evelyn Washington, Esq. is found *Qualified*.

J. Patrick Griffin is found *Not Qualified*.

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

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

**Maureen Carr, Chair:** Maureen Carr is a partner with the law firm of Bean, Kinney & Korman, PC. She focuses her practice on employment law and commercial litigation. She has been a member of the Virginia State Bar since 2006, a member of the Board of Directors of the Northern Virginia Chapter of the VWAA since 2015 (and is currently President of the Northern Virginia Chapter), and a member of the State Board of Directors of the VWAA since 2018.

**Kristi C. Kelly, Chair:** Kristi C. Kelly is a partner at the law firm of Kelly Guzzo, PLC. She focuses her practice on consumer rights litigation, including credit reporting errors, mortgage servicing abuses and predatory lending, throughout the Eastern District of Virginia. She was previously a shareholder at Surovell Isaacs Petersen & Levy, PLC and an attorney at Legal Services of Northern Virginia. She has been a member of the Virginia State Bar since 2006.

**Michelle R. Parker, Chair:** Michelle Parker is an attorney with Decker, Cardon, Thomas, Weintraub & Neskis in Norfolk, Virginia. She primarily practices in the areas of personal injury, civil litigation, wills, trust, and estates, and probate. Ms. Parker has been a member of the Virginia State Bar since 2004 and is admitted to practice in all courts of the Commonwealth of Virginia and the U.S. District Court for the Eastern District of Virginia. Ms. Parker is a current member and past president of Virginia Women Attorneys Association (VWAA) and continues to serve on the Board of Directors of VWAA. She is a member of and serves on the Executive Board of the James Kent American Inn of Court.

**Katie DeCoster:** Ms. DeCoster is a partner with the law firm of Frith Anderson + Peake, PC in Roanoke, Virginia. She focuses her practice on civil litigation, particularly in the areas of insurance defense, transportation, products liability, premises liability, local government, and constitutional law. She has been a member of the Virginia State Bar since 2011 and has served on the Board of the Roanoke Chapter of the VWAA for three years.

**Tashina M. Gorgone:** Ms. Gorgone is a partner with the law firm of Maddox & Gerock, P.C. in Falls Church, Virginia. She focuses her practice on family law at both trial and appellate levels. She has been a member of the Virginia State Bar since 2013 and a member of the Board of Directors of the Northern Virginia Chapter of the VWAA since 2019 (and is currently Director of Social Media of the Northern Virginia Chapter). She is also a member of the Fairfax Bar Association (2013 – present) and the Virginia Trial Lawyers Association Family Law Section (2013 – present, and joined the Board in 2020).

**Shemeka Hankins:** Ms. Hankins is the Criminal Law Practice Group Director at Invictus Law in Virginia Beach, VA. Her practice areas include state and federal criminal defense with a specialization in Driving Under the Influence, Domestic Violence, and Narcotics charges. Ms. Hankins is a member of the Board of Directors of the VWAA. She has previously served as a member of the Board of Governors of the Virginia State Bar Young Lawyers Conference, a Past President of the South Hampton Roads Bar Association, and has been selected as an Up and Coming Leader in the Law by Lawyers Weekly, Local Bar Leader of the Year by the Virginia State Bar Conference of Local and Specialty Bar Associations and most recently, a Rising Star by the Super Lawyers Magazine. Ms. Hankins has been a member of the Virginia State Bar since 2011.

**Karissa Kaseorg** is an attorney at McCandlish Holton, PC in Richmond, Virginia. She represents clients in the areas of personal injury defense, products liability defense, insurance coverage litigation, suretyship litigation, civil rights litigation, local government, and civil appellate matters. Following law school, Karissa served as a judicial law clerk to Judge Randolph A. Beales on the Virginia Court of Appeals. She has been a member of the Virginia State Bar since 2014.

**\*\*Karissa Kaseorg will join Sands Anderson in June 2021, and did not participate in the evaluation of Cullen T. Seltzer.**

**Anne C. Lahren** is an attorney at Pender & Coward, P.C. in Virginia Beach, VA, practicing Civil Litigation, Immigration, Employment, and Family Law. Ms. Lahren is admitted to practice before the United States Supreme Court, the Supreme Court of Virginia, the United States Court of Appeals for the 4th Circuit, the U.S. District Court for the Eastern District of Virginia, the U.S. Bankruptcy Court for the Eastern District of Virginia, and the Executive Office for Immigration Review (EOIR). Ms. Lahren is involved in numerous civic and professional organizations, including serving as a Faculty Member for the Virginia State Bar's Harry L. Carrico Professionalism Course, Past President of the James Kent American Inn of Court, Past President for the Virginia Women Attorneys Association (Hampton Roads Chapter) and is a member of the Board of Directors for the statewide Virginia Women Attorneys Association.

**Christie Leary** is a partner at Leary Law, PC in Fairfax, Virginia. Ms. Leary is admitted to practice in Virginia, the District of Columbia, the United States Eastern and Western District Courts of Virginia, the U.S. Court of Appeals for the Fourth and Ninth Circuit and the U.S. Supreme Court. Ms. Leary has tried bench and jury trials in federal and state criminal and civil matters ranging from traffic offenses to serious felony criminal offenses and cases involving complex personal injury issues and medical malpractice. Ms. Leary graduated from the College of William and Mary and received her law degree from George Mason University School of Law. Ms. Leary is a past President of the Fairfax Bar Association and the Fairfax Law Foundation and past chair of the Virginia State Bar's (VSB) 5<sup>th</sup> District Disciplinary Committee. Currently, Ms. Leary serves on the VSB Bar Council as a representative from the 19<sup>th</sup> Judicial Circuit and on the Board of Directors for the Northern Virginia Women Attorneys Association.

**Andrea Morisi** is a partner at Farrell & Croft, P.C. in Manassas, Virginia. Her practice focuses on estate planning, probate and trust administration, suits for Guardianship and Conservatorship, and serving as a Guardian *ad litem* for adults. Prior to

joining Farrell & Croft, Ms. Morisi had a solo practice for 11 years after spending 18 years at the American National Red Cross in its General Counsel's Office and serving as its Corporate Secretary. Ms. Morisi is a 1983 graduate of Boston College (B.S. in Biology) and in 1989 graduated from both The George Washington University Law School and its School of Health Services Administration, earning a joint J.D./M.H.S.A. degree. She is admitted to the Virginia State Bar. Ms. Morisi is active in the Prince William County Chapter of the VWAA, serving on its Judicial Review Committee. Andrea was the recipient of the Prince William County Bar Association's 2020 Pro Bono Award.

**Laurie Forbes Neff** is a Partner and the head of the Family Law Section of The Geller Law Group PLLC. She focuses her practice in the area of domestic relations, including divorce, child custody and visitation, child support, spousal support, and equitable distribution. Previously, she was a professor of law at the George Mason School of Law, where she ran the Mason Veteran & Servicemembers Legal Clinic. Ms. Neff has been a member of the Virginia State Bar since 2001.

**Nancy F. 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. She also serves as a member of the Board of Directors of the Roanoke Bar Association.

**Rachel Robinson** is a Senior Associate Attorney with the Law Offices of Alex Levay, PLLC, in Leesburg, Virginia. Before joining the firm, she was a Senior Assistant Public Defender in Loudoun County. Ms. Robinson graduated from Baylor University and Pepperdine University School of Law. Her practice consists mostly of criminal defense work and some family law. Ms. Robinson also serves her community as a Guardian *ad litem* for children; on the boards of the Virginia Women Attorneys Association and the Loudoun County Bar Association; and on the Loudoun Disability Response Team. Ms. Robinson has been a member of the Virginia State Bar since 2014.

**Corrie Sirkin** is a partner at the law firm of NOVA Legal Professionals. She focuses her practice in the area of domestic relations as a family law practitioner, mediator, and collaborative lawyer. She has been a member of the New Jersey and New York State Bars since 2010 and the Virginia State Bar since 2011. Ms. Sirkin is President of the Prince William Chapter of the Virginia Women Attorneys Association, a member of the Virginia Trial Lawyers Association, Prince William County Bar Association, and Fairfax Bar Association.

**Kristina Keech Spitler** is a shareholder and head of the Employment Law Practice and the Investigations Practice at Vanderpool, Frostick & Nishanian, PC. She focuses her practice on civil litigation, employment law, internal and workplace investigations, and municipal law. Ms. Spitler has been a member of the Virginia State Bar since 1988. Ms. Spitler has been recognized as one of Virginia's "Most Influential Women" and a "Leader in the Law" by Virginia Lawyers Media, and as "Legal Elite" in Labor/Employment Law from Virginia Business Magazine. She has also received the AV Preeminent rating by Martindale-Hubbell. She has served as the President of the Prince William Chapter of the VWAA and as a member of the Board of Directors of the VWAA, President of the Prince William County Bar Association, Member of the Board of Governors of the Virginia State

Bar's Young Lawyers Conference and Chairman of the Board of the Prince William Chamber of Commerce.

**Bradlee K. Suggs** is a Law Clerk to the Honorable William H. Seals, Jr. in South Carolina. Ms. Suggs is an attorney licensed to practice law in Virginia and North Carolina. She is currently seeking admission to practice law in South Carolina. She attended Elon University School of Law in Greensboro, North Carolina and graduated in December, 2019. She plans on obtaining employment in the area surrounding Washington & Lee once her clerkship ends in the summer of 2021. Ms. Suggs interned with Judge David C. Keesler, a United States Magistrate Judge in the Western District of North Carolina during the summer of 2019. She also worked as an extern to Chief Judge James E. Lockemy at the South Carolina Court of Appeals during the spring of 2019, and interned at the Aircraft Owners & Pilots Association in the summer of 2018 in Frederick, Maryland.

Following are the Committee members who assisted with the evaluation of candidate materials, but did not participate in the interviews:

**Samantha Bateman** is Appellate Counsel, Fraud Section at U. S. Dept. of Justice. Prior to joining the U. S. Department of Justice, Ms. Bateman worked for the U. S. Attorney's Office, Eastern District of Virginia.

**Andrea Weiss Bryk** is an estate planning & administration attorney, working with the Law Offices of Michele H. Wright in Vienna. Previously and under her maiden name, she worked as a family law attorney with Kate Reese.

**Amy M. Harber** is a Senior Attorney with Allstate Insurance Company's Fairfax, Va. office where she focuses on insurance subrogation across the Commonwealth and bodily injury defense in Northern Virginia. Prior to joining Allstate in 2020, she served as an Assistant Commonwealth's Attorney in the City of Hampton and Loudoun County for a combined total of 12 years.

**Margaret Hardy** is the President of Sands Anderson PC. She focuses her practice on the defense of healthcare providers in medical malpractice and disciplinary actions and business litigation. She has been a member of the Virginia State Bar since 1995. She is a member of the Fredericksburg Chapter of the VWAA and currently serves as President of the VWAA.

**Jehan Patterson** is a Senior Litigation Counsel in the Office of Enforcement at the Consumer Financial Protection Bureau in Washington, DC. Her practice has focused on consumer rights and consumer protection in both state and federal courts for the majority of her career. She is a member of the New York, New Jersey, and DC bars.



We hope this information will prove helpful to you during your review process for this very important judicial position. Please feel free to contact me should you have any questions or need additional information.

Cordially yours,



Margaret Hardy  
President, VWAA

Maureen Carr  
Chair, Judiciary Cmte

Kristi Kelly  
Chair, Judiciary Cmte

Michelle Parker  
Chair, Judiciary Cmte

\*Candidates denoted with an asterisk were previously reviewed and rated by a VWAA review committee for the same judicial position within the last 18 months. Pursuant to the VWAA Judiciary Committee Rules, these candidates elected to rely on their prior ratings and attested in writing that there have been no material changes in the veracity of the information previously submitted.

Enclosures: Executive Summary of Amy L. Austin, Esq.

Executive Summary of Hon. David Bernhard \*

Executive Summary of Patrick Michael Lawrence Blanch, Esq.\*

Executive Summary of Vernida R. Chaney, Esq.

Executive Summary of Hon. Leisa K. Ciaffone.

Executive Summary of Jennifer Franklin, Esq.\*

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Executive Summary of J. Patrick Griffin, Esq.

cc (via email only): Amy L. Austin, Esq.

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Jack A. Thornton, III, Esq.  
Marie E. Washington, Esq.  
J. Patrick Griffin, Esq.

**AMY L. AUSTIN, ESQ.**

**Experience and Legal Ability:** Amy Austin earned her bachelor's degree from Marshall University in 1990 and her Juris Doctor from Ohio Northern University – Claude W. Pettit School of Law in 1993. Ms. Austin has been a member of the Virginia State Bar since 2001.

Ms. Austin served as a law clerk to the Honorable Elizabeth V. Hallahan in the United States District Court for West Virginia, Beckley Division, from 1993 to 1996. She then worked as an Assistant Public Defender in the Fayette County Public Defender Office in Fayetteville, West Virginia from 1996 to 1999, representing indigent criminal defendants in state court. From 1999 to 2001, Ms. Austin was a Staff Attorney for the United States Court of Appeals for the Fourth Circuit, reviewing appellate records, researching issues, and drafting proposed opinions and orders. From 2001 to 2012, Ms. Austin was an Assistant Federal Public Defender in the Eastern District of Virginia, Richmond Division, where she handled a robust caseload of felony matters, became qualified to serve as first chair in capital cases, and maintained an active federal appellate practice. From 2013 to 2020, Ms. Austin worked as a solo practitioner of criminal law in federal and state court. Since 2020, Ms. Austin has practiced consumer advocacy law for Consumer Litigation Associates, P.C. in Richmond.

Ms. Austin is an active member of the legal community and her local community. She has been a member of the Virginia Association of Criminal Defense Attorneys, the Richmond Criminal Bar Association, the Metro Richmond Women's Bar Association (serving as a Board member from 2017 to 2020), the Federal Bar Association (serving as a Board member from 2020 to the present), the National Association of Consumer Advocates, and the Virginia Women Attorneys Association. Ms. Austin provides pro bono representation to young adults through Children's Home Society of Virginia's "My Path Forward" program and serves as Counsel in the ABA Military Pro Bono Project. Ms. Austin also served on the Board of Directors of the Granite Pool and Swim Club from 2016 to 2019.

**Fairness and Temperament:** Through her submission and interview, Ms. Austin demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Austin possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Austin's significant appellate experience, diverse experience with criminal and civil law, and calm demeanor make her an excellent candidate for the Virginia Court of Appeals. The Committee finds that Ms. Austin is very well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED.**

## **THE HONORABLE DAVID BERNHARD\***

**Experience and Legal Ability:** Judge Bernhard earned a Bachelor of Arts in Economics and Political Science, graduating a year early from Brandeis University in 1983; and a Juris Doctor from Washington University in St. Louis School of Law in 1985, which he completed a half-year early. He was admitted to the Missouri Bar in 1986, District of Columbia Bar in 1987, Virginia State Bar in 1988, and Maryland Bar in 1989.

From 1987-1989, Judge Bernhard was an associate attorney practicing mainly immigration law. In 1989 he started his own firm in Arlington where he handled a variety of criminal, family law, and personal injury matters in addition to serving as a Guardian ad Litem. From September 1991 – June 2017, he was a partner at Bernhard & Gardiner, and the types of cases he was handling became more complex, focusing on criminal, divorce, and appellate practice.

As an attorney, Judge Bernhard tried tens of thousands of cases and hundreds of jury trials. He became a proficient trial and appellate attorney with excellent research and writing skills, and had numerous noteworthy cases. Additionally, he has been published twice in the Fairfax Bar Journal (2011, 2012), and in the Washington Post (2014). He won the Fairfax Bar Association President's Award (2011) and was recognized by Virginia Lawyer's Weekly as a Leader in the Law (2012).

He was an active member of the Fairfax Bar Association, holding positions such as Co-Chair of the Criminal Law Practice Section (2011-2014), member of the Judicial Screening Committee (2012-2014, Chair 2013); as well as the Hispanic Bar Association, where he served as a screener on the Judicial Selection Committee (2006-2014).

Additionally, he and his law partner developed the VADefenses Listserv Group, which has become the second largest criminal listserv in Virginia and a valuable networking tool among practitioners.

In February 2017, Judge Bernhard was appointed to the 19<sup>th</sup> Judicial Circuit (Fairfax), taking the bench on July 1, 2017. He has declined to impose cash or surety bond release conditions and has been a proponent of evidence-based pretrial and sentencing practices. During *voir dire*, Judge Bernhard has advised potential jurors of the penalty range a defendant faces if convicted, in an effort to examine sentencing bias and reduce the chance of mistrials.

Judge Bernhard has presided over a wide variety of matters, heard as bench and jury trials, and has authored numerous letter opinions. Many of the cases over which he has presided are high-profile or otherwise unique and have garnering attention from various media outlets, including but not limited to Virginia Lawyer's Weekly, the Washington Post, Fairfax County Times, and the local NBC and Fox affiliates.

Judge Bernhard has a reputation as "the fact checker," and as a judge who will take time to do the research needed to make a fair decision. His letter opinions are considered the product

of diligent effort and thoughtful consideration of the law as applied to the specific facts of the case, and written with a sincere desire to provide guidance for attorneys.

Judge Bernhard has attended the Judicial Conference in each of the last three years. Additionally, he has presented at the annual Fairfax Bar Association each of the last three years, addressing topics such as evidence-based sentencing practices, effective legal writing and oral advocacy, and arguing for pretrial release.

Judge Bernhard's community involvement includes being the longest serving Board member of the Forest Hills of Fairfax Homeowners Association, where he last served as its President. He was active in establishing the governance of the Association, organizing volunteer projects, and conducting environmental restoration of the civil war-era pond, which hosts a variety of wildlife.

Fairness and Temperament: Throughout his submission and interview and with additional information gathered during the screening process, Judge Bernhard consistently displays his dedication to public service and a passion to make "equal justice under law" a reality rather than an unattainable ideal. He recognizes that many of the litigants don't always see themselves represented in the courtroom – as attorneys, judges, or courthouse staff – and strives to apply his knowledge of the law and evidenced-based practices to the matters before him such that each person feels they had a fair hearing. He is known for treating everyone with fairness and respect. Judge Bernhard demonstrated that he possesses and exceeds the requisite fairness and temperament for the Virginia Court of Appeals.

Professionalism and Integrity: Judge Bernhard is held in high esteem in his courthouse and in the community. The Committee finds that he possesses and exceeds the requisite professionalism and integrity for the Virginia Court of Appeals.

Overall Evaluation: The Committee finds that Judge Bernhard is very well-qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

\*In accordance with VWAA's Judiciary Committee Rules, Judge Bernhard elected to rely on his prior rating by the VWAA Committee from February, 2020.

**PATRICK MICHAEL LAWRENCE BLANCH, ESQUIRE \***

**Experience and Legal Ability:** Mr. Blanch earned his undergraduate degree from Millersville University of Pennsylvania in 2002. He earned his Juris Doctor from The George Washington University School of Law in 2006, and was admitted to the Virginia Bar that same year.

Mr. Blanch began his legal career in 2007 as an Assistant Public Defender in the Fairfax County Office of the Public Defender. He left that position in 2009 to join the firm, currently named Zinicola, Blanch, Overand & Hart, PLLC. Mr. Blanch has dedicated his career to criminal defense at both the trial and appellate levels, accepting court appointed and *pro bono* engagements, including appeals. His civil work involves expungements, *pro bono* uncontested divorces and, by court appointment, representations of Respondents under the Civil Commitment of Sexually Violent Predators Act.

Mr. Blanch has served as lead counsel in 6 cases decided by the Supreme Court of Virginia and 6 cases decided by the Virginia Court of Appeals, including *Grant v. Commonwealth* (54 Va. App. 714 (2009)), which established for the first time in Virginia that the Sixth Amendment's Confrontation Clause entitles a defendant in a DWI case to confront the witness who conducted the forensic test of the defendant's breath alcohol. During his interview, Mr. Blanch told the Committee that, as a result of cases such as *Grant*, he recognized the impact the Court of Appeals has on the life of not only the individual before them on appeal, but also the impact precedent has every subsequent case with that legal issue.

Mr. Blanch is active in the Fairfax Bar Association, serving on the Committees for the General District and Circuit Courts, as well as its inaugural Equal Access to Justice Committee. He regularly presents CLE programs for the local Bar Association and at the Indigent Defense Commission's conferences and mentors other attorneys who are preparing for their first appellate case. Additionally, of his Virginia Supreme Court cases, three of them were brought on a *pro bono* basis. In recognition of his work, in 2018 the Fairfax Bar Association awarded him its highest award, the James Keith Public Service Award.

**Fairness and Temperament:** Throughout the screening process, Mr. Blanch displayed a professional and respectful demeanor. The Committee believes he demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Mr. Blanch is highly respected among his peers for his zealous representation, ethical practices and appellate leadership. Throughout the interview and based upon information gathered, the Committee finds that he possesses and exceeds the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Blanch is well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.



## **VERNIDA R. CHANEY, ESO.**

**Experience and Legal Ability:** Vernida R. Chaney earned her Juris Doctor degree from Howard University School of Law in 2005 after receiving her Bachelor of Arts degree from the University of Virginia in 1999 and a Master of Business Administration degree from Virginia Commonwealth University in 2002. Ms. Chaney was admitted to practice law in the Commonwealth of Virginia in 2006.

After serving as a contract attorney on a large-scale discovery matter for McGuire Woods, LLP in 2006, Ms. Chaney has devoted a significant portion of her career to representing indigent clients as an attorney with the Fairfax County Public Defender Office (2006-2012, 2013-2015). She handled criminal cases before both trial and appellate courts. As Senior Assistant Public Defender, she was also part of the management team. Ms. Chaney also served as an Assistant Capital Defender in the Northern Virginia Capital Defender Office (2012-2013). Ms. Chaney founded her own firm, Chaney Law Firm, in 2015 in Fairfax, Virginia, where she currently represents criminal defendants in state and federal courts in Northern and Central Virginia. Her trial and appellate work focuses primarily on complex criminal defense and juvenile justice. Additionally, she handles protective orders, school disciplinary actions, and Department of Family Services and Child Protective Service matters. Ms. Chaney also uses her business background to assist small businesses and help clients resolve civil disputes without litigation.

In addition to her substantial indigent and pro bono work, Ms. Chaney has remained significantly involved in the state and local bar associations. Among other roles, Ms. Chaney is currently serving as the Immediate Past President of the Northern Virginia Black Attorney's Association (NOVABAA) and served as Chair of its Police Reform & Civilian Review Board Group. She is also a member of the Fairfax Bar Association and the National Association of Criminal Defense Lawyers (NACDL), among others.

**Fairness and Temperament:** Through her submissions, interview, and professional references, Ms. Chaney demonstrated to the Committee that she possesses the requisite fairness and has an excellent temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Chaney possesses the requisite professionalism and integrity to serve on the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Chaney's significant criminal, trial, and appellate experience; her experience helping indigent clients; her unique perspective on diversity; her commitment to making the legal system fair and just for all; and her calm demeanor make her an excellent candidate for the Virginia Court of Appeals. The Committee finds that Ms. Chaney is very well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **THE HONORABLE LEISA K. CIAFFONE**

**Experience and Legal Ability:** Judge Ciaffone earned her Juris Doctor 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 23<sup>rd</sup> 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 Virginia Court of Appeals.

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

**Overall Evaluation:** The Committee finds that Judge Ciaffone's 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 make her an excellent candidate for the Virginia Court of Appeals. The Committee finds that Judge Ciaffone is well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **JENNIFER FRANKLIN, ESQUIRE** \*

**Experience and Legal Ability:** Ms. Franklin graduated from Virginia Polytechnic Institute & State University in Blacksburg, Virginia, in 1988. She earned her law degree from Regent University School of Law in 1999. Ms. Franklin became licensed to practice law in the Commonwealth of Virginia in 2000.

Ms. Franklin began her legal career clerking for the Supreme Court of Alabama immediately following her graduation from law school. She then worked for several years with the Office of the Attorney General for the Commonwealth of Virginia, where her practice focused on criminal appeals and habeas corpus cases. She was the Habeas Supervisor in the Supreme Court of Virginia's Office of the Chief Staff Attorney for approximately 8 years, where she advised the Court about habeas issues, managed the disposition of death penalty habeas cases, and reviewed appellate documents and court filings.

Since 2012, Ms. Franklin has worked with law students at William & Mary Law School, teaching appellate advocacy, legal writing, and advanced brief writing, as well as coaching the Moot Court Team. She also works with the Appellate Litigation Clinic at the law school. She does some *pro bono* work in addition to the work she does with law students. She has significant substantive experience litigating appeals as well as addressing appellate work from within the judiciary, as both a former law clerk and as a former staff attorney for the Supreme Court of Virginia. She is accustomed to posing questions to her students in ways that encourage thoughtful responses, and her writing skills are exemplary. Despite her recognized expertise in writing, she is refreshingly delighted by the idea that writing can always be improved, and welcomes collaboration for that purpose.

**Fairness and Temperament:** Ms. Franklin has a composed yet welcoming demeanor, evident in both her interview and in discussions with her references. She is described as "the calmest person in the room," and someone who is readily able to address issues. The Committee believes she demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Ms. Franklin is respected among her peers and beloved by her students. Throughout the interview and based upon information gathered, Ms. Franklin demonstrates a level of professionalism and integrity that meets and exceeds the requisite professionalism and integrity for the Court of Appeals for Virginia.

**Overall Evaluation:** The Committee believes that Ms. Franklin would bring balance to the Court of Appeals with her specialized expertise in Habeas Corpus issues, her perspectives from both sides of the bench, and her patience and communication skills developed through her teaching. Her temperament and demeanor are well suited for a judge on the Court of Appeals, and her experience working with others demonstrates that she will be a successful collaborator and consensus builder. Accordingly, the Committee finds that she is qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

**FRANK KENNETH FRIEDMAN, ESQUIRE \***

**Experience and Legal Ability:** Mr. Friedman attended Harvard College, graduating in 1980 with his undergraduate degree. He earned his law degree from Vanderbilt University School of Law in 1985. Mr. Friedman was licensed to practice law in the Commonwealth of Virginia in 1985.

Mr. Friedman began his legal career with Woods Rogers, PLC in Roanoke, where he has practiced since 1985. He has cultivated a practice area specialty in appellate work, encompassing a broad range of legal subject matter. Mr. Friedman is recognized throughout the Commonwealth for his legal acumen. He has been appointed to a number of leadership positions within the VBA Appellate Section, the Litigation Section for the Virginia State Bar, The Appellate Practice Subsection for the Virginia State Bar, the Fourth Circuit Rules Advisory Committee, the Board of the Virginia Association of Defense Attorneys, the Supreme Court of Virginia's Appellate Rules Advisory Committee, and the Boyd Graves Conference, in addition to other positions, too numerous to list here.

Mr. Friedman is a superb appellate writer with a reputation for impeccable judgment. His calm demeanor, kind heart, and mild manner were consistently recognized by his peers and the judges in front of whom he has appeared. He demonstrates a unique depth of knowledge about the appellate process and therefore insight as to improvements that could be made in the appellate courts. He also serves as a resource to other attorneys, who look to him for guidance and mentorship with appellate matters.

**Fairness and Temperament:** Throughout the interview and from the information gathered, Mr. Friedman consistently displays a thoughtful, professional, and respectful demeanor. He recognizes that his skill set is best suited for appellate work where he can thoughtfully consider questions of law and its application, and he recognizes the difficulty facing trial litigators and trial judges in making fast paced arguments and decisions in the moment. The Committee believes Mr. Friedman demonstrates the requisite fairness and temperament necessary for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Mr. Friedman is highly respected among his peers for his ethical practices, efforts at inclusion, and appellate leadership. Throughout the interview and based upon information gathered, Mr. Friedman meets and exceeds the requisite professionalism and integrity for the Court of Appeals for Virginia.

**Overall Evaluation:** The Committee believes that Mr. Friedman would bring balance to the Court of Appeals by providing significant civil experience, expertise, and perspective that is not represented in the current composition of jurists. His temperament and demeanor are exemplary for a thoughtful appellate analysis and courteous interactions with attorneys and litigants alike. Accordingly, the Committee finds that he is well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

### **HON. JUNIUS PHILLIP FULTON, III\***

**Experience and Legal Ability:** Judge Fulton graduated from the University of Virginia in 1981 and from the Marshall - Wythe School of Law at the College of William and Mary in 1985. He was admitted to the Virginia State Bar in 1985.

Judge Fulton began his legal career as an Assistant Commonwealth's Attorney for the City of Norfolk, Virginia. In 1989, Judge Fulton joined a firm engaged in the general practice of law, where he handled a variety of criminal and civil matters (personal injury, real estate), bankruptcy, and wills. In 1996, he was appointed to the Norfolk Circuit Court, by Gov. George Allen, where he continues to preside. He was reappointed in 2005 and again in 2013. Judge Fulton has also been designated to hear matters in Richmond, Chesterfield County, Suffolk, Shenandoah County, Halifax County, and Hopewell. He has issued opinions on state and federal constitutional issues, as well as other letter opinions.

Judge Fulton has attended numerous conferences over the years. Specifically, but not limited to, the Judicial Conference of Virginia yearly since 2017; seminars presented by the Norfolk Portsmouth Bar Association (2018 and 2019); Emerging Issues in Neuroscience (2017 Durham, NC); Domestic Violence Conference (2017, Charlottesville); Realities of Judging Conference, American Association of Judicial Education, (2019 Florida); and Norfolk & Portsmouth Bar Association Bench-Bar Conference (2017-2019). Additionally, Judge Fulton serves as Chair of the Judicial Education Committee of the Judicial Conference of Virginia, Chair of the Supreme Court of Virginia H.B.291 Collaborative Law Agreement Study Group, and Chair of the Norfolk Evidence-Based Decision-Making Committee (EBDM).

Judge Fulton is a member of the Phi Beta Sigma Fraternity, Inc., and the Hiawatha Beneficial and Social Club. Neither organization engages in discriminatory practices. He is also a member of the Virginia Bar Association, Norfolk & Portsmouth Bar Association, Old Dominion Bar Association, South Hampton Roads Bar Association, National Association of Drug Court Professionals, and the Virginia Association of Drug Court Professionals. He has been actively involved in his parish, The Basilica of St. Mary of the Immaculate Conception, since 1992, serving as an instructor for adults seeking to become members of the Catholic faith since 2000, and in a variety of other roles ranging from Chair of the Parish Council, Bible Study Leader and member of the Renovation Committee.

During his tenure on the Circuit Court bench, Judge Fulton has received numerous honors and awards. These include, but are not limited to, the Virginia State Bar (Criminal Law Section) Harry L. Carrico Professionalism Award (2020) and Regent Law School BALSA "Making My Mark" Award (2019). Under his leadership, the Norfolk Drug Court received the 2006 Crime Prevention Award, the Norfolk PACE, and the 2014 Garden of Hope Unity Award.

Judge Fulton has been a lecturer on specialized dockets, specifically, the 2014 Council of State Governments' Second Chance Act Conference, 2015 Southern Legislative Conference, and the 2017 Conference of National Association of Presiding Court Officers. He has also presented at the 2010 Judicial Conference of Virginia ("Considerations in Criminal Sentencing), and at Virginia State Bar, Criminal Law Seminar (2000, 2018).

Fairness and Temperament: All of Judge Fulton's references describe him as a role model. He displays a high level of leadership and strives to make the court system more user-friendly. Judge Fulton was described as humble, dedicated, and compassionate, and a judge whose priorities have been, and continue to be, fairness and accountability. Judge Fulton demonstrates a high level of cultural awareness, he is very thoughtful and knowledgeable, and very engaging. He exhibits sound judgment and is very genuine. The Committee believes Judge Fulton demonstrates the requisite fairness and temperament necessary for the Court of Appeals of Virginia.

Professionalism and Integrity: Throughout the interview and from the information gathered, Judge Fulton consistently displays a thoughtful, courteous, and professional demeanor. His dedication to the community is evident in his leadership of the Norfolk Drug Court and the Re-Entry Court, among his other endeavors. He is held in the highest esteem by the local bar, his peers, and colleagues. One of his references stated that Judge Fulton "makes the job look easy when it's not." Recognizing the challenges the Court faced at the start of the COVID pandemic, Judge Fulton maintained the same level of calm decision-making he typically exhibits and was proactive in getting himself and staff up to speed on new technology and the changes in the courthouse. The Committee finds that Judge Fulton meets and exceeds the requisite professionalism and integrity for the Court of Appeals for Virginia.

Overall Evaluation: The Committee finds that Judge Fulton's knowledge, skills, and experience gained throughout his career as an attorney and Circuit Court judge would make him a valuable addition to the Virginia Court of Appeals. Accordingly, the Committee finds that he is well-qualified for the position and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

## **HON. RICHARD E. GARDINER\***

**Experience and Legal Ability:** Judge Gardiner earned his law degree from the International School of Law (now George Mason Antonin Scalia School of Law) in 1978 and was licensed to practice law in Virginia in 1979.

Judge Gardiner worked as Assistant General Counsel for the National Rifle Association of America until 1989, when he transitioned to the role of Director of State and Local Governmental Affairs. From 1991 to 1994, Judge Gardiner worked as Legislative Counsel, and from 1994 to 2013, he worked as a sole practitioner with both a criminal and a civil practice. During this time, he acquired extensive appellate experience. For example, without including the numerous petitions for writs of certiorari he prepared, Judge Gardiner briefed and argued at least ninety-nine (99) appellate cases and briefed eight (8) cases in the United States Supreme Court.

Judge Gardiner is highly respected among his peers and was the recipient of the Fairfax Bar Association's President's Award and has been recognized by the George Mason University Alumni Association. In 2013, Judge Gardiner was appointed to the Fairfax General District Court and in 2016, he was appointed to the Fairfax Circuit Court, where he currently sits. During his time on the bench thus far, Judge Gardiner has authored at least fifty-four (54) written opinions.

**Fairness and Temperament:** Through the interview and from the information gathered, Judge Gardiner demonstrates a respect for the judicial process and the role of the court. He enjoys the process of researching and writing thoughtful opinions. Judge Gardiner demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

**Professionalism and Integrity:** Through the interview and information gathered, Judge Gardiner indicated a level of professionalism and integrity sufficient for the Court of Appeals of Virginia. Judge Gardiner is regarded as an exceptional attorney and judge among his colleagues.

**Overall Evaluation:** The Committee finds Judge Richard E. Gardiner is very well-qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

\*In accordance with VWAA's Judiciary Committee Rules, Judge Gardiner elected to rely on his prior rating by the VWAA Committee from February, 2020.



## **THE HONORABLE ANGELA LEMMON HORAN**

**Experience and Legal Ability:** Judge Horan earned her bachelor and Juris Doctor degrees from the College of William and Mary in 1983 and 1986, respectively. She has been a member of the Virginia State Bar since 1986. She is admitted to practice in all courts of the Commonwealth as well as the Supreme Court of the United States, the U.S. District Court for the Eastern District of Virginia, the Eastern District Bankruptcy Court and the U.S. Fourth Circuit Court of Appeals.

Following admission to the bar, Judge Horan served one year as the law clerk to the 31<sup>st</sup> Judicial Circuit Court. She then began a twenty-eight year career as a Prince William County Attorney, where she was promoted through the ranks, eventually serving as the County Attorney for six years. In her role as a County Attorney she represented the County Board of Supervisors and all County boards, committees, commissions, officers and employees in all manner of civil matters. In 2015, Judge Horan was appointed to the 31<sup>st</sup> Judicial General District Court and in 2019 she was appointed to the 31<sup>st</sup> Judicial Circuit Court.

Judge Horan received the Prince William County Bar Association's 2013 Arthur W. Sinclair Professionalism Award. She served on the Prince William County Bar Association Board of Directors and was a founding member of the Bar's Foundation. Since 2006, she has served on the Fifth District's Disciplinary Committee and from 2005 until 2008 she was a faculty member of the Mandatory Course in Professional Responsibility.

**Fairness and Temperament:** Through her submission and interview, Judge Horan demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals. Judge Horan recognized and spoke to the inequities in the legal system and that, in order for the judicial system to be trusted, litigants need to feel they not only have access to the court, but an opportunity to be heard.

**Professionalism and Integrity:** The Committee finds that Judge Horan possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Judge Horan will bring a balance to the Court of Appeals from her lengthy civil practice background and is very well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **HON. DAVID W. LANNETTI \***

**Experience and Legal Ability:** Judge Lannetti graduated from the United States Naval Academy, Annapolis, in 1981 and earned his Master's Degree from Troy State University, Norfolk, in 1994. He served as Lieutenant Commander, United States Navy from May 1981 to May 1996. Judge Lannetti earned his Juris Doctor from the Marshall - Wythe School of Law at the College of William and Mary in 1999 and was admitted to the Virginia State Bar that same year.

Judge Lannetti began his legal career at Vandeventer Black, LLP in Norfolk, VA. He became a partner at Vandeventer Black, LLP in 2007. His practice focused on creditors' rights, bankruptcy, construction law, commercial litigation, maritime law, and alternative dispute resolution. He was also a certified Criminal Justice Act (CJA) attorney, where he accepted court-appointed federal felony criminal cases. He was appointed Commissioner in Chancery for the Norfolk Circuit Court in 2007, and served in that position until 2014. As Commissioner, he presided over partition actions, equitable distribution actions, real estate sales, and debtor's interrogatories.

In March 2010, Judge Lannetti was appointed as a Substitute Judge for Virginia District Courts. In this role, Judge Lannetti presided over primarily civil cases, misdemeanor criminal cases, and felony probable cause hearings in general district courts and juvenile & domestic relations district courts. Judge Lannetti estimates that he presided over more than 19,000 cases in the district courts throughout Hampton Roads. He served in this role until 2014, when he was appointed to the Norfolk Circuit Court bench, where he continues to preside over a variety of civil and criminal cases and oversees the Judicial Internship Program.

Judge Lannetti serves as an adjunct professor at William & Mary Law School (Remedies, 2003 – present), Regent University Law School (Remedies, 2003 – present; Legal Research & Writing, 2020 – present), is a faculty member of the Virginia Continuing Legal Education National Trial Advocacy College (2020–Present), and Virginia Continuing Legal Education Legal Writing Workshop (2017–Present).

Over the last several years, Judge Lannetti's has demonstrated his dedication to advancing the practice of law in his service on numerous committees, including the Executive Committee and the Rules Committee of the Virginia Supreme Court (2019 – present); Chair, Virginia State Bar Standing Committee on Professionalism (2017–Present) and Harry L. Carrico Professionalism Course Faculty (2015–Present); Board of Governors, Section on the Education of Lawyers (2018–Present); Board of Governors, Section on Construction Law & Public Contracts (2020–Present); Virginia Bar Association *Pro Bono* Council (2019–Present); Boyd-Graves Conference (2020–Present) Norfolk & Portsmouth Bar Association, Founder and Co-Chair, Bench-Bar Relations Committee (2017–Present); and the James Kent American Inn of Court (2000–Present), Executive Committee (2009–Present).

Judge Lannetti participates and has held leadership roles in community organizations including, the Boy Scouts of America, Tidewater Council (2008–Present), Member, Board of Directors (2008–Present), Chartered Organization Representative, Troop 24, Boy Scouts of America (1999–2006, 2013–Present); the Girl Scouts of America, Colonial Coast Council (2019–Present); Larchmont United Methodist Church (1988–Present), Lay Leader (2020–Present), Adult Education Teacher (2002–Present); Norfolk Emergency Shelter Team (2000–Present); Norfolk & Portsmouth Bar Association Foundation (Board of Directors) (2011–Present); Norfolk Sister City Association (2009–Present), Member, Board of Directors (2009–17, 2019–Present); U.S. Naval Academy “Blue & Gold” Recruiting Officer (2002–Present), Southeast Virginia “Blue & Gold” Area Coordinator (2010–Present); Special Olympics Virginia (1993–Present), Member, Board of Directors, Southeastern Virginia (1997–2014), Coach, Norfolk Special Olympics (1997–Present); and the YMCA (1999–Present). None of these organizations restrict membership on the basis of age, race, or gender.

During his legal career, Judge Lannetti has authored or co-authored over 40 legal articles, in addition to hundreds of judicial opinions, and several in-depth law review articles exploring and recommending improvements to the law. One of his references described his writing skills as superb, his opinions logical, well-organized, and well-written; another reference said Judge Lannetti’s writing is analytical and thorough.

Fairness and Temperament: Throughout the interview and application process it was evident that Judge Lannetti demonstrates the requisite fairness and temperament necessary for the Court of Appeals of Virginia.

Professionalism and Integrity: Judge Lannetti meets and exceeds the requisite professionalism and integrity for the Court of Appeals for Virginia.

Overall Evaluation: The Committee finds that Judge Lannetti’s knowledge, skills, and experience gained throughout his career as an attorney and Circuit Court judge would make him a valuable addition to the Virginia Court of Appeals. Accordingly, the Committee finds that he is well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee’s rating as **HIGHLY RECOMMENDED**.

### **K. LORRAINE LORD, ESQ.**

**Experience and Legal Ability:** K. Lorraine Lord earned her bachelor and Juris Doctor degrees from Washington and Lee in 1990 and 1996, respectively. She has been a member of the Virginia State Bar since 1996. She is admitted to practice in all courts of the Commonwealth as well as the Supreme Court of the United States, the U.S. District Court for the Eastern and Western Districts of Virginia, and the U. S. Fourth Circuit Court of Appeals.

Ms. Lord has extensive appellate experience. From 1997 to 1998 she clerked for Justice A. Christian Compton of the Supreme Court of Virginia. She then did appellate work and complex litigation at Troutman Sanders LLP from 1998 to 2001, and then at McGuire Woods LLP from 2005 to 2104. In 2014 she became the first woman to serve as Chief Staff Attorney to the Supreme Court of Virginia. In her position, she leads an office of attorneys in reviewing the majority of petitions for appeal and original jurisdiction matters filed for consideration. She also assists the Chief Justice on committees and working groups, to include the Court of Appeals Expanded Jurisdiction Rules Committee, the Study Group on Court of Appeals Jurisdiction and Senate Joint Resolution 47 and the Supreme Court of Virginia Lawyer Well-Being Committee.

Ms. Lord was active in Pro Bono service while in private practice, including supervising a team of lawyers at McGuire Woods doing court appointed criminal appeals to the Supreme Court of Virginia. She has also been a presenter of two CLEs about appellate practice.

**Fairness and Temperament:** Through her submission and interview, Ms. Lord demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals. Her references complimented her excellent level of professionalism, her civility, courtesy, and a nature that engenders trust in the legal process.

**Professionalism and Integrity:** The Committee finds that Ms. Lord possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Lord and is very well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## THE HONORABLE BRYAN K. MEALS

Experience and Legal Ability: Judge Meals earned his bachelor's degree from The College of William and Mary in 1988 and his Juris Doctor from the University of Virginia School of Law in 1996. He has been a member of the Virginia State Bar since 1996.

Judge Meals worked as a litigation associate at Heilig, McKenry, Fraim and Lollar in Norfolk, Virginia from 1997 to 1999. He moved to McGuire Woods as a complex litigation attorney handling trials in state and federal courts and appeals to the Supreme Court of Virginia and Fourth Circuit Court of Appeals from 1999 to 2009. In 2009, he worked at Davey, Brogan and Meals, P.C. on complex commercial and products liability cases, maritime and admiralty law matters and insurance coverage cases. His practice included briefing and arguing cases before the Supreme Court of Virginia and the Fourth Circuit Court of Appeals until he was appointed to the Portsmouth Juvenile and Domestic Relations Court in 2017. Judge Meals' practice as an attorney included thirty-three different areas of practice, including health law, toxic torts, admiralty and maritime law, contract disputes, civil rights actions, real estate law and commercial law.

Judge Meals has served as a member of the Portsmouth Community Criminal Justice Board and an advisory committee member of the National Center for Juvenile Justice. He was a member of the Leadership Hampton Roads class of 2002 and a member of the Committee to Reform Portsmouth's Civil Justice System.

Fairness and Temperament: Through his submission and interview, Judge Meals demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

Professionalism and Integrity: The Committee finds that Judge Meals possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

Overall Evaluation: The Committee finds that Judge Meals' depth and breadth of knowledge in a vast array of litigation cases, including complex litigation, trial and appellate practice, and as a Juvenile and Domestic Relations Court Judge, make him a valuable addition to the Virginia Court of Appeals. Accordingly, the Committee finds that he is well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **THE HONORABLE STACEY W. MOREAU \***

**Experience and Legal Ability:** Judge Moreau earned her law degree from the T.C. Williams School of Law at the University of Richmond in 1990. She was licensed to practice law in Virginia that same year. She began her legal career as a fully-licensed attorney at the firm of Williams, Stilwell, and Morrison in Danville, Virginia in 1990 and became a partner at the firm in 1994. She was elevated to the bench in 2003 where she has served continuously for the past nearly seventeen years. While in law school, she clerked for the United States Attorney's Office in the Western District of Virginia and interned at the Henrico County Commonwealth Attorney's Office.

During her time in private practice, Judge Moreau started out in a general practice position involving domestic relations, personal injury, and criminal trials, including serving on the Indigent Defender Board of Calcasieu Parrish as a private attorney when the Public Defender had a conflict with a case. As her legal career progressed, her practice narrowed to focus mainly in family law and domestic relations, with a lesser amount of her time spent on civil litigation in areas of personal injury, contract disputes, medical malpractice defense, among others. Prior to her position on the Circuit Court of the Twenty-Second Judicial District which encompasses the City of Danville, Franklin County, and Pittsylvania County, she served on the Juvenile & Domestic Relations District Court for the same judicial district. Most of her trials in the Circuit Court are bench trials, with approximately 5% of the trials over which she presides being in front of a jury. Her cases are split approximately 30% family law and 70% criminal.

Judge Moreau is currently serving a four-year term on the Judicial Council of Virginia; on the Circuit Court Judge Benchbook Committee, where she authored the DUI section of the benchbook; Circuit Court Caseload Statistical Reporting Project; Judicial Imaging System Advisory Committee and SWIFT Interface for Judges and Clerks focus group; as well as serving as a mentor judge for the Judicial Mentoring Program. She is a member of the Virginia Association of Women Judges and works to expand the use of technology in the Court, converting her Court to a paperless system. Judge Moreau is also heavily involved in her community, serving on the Mount Cross Volunteer Fire Department Board of Directors and being a member of Chatham Rotary Club, among many others.

**Fairness and Temperament:** Through the interview and from the information gathered, Judge Moreau demonstrates a respect for the judicial process and the role of the court. She values diversity on the bench and in the legal profession. Judge Moreau strongly believes in the need for fairness to litigants in the court system and professionalism of counsel appearing before her. She will stand up for her beliefs and will follow the law. Judge Moreau demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

**Professionalism and Integrity:** Through the interview and information gathered, Judge Moreau indicated a level of professionalism and integrity that exceeds the requisite for a judge on the Court of Appeals of Virginia. Her professionalism and integrity are embodied in her selection as one of the Top 50 Influential Women of Virginia in 2015.

Overall Evaluation: The Committee finds Judge Stacey W. Moreau very well-qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED.**

**\*In accordance with VWAA's Judiciary Committee Rules, Judge Moreau elected to rely on her prior rating by the VWAA Committee from February, 2020.**



## **MARY T. MORGAN, ESQ.**

**Experience and Legal Ability:** Mary Morgan earned her bachelor's degree from the University of Phoenix in 1993 and her Juris Doctor from the University of Richmond, T.C. Williams School of Law in 2000. Ms. Morgan has been a member of the Virginia State Bar since 2000.

Ms. Morgan began her career in 2000 with Cantor, Arkema & Edmonds, P.C. in Richmond, where she worked on complex litigation matters. From 2002 to 2008, she practiced civil litigation in state and federal courts with Kalbaugh, Pfund & Messersmith in Norfolk. From 2008 to 2016, she practiced professional liability and bar complaint defense with Cooper, Spong & Davis in Portsmouth, while also serving as *pro bono* counsel to the Federal Public Defender for the Eastern District of Virginia and Special Counsel to the Virginia Department of the Treasury. From 2013 to 2017, Ms. Morgan practiced insurance defense litigation with Williams DeLoatch in Chesapeake.

In 2015, Ms. Morgan transitioned to her current position as the Managing Partner of Golightly Mulligan & Morgan, PLC, where she handles complex commercial and general civil litigation cases with an emphasis on ethics, professional liability defense, and insurance coverage disputes. She also represents criminal defendants in the U.S. District Court for the Eastern District of Virginia as a Criminal Justice Act attorney.

Over the course of her career, Ms. Morgan served as a grader for the Virginia Bar Examination, faculty for the Harry L. Carrico Professional Course, and an adjunct professor at Regent University, teaching Law & Ethics and Criminal Law & Procedure for paralegals. Ms. Morgan was recognized as a Virginia Lawyer Media's "Leader in the Law" (2016), Virginia State Bar "Bar Leader of the Year" (2016), and a Virginia Lawyers Media "Influential Woman of Virginia" (2015). Ms. Morgan regularly authors publications, such as the article "Understanding Spoliation and an Attorney's Role in Preventing the Destruction of Evidence," which she co-authored for the Journal of Civil Litigation (Fall 2016). She also presents on current legal affairs, including a Zoom presentation in March 2021 on "How to Deal with Difficult Lawyers and Judges and the Duty to Report."

Ms. Morgan is also active in her community outside the law, serving on the Board for Edmarc Hospice for Children (2011-present) and as a Lector and Instructor (2017) at St. John the Apostle Catholic Church & School.

**Fairness and Temperament:** Through her submission and interview, Ms. Morgan demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Morgan possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Morgan's significant litigation experience and commitment to diversity and her community make her an excellent candidate for the Virginia Court of Appeals. The Committee finds that Ms. Morgan is very well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **HON. DANIEL ERIC ORITZ\***

**Experience and Legal Ability:** Judge Ortiz earned his law degree from George Washington University in 2002 and was licensed to practice law the same year. He began his legal career in general civil litigation at a 30-lawyer, general practice firm, handling contract disputes, employment issues, business torts, and medical malpractice claims. Judge Ortiz also handled family law matters, including representation of parents in custody matters and support cases, claims relating to the division of marital assets, and contested protective orders hearings. He also represented commercial landlords in a variety of matters, including the drafting of leases and litigation matters.

Judge Ortiz is very engaged and active in *pro bono* matters, serving as chair of his firm's *pro bono* committee. He also contributed 100 hours of *pro bono* service yearly, representing clients in matters such as protective orders for victims of domestic violence, adoptions for special needs children, as well as victims of consumer fraud and wrongful foreclosure.

Judge Ortiz is the former president and chairman of the Board of Directors for Legal Services of Northern Virginia, serving on the Board for 8 years. He also served on the hiring and recruiting committees at his firm, focusing on increasing the representation of women and attorneys of color at the firm. Judge Ortiz was appointed to the bench in 2015 and commenced his term at the Fairfax County Circuit Court on January 1, 2015. Prior to his appointment, Judge Ortiz served as a substitute judge in the General District Court and Juvenile Domestic Relations District Court of Fairfax County.

Judge Ortiz presides over both civil and criminal proceedings. He also has experience in a variety of practice areas and has a history of service to indigent clients and those who have traditionally experienced difficulty accessing the courts. Judge Ortiz is committed to erasing the "justice gap" for those who cannot afford an attorney, including reducing the costs of litigation and re-evaluating how pro se litigants are treated in the judicial process.

Judge Ortiz has been active as a CLE speaker, speaking on topics such as evidence, professionalism, and injunctions in state and federal court. Judge Ortiz has been active in his community through this pro bono service as well as through participation in youth organizations.

**Fairness and Temperament:** Throughout the interview and in his application materials, Judge Ortiz expressed both a great concern and commitment to equity in connection with access to the courts, as well as treatment by the courts. He understands the importance of fairness in the judicial system, explaining his concern about the impact on litigation when access to the courts is withheld for some. Judge Ortiz has also been an active advocate for increasing diversity, both at his firm and in the practice of law.

**Professionalism and Integrity:** Through the interview and information gathered, Judge Ortiz demonstrated a level of professionalism and integrity that exceeds the requisite for a judge on the Virginia Court of Appeals. That professionalism extends to his dedication to indigent clients and to increasing diversity in the practice of law and the judiciary.

Overall Evaluation: The Committee finds Judge Daniel Eric Ortiz is very well-qualified for the position of Judge of the Court of Appeal of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

\*In accordance with VWAA's Judiciary Committee Rules, Judge Ortiz elected to rely on his prior rating by the VWAA Committee from February, 2020.

## **STUART A. RAPHAEL, ESQUIRE\***

**Experience and Legal Ability:** Stuart A. Raphael earned his law degree from the University of Virginia in 1989 and was licensed to practice law the same year. Mr. Raphael began his career in law with Hunton & Williams, LLP and focused his practice on appellate litigation, constitutional law, state and local government law, complex litigation, toxic torts, construction litigation, and water rights. He was made partner at the firm in 1997.

In 2014, Mr. Raphael was appointed Solicitor General of Virginia. He was in this position until 2017, when he returned to Hunton Andrews Kurth LLP. Mr. Raphael has a great deal of appellate experience, arguing cases to the Supreme Court of the United States, to the 4th Circuit, and to the Supreme Court of Virginia. The subject matter of the cases he has undertaken on appeal is as varied as his areas of practice. Most notably, he argued and won *Virginia v. Maryland* (Virginia has the right to use the Potomac River without MD's permission) and *Bostic v. Rainey* (same sex marriage ban violates the 14th amendment).

Mr. Raphael is a self-described “appellate nerd” who enjoys reading and researching the law, and understanding the history of law. He also has a strong commitment to public service and for this reason, among others, seeks appointment to the Court of Appeals of Virginia. Mr. Raphael has considered judgment, significant experience with the interplay of state and appellate courts, and experience in a wide variety of practice areas. He is described by his peers as having “encyclopedia knowledge of Virginia law and procedure.”

Mr. Raphael has received many awards and recognition of his accomplishments. These include being named a Fellow with the American Academy of Appellate Lawyers, Best Brief in the U. S. Supreme Court for his *amicus* brief in *Obergefell v. Hodges*, Leading Individual in Commercial Litigation, national leader in water rights, and named “Legal Elite” in Richmond Business for Appellate Law.

Mr. Raphael recognizes that access to justice continues to be a significant problem for low-income individuals, as well as those with moderate incomes. He also identifies pay disparity for women and minorities and sexual harassment of women in the workplace and at college as ongoing significant legal issues. Mr. Raphael demonstrates a sincere desire to make a difference for the Commonwealth of Virginia and its residents, and also understands his judicial role if appointed to the Court of Appeals of Virginia. He seeks this appointment to continue to make a difference by promoting Virginia’s tradition of justice and respect for the rule of law, while serving his community.

**Fairness and Temperament:** Through the interview and from the information gathered, Mr. Raphael demonstrates a respect for the judicial process and the role of the court. Mr. Raphael demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

**Professionalism and Integrity:** Throughout the interview and based upon information gathered, Mr. Raphael demonstrated a level of professionalism and integrity that meets and exceeds the needs for a judge in the Court of Appeals of Virginia. That professionalism extends

to his sense of responsibility to all litigants, including those of diverse cultural and economic backgrounds.

Overall Evaluation: The Committee finds Stuart A. Raphael, Esquire, is very well-qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

**\*\*In accordance with VWAA's Judiciary Committee Rules, Mr. Raphael elected to rely on his prior rating by the VWAA Committee from February, 2020.**

**PATRICIA P. RENE, ESQUIRE\* (previously Patricia P. Nagel, Esquire)**

**Experience and Legal Ability:** Ms. Rene earned her law degree from the University of San Francisco School of Law in 1990 and was admitted to practice law in Virginia in 1995.

Ms. Rene has worked in private practice in Williamsburg in the area of criminal defense and also maintains a busy appellate practice and both state and federal court. As part of her appellate practice, Ms. Rene has filed hundreds of appeals in state and federal courts, as well as writs in the United States Supreme Court, originating from state and federal appellate courts. Ms. Rene has been granted 66 writs of appeal in Virginia appellate courts and has substantial oral argument experience. She has also served as a member of the United States Criminal Justice Act panel since 2010, representing indigent defendants in federal court and on state court-appointed lists, representing indigent clients at both the trial and appellate levels. She has employed technical experts in her cases and is well-versed with subjects such as computer forensics. She has also served as a Guardian *ad litem* in family law cases.

Prior to her robust private practice, Ms. Rene also served for 5 years as an appellate attorney with the Office of the Public Defender for the City of Richmond and for 2 years with the Virginia Indigent Defense Commission. She developed training programs for new attorneys to handle appeals and presented at numerous CLE's on appellate practice. She remains a resource to attorneys across Virginia seeking assistance with their trial and appellate practice.

Ms. Rene evinces fairness, judgment and commitment to her clients. She is experienced in both trial and appellate court matters, as well as in the interplay of state and federal courts. Ms. Rene is committed to serving indigent clients and increasing access to courts for those who have traditionally been excluded or faced difficulties in accessing the courts. The committee believes she would bring a needed defense-oriented perspective to the bench providing intellectual diversity to the Court of Appeals.

**Fairness and Temperament:** During the interview and from the information gathered, Ms. Rene demonstrated respect for the judicial process and the role of the court. She is committed to providing her clients their opportunity before the courts and advocating their position. She understands how the law can affect individuals on a personal level and has expressed her thoughts on how to increase representation for indigent clients. Ms. Rene demonstrates and exceeds the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

**Professionalism and Integrity:** Through the interview and information gathered, Ms. Rene demonstrates a level of professionalism and integrity that meets and exceeds the requisite professionalism and integrity required for a judge appointed to the Court of Appeals of Virginia. That professionalism extends to her sense of commitment to all litigants, including indigent and minority clients.

**Overall Evaluation:** The committee finds Ms. Rene is very well-qualified for the position of judge for the Court of Appeals of Virginia and warrants the committee's rating as **HIGHLY RECOMMENDED**.

\*In accordance with VWAA's Judiciary Committee Rules, Ms. Rene elected to rely on her prior rating by the VWAA Committee from February, 2020.

## **THE HONORABLE RICARDO RIGUAL**

**Experience and Legal Ability:** Judge Rigual earned his bachelor's degree *cum laude* from Mary Washington College in 1993 and his Juris Doctor, also *cum laude*, from American University College of Law in 2001. Judge Rigual has been a member of the Virginia State Bar since 2001.

After passing the Virginia bar exam, Judge Rigual worked in private practice at Willis, Ashby & Rigual in Fredericksburg until 2011, having become a partner in 2005. His practice consisted of primarily criminal defense and domestic relations law. In July 2011, Judge Rigual was appointed as a Judge of the General District Court of the Fifteenth Judicial Circuit, where he served through June 2016 before being elevated to the Circuit Court in July 2016. He served as the Chief Judge of the General District Court from May 2013 through June 2016. He continues to serve on the Circuit Court for the Fifteenth Judicial District as a Presiding Judge.

Prior to law school, Judge Rigual served in the United States Marine Corps for four years, during which time he received the Leatherneck Award, Platoon 2076 "Honor Man" and a meritorious promotion to Lance Corporal. Following his service in the Marine Corps, Judge Rigual worked for Government Employees Insurance Co. (GEICO) for nine years before attending law school. Judge Rigual's service in the Marine Corps inspired him to establish the Rappahannock Veterans Treatment Docket for cases in Spotsylvania County in 2018, which was expanded in 2020 as a regional Veterans Treatment Docket for cases in Spotsylvania, Stafford, King George County, and the City of Fredericksburg. He has served on the Veterans Docket Advisory Committee and on the Virginia Veterans Docket Statewide Strategic Planning Work Group of the Virginia Supreme Court since 2019. He also served on the Virginia State Bar Harry L. Carrico Professionalism Course Faculty and the Rappahannock Area Community Criminal Justice Board from 2013 to 2016.

**Fairness and Temperament:** Through his submission and interview, Judge Rigual demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Judge Rigual possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Judge Rigual's professionalism, demeanor, and depth of knowledge in handling criminal and civil cases as both a litigator and judge would make him a valuable addition to the Virginia Court of Appeals. Accordingly, the Committee finds that he is well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.



## **THE HONORABLE M. SCOTT STEIN**

**Experience and Legal Ability:** Judge Stein earned his bachelor's degree from Syracuse University in 1988 and his Juris Doctor from Nova Southeastern University Law Center in 1992. Judge Stein has been a member of the Virginia State Bar since 1993.

For the first 15 years of his career, Judge Stein had an active trial practice defending individuals and corporations and litigating insurance fraud cases. During this time, he tried over 100 jury trials in the Tidewater region. After that time, Judge Stein's practice involved banking, corporations, real estate, collections, real property and title disputes, personal injury and occasional traffic, criminal, and domestic cases. He also appealed multiple cases to the Supreme Court of Virginia.

Beginning in 2006, Judge Stein began serving as a substitute judge in Virginia courts. On July 1, 2015, Judge Stein became a full-time General District Court Judge for the City of Newport News.

The Circuit Court for the City of Newport News appointed Judge Stein to the Newport News Board of Zoning Appeals from 2004 to 2014. He served as the Chairperson of that Board from 2005 to 2013. Judge Stein was also a long-serving Board Member of the Newport News Bar Association, from 2001 to 2010, including his service as its President from 2008 to 2009. Also in 2009, Judge Stein received the United Jewish Community Young Leadership Award.

Judge Stein served on the Board of Directors for the United Jewish Community of the Virginia Peninsula in Newport News, Virginia for 16 years. He is considered an ex officio member of that Board and served as an Officer for several years and as President of the organization from 2010 to 2012. The United Jewish Community of the Virginia Peninsula is a charitable organization that runs a local pre-school and day camp and provides service to the elderly and needy.

**Fairness and Temperament:** Through his submission and interview, Judge Stein demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Judge Stein possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Judge Stein's significant judicial experience, admirable willingness to listen, and commitment to diversity make him an excellent candidate for the Virginia Court of Appeals. The Committee finds that Judge Stein is very well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **THE HONORABLE TRACY THORNE-BEGLAND**

**Experience and Legal Ability:** Judge Thorne-Begland earned his bachelor's degree from Vanderbilt University in 1989 and his Juris Doctor from T.C. Williams School of Law in Richmond in 1997. He also completed the Political Leaders Fellowship at the University of Virginia Sorensen Institute for Political Leadership in 2004. Judge Stein has been a member of the Virginia State Bar since 1998.

From 1989 to 1994, Judge Thorne-Begland served in the United States Navy, where he served as a Bombardier/Navigator, a Branch Officer, and Naval Flight Officer (Lieutenant). He graduated with the highest overall flight and academic average in the Naval Flight Officer program for 1990 and was awarded "Top Gun" honors. He also earned the National Defense Medal and Navy Ribbon for Battle Excellence during his service. In addition to his military service, Judge Thorne-Begland has litigated and spoken out against discrimination in the armed services.

After graduating from law school, Judge Thorne-Begland worked as a law clerk and staff attorney for the United States Court of Appeals for the Fourth Circuit. He then served as an Assistant, Deputy, and Chief Deputy Commonwealth's Attorney for ten years. Since 2012, he has served as a full-time Judge of the General District Court for the City of Richmond.

Judge Thorne-Begland has been recognized for his excellence on the bench and his commitment to equality, including as an Outstanding Virginian by Equality Virginia in 2009.

**Fairness and Temperament:** Through his submission and interview, Judge Thorne-Begland demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Judge Thorne-Begland possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Judge Thorne-Begland's significant judicial experience, appellate writing experience, and commitment to diversity and public service make him an excellent candidate for the Virginia Court of Appeals. The Committee finds that Judge Thorne-Begland is very well qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **SAMUEL TOWELL, ESQ.**

**Experience and Legal Ability:** Samuel Towell earned his bachelor's degree from the Massachusetts Institute of Technology in 2000 and his Juris Doctor from the University of Virginia School of Law in 2005. Mr. Towell has been a member of the Virginia State Bar since 2005.

Mr. Towell served as a law clerk to the Honorable Barbara Milano Keenan on the Supreme Court of Virginia from 2005 to 2006. In 2006, he joined Williams Mullen, P.C. as a Litigation Attorney. Mr. Towell then served as a law clerk for the Honorable Barbara Milano Kennan at the U.S. Court of Appeals for the Fourth Circuit from 2011 to 2012. After his clerkship, Mr. Towell joined McGuireWoods where he focused on product liability, toxic tort and insurance defense matters. From 2014 to 2017, Mr. Towell was the Deputy Secretary of Agriculture and Forestry for the Office of the Governor. In 2017, Mr. Towell became Deputy Attorney General for Civil Litigation at the Office of the Attorney General, where he leads the Civil Litigation Division of over 100 attorneys and staff.

Over the course of his legal career, Mr. Towell has received numerous honors, including the Sandra P. Thompson Award from the Virginia Bar Association (for outstanding work and long-term service). Mr. Towell regularly authors publications on a wide variety of topics ranging from state enforcement, criminal law, civil law and litigation in general. He is the Vice President of the John Marshall Inn of Court.

Mr. Towell is also active in his community, Mr. Towell participates on the Commonwealth's Clean Energy Advisory Board, the Virginia Code Commission and the Local Government Attorneys of Virginia. Mr. Towell also serves on the City of Richmond's Personnel Board.

**Fairness and Temperament:** Through his submission and interview, Mr. Towell demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Towell possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Towell's depth of knowledge in handling criminal, civil, and agency matters (among others) as a litigator would make him a valuable addition to the Virginia Court of Appeals. Accordingly, the Committee finds that he is well qualified for the Virginia Court of Appeals for the Fourth Circuit and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **HON. VICTORIA A. B. WILLIS\***

**Experience and Legal Ability:** Judge Willis earned her law degree from T.C. Williams School of Law in 1986 and was licensed to practice law the same year. She began her legal career as a clerk for the Chief Justice of the Supreme Court of Virginia, Harry L. Carrico, from 1986 to 1988.

After her clerkship with Chief Justice Carrico, Judge Willis worked in private practice in Fredericksburg and Richmond where she gained experience handling civil litigation, corporate matters (transactional and governance), criminal litigation, state and federal compliance matters, employment cases, healthcare cases and finance matters. Later, she worked in-house for a health system, rising to General Counsel and Vice President before returning to private practice in 2001. She has handled temporary detention orders as special counsel at Spotsylvania Regional Medical Center. She was appointed as a judge for the Fifteenth Judicial Circuit on December 1, 2014, where she currently sits. Judge Willis has served as faculty for the Harry L. Carrico Professionalism Course, at the University of Mary Washington and at the University of Auburn. She also conducts judicial training for new judges on how to preside over jury trials. Judge Willis has contributed to multiple publications and while on the bench, has written numerous opinions. Since her appointment to the bench, she has embraced a leadership role, while also maintaining her previous workload.

Judge Willis has considered judgment, experience with the interplay of state and appellate courts, and experience in a wide variety of practice areas that would be beneficial to her and the Court if she is appointed to the Court of Appeals of Virginia. She would bring to the Court of Appeals of Virginia not only diversity based on gender, but also diversity of perspective. Judge Willis presides over both civil and criminal dockets and is the only judge in her circuit that handles the probate docket. She seeks to ensure each litigant, win or lose, leaves the courthouse feeling heard. Judge Willis is very active in her community. Prior to being appointed to the bench, she donated her time and legal services to assist with establishing the Children's Community Theater and assisted in setting up Lloyd Moss Free Clinic to provide health services to the working uninsured. She has also provided her time and legal expertise to members of the community in need of guidance regarding elder law issues.

**Fairness and Temperament:** Through the interview and from the information gathered, Judge Willis demonstrates a respect for the judicial process and the role of the court. She values the jury system and embraces her role in helping litigants before her to appreciate and understand the process. While she makes her decisions based on the law and evidence before her, Judge Willis seeks to ensure each litigant knows that she heard and understood their argument/position. Judge Willis expressed her observations about how the justice system can provide those of diverse backgrounds with the same opportunities and responsibilities under the law. Judge Willis demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

**Professionalism and Integrity:** Through the interview and information gathered, Judge Willis indicated a level of professionalism and integrity sufficient for the Court of Appeals of Virginia. That professionalism extends to her sense of responsibility to all litigants, including those of diverse cultural backgrounds.

**Overall Evaluation:** The Committee finds Judge Victoria A. B. Willis is very well-qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

\*In accordance with VWAA's Judiciary Committee Rules, Judge Willis elected to rely on her prior rating by the VWAA Committee from February, 2020.

## **DANIEL TAYLOR YOUNG, ESQUIRE \***

**Experience and Legal Ability:** Mr. Young attended the University of Virginia and graduated in 2007. He was a Jefferson Scholar and received a four-year, full tuition merit scholarship to attend the University of Virginia. He earned his joint Juris Doctor/Master in Public Policy degrees from Yale Law School and Harvard Kennedy School in 2012. Mr. Young was admitted to practice in Virginia in 2015.

Mr. Young began his legal career in 2012 as an Associate at Davis, Polk & Wardwell, LLP in New York where he co-authored briefs before the United States Supreme Court, Second Circuit, and Southern District of New York. Additionally, Mr. Young was the lead associate in a *pro bono* suit against loan modification scammers. Prior to Mr. Young transitioning into his current role as an Assistant United States Attorney, he was Law Clerk to the Honorable Lewis A. Kaplan for the United States District Court for the Southern District of New York in 2014, and he was a Law Clerk to the Honorable Julio M. Fuentes for the United States Court of Appeals for the Third Circuit in 2015.

Currently, Mr. Young is an Assistant United States Attorney for the Eastern District of Virginia. He works in the Appellate Unit for the Alexandria Division. He previously was a member of the White-Collar Crime Unit in the Norfolk Division from 2016 to 2018. As a member of the Appellate Unit, Mr. Young has argued 11 cases before the United States Court of Appeals for the Fourth Circuit and has gained significant experience with the appellate process.

Mr. Young has a passion for giving back to the community, evidenced by his participation in voting rights cases, his participation with the Innocence Network, and his support of justice reform. Mr. Young has a reputation for impeccable legal judgment and an enthusiasm and interest in the law that is readily apparent in his interview. His diligent work ethic, innovative thinking, and commitment to public service were consistently recognized by his peers and supervisors alike. He demonstrates a unique legal skill set that would bring value to the Court of Appeals in Virginia.

**Fairness and Temperament:** Throughout the interview and from the information gathered, Mr. Young consistently displays a thoughtful, professional, and respectful demeanor. He is highly intelligent while embodying the utmost humility. The Committee finds that Mr. Young demonstrates the requisite fairness and temperament for the Court of Appeals in Virginia.

**Professionalism and Integrity:** Mr. Young is highly respected by his peers for his professionalism, ethical practices, and leadership abilities. Mr. Young exhibits the requisite professionalism and integrity for the Court of Appeals for Virginia.

**Overall Evaluation:** The Committee believes that Mr. Young would bring a different perspective and experience to the Court of Appeals. Mr. Young's temperament and demeanor are well suited for interacting with attorneys and other judges on the Court of Appeals. Accordingly, the Committee finds that he is well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

## **JOAN BURROUGHS, ESQ.**

**Experience and Legal Ability:** Joan Burroughs earned her bachelor's degree from Randolph-Macon Woman's College in 2008 and her Juris Doctor from the Appalachian School of Law in 2011. Ms. Burroughs has been a member of the Virginia State Bar since 2011.

After a year at Johnson, Gaborik, Fisher-Rizk & Rusz, PLC, Ms. Burroughs joined the Richmond Office of the Public Defender, where she handled misdemeanor and felony cases and more than 30 petitions for appeal in the Court of Appeals of Virginia. From 2014 to 2016, as an associate attorney at the Law Offices of Sara M. Gaborik, Ms. Burroughs continued her appellate work and had petitions granted in both the Court of Appeals and the Supreme Court of Virginia. After running her own practice from 2016 to 2017, Ms. Burroughs joined the King William Office of the Commonwealth's Attorney as a Deputy Commonwealth's Attorney from 2017 to 2020. In May 2020, Ms. Burroughs joined the City of Richmond Office of the Commonwealth's Attorney.

Ms. Burroughs currently handles specially assigned cases with a particular emphasis on crimes of domestic violence, including homicides and sexual assaults. She has taught an Advanced Course on Strangulation and various courses at the Rappahannock Regional Criminal Justice Academy.

**Fairness and Temperament:** Through her submission and interview, Ms. Burroughs demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Burroughs possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Burroughs is well qualified for the Virginia Court of Appeals. She warrants the Committee's rating of **RECOMMENDED**.

## **DOMINIQUE A. CALLINS, ESQ.**

**Experience and Legal Ability:** Dominique Callins earned her bachelor's degree from the Florida A& M University in 2001 and her Juris Doctor from William & Mary School of Law in 2005. Ms. Callins has been a member of the Virginia State Bar since 2006.

Ms. Callins served as a judicial law clerk to the Henrico County Circuit Court from 2005 to 2006. She then served as a judicial law clerk to the Honorable James W. Benton, Jr. of the Court of Appeals of Virginia from 2006 to 2007. She then worked as an associate attorney of Kearney, Freeman, Fogarty & Joshi, PLLC from 2007 to 2015 wherein she practiced domestic relations law, criminal law, civil litigation, and drafted appellate briefs. In 2015, she was sole proprietor of her own litigation firm. From 2015 to 2017, she worked as a managing attorney for DiPietro Family Law Group. From 2017 to 2019, she worked as Family Law Section Leader/Of Counsel for Attentive Law Group, PLLC. Most recently from 2019 to the present, she works as Family Law Section Leader for Simms Showers LLP.

Ms. Callins regularly authors publications such as "Focusing on the Things that Matter" Stress Free Divorce and "Did the Anfal Operation Constitute Genocide?" Saddam on Trial and speaks at Virginia CLEs, such as Defending Protective Orders in General District Court and Drafting and Attacking Premarital Agreements.

Ms. Callins is also active in her community, serving as an attorney advisor with the CARA project in Dilley, Texas and performing work through VEBA and DVRP.

**Fairness and Temperament:** Through her submission and interview, Ms. Callins demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Callins possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Callins is well qualified for the Virginia Court of Appeals. She warrants the Committee's rating of **RECOMMENDED**.

## **JAMES P. CARGILL, ESQ.**

**Experience and Legal Ability:** James Cargill earned his bachelor's degree from the University of Virginia in 1984 and his Juris Doctor from Washington and Lee University in 1987. Mr. Cargill has been a member of the Virginia State Bar since 1987.

Mr. Cargill served as a judicial law clerk to the Honorable J. Christian Compton on the Supreme Court of Virginia from 1987 to 1988. Mr. Cargill then practiced law at Johnson, Ayers & Matthews in Roanoke (1988-1992); Glenn, Feldmann, Darby & Goodlatte in Roanoke (1992-1995); as a solo practitioner in Vinton (1995-1998); at Daniel L. Crandall & Associates in Roanoke (1998-2005); and at Ware, Cargill, & Hill in Roanoke Virginia (2005). Since August 2005, Mr. Cargill has been in private practice at James P. Cargill, P.C. in Roanoke. He practices primarily family and criminal law, and approximately 40% of his legal practice is guardian ad litem work.

Over the course of his legal career, Mr. Cargill has presented at numerous CLEs, including presentations on "GAL Accountability," "Services and Strategies for your Parent Client," and "Bad Example of Negotiating with a Commonwealth's Attorney." He has been on the Best Practices Team for Roanoke City Juvenile and Domestic Relations Court for years and has served on its planning committee for CLEs for at least five years. He averages about 100-150 hours each year in pro bono services.

Mr. Cargill is on the Executive Board of the Virginia Association of Criminal Defense Lawyers and is a member of the National Association of Criminal Defense Attorneys, the Virginia Trial Lawyers Association, and the National Association of Counsel for Children. In his community, Mr. Cargill is a member of Three Oaks Fellowship Methodist Church.

**Fairness and Temperament:** Through his submission and interview, Mr. Candidate demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Candidate possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Cargill is well qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **RECOMMENDED**.



### **DORIS HENDERSON CAUSEY, ESQ.**

**Experience and Legal Ability:** Doris Henderson Causey graduated from the University of Mississippi with her bachelor's degree in 1993; from Tennessee State University with her Master's in Education in 1999; and from Thurgood Marshall School of Law at Texas Southern University, *cum laude*, in 2002. Ms. Causey was admitted to practice in Virginia in 2003. During law school, she interned as a clerk for the Honorable Judge Doug Warne on the Family District Court in Harris County, Texas, and also interned for the U.S. Attorney's Office in the Northern District of Mississippi.

Ms. Causey began her career as an Assistant Commonwealth Attorney at the City of Richmond Commonwealth Attorney's Office in 2004, where she appeared in General District Court on misdemeanor and felony cases. She transitioned to solo practitioner at Henderson Causey Law Firm in Richmond where she handled both civil and criminal matters, including misdemeanor and felony criminal and traffic cases, family law matters, personal injury and medical malpractice cases, housing disputes, and elder law. She also served a guardian ad litem for juveniles and incapacitated adults.

Currently, Ms. Causey is the managing attorney for the Richmond office of the Central Virginia Legal Aid Society, where she has worked for over 12 years. She manages the office's daily operations, including hiring and supervising legal and support staff, and also maintains her own caseload, providing legal representation and advice to low-income citizens in a variety of subject areas. Her work includes issues relating to housing, landlord/tenant law, foreclosure and delinquent tax sale prevention, consumer law, family law, elder law, and employment law. She has experience litigating in Virginia Circuit Courts, General District Courts, and Juvenile and Domestic Relations Courts, and she has tried more than 20 cases to conclusion in the past 5 years.

Ms. Causey served as the 79<sup>th</sup> President of the Virginia State Bar, serving from 2017-2018. From 2019 to present, she has been a member of the National Conference of Bar Presidents, and she is the first Bar President from Virginia to serve on their Executive Committee. She is currently the President-Elect of the Old Dominion Bar Association, and she has won distinguished service, public service, and achievement awards from the Virginia State Bar, the Richmond Bar Association, and the Old Dominion Bar Association, among others.

As a woman of color, as an attorney for legal aid, and advocate for diversity, equity and inclusion in the legal profession, Ms. Causey would add a diverse perspective to the Virginia Court of Appeals.

**Fairness and Temperament:** Through her submission and interview, Ms. Causey demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Causey possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Causey is well qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **RECOMMENDED**.

## **THE HONORABLE JOHN CHRISTOPHER CLEMENS**

**Experience and Legal Ability:** Judge Clemens earned his bachelor's degree from Roanoke College in 1987 and his Juris Doctor from the University of Richmond in 1990. Judge Clemens was admitted to practice in Virginia in 1991, and he has held judicial office for 13 years.

From 1991 to 1995, Judge Clemens practiced insurance defense and worker's compensation law at Gentry, Locke, Rakes & Moore in Roanoke. From 1995 to 1998, he practiced criminal defense and domestic relations at Guynn & Clemens. In 1998, he formed Clemens & Clemens with his father, where he handled civil and criminal litigation and served as guardian ad litem before being elevated to the bench.

Judge Clemens served as a General District Court Judge for the 23<sup>rd</sup> Circuit from 2008 to 2016, when he became a Circuit Court Judge for the 23<sup>rd</sup> Circuit serving in Roanoke City and the City of Salem. Judge Clemens presides over a wide range of civil, criminal, and domestic relations cases.

Judge Clemens is a judicial member of the Virginia Bar Association, the Salem/Roanoke County Bar Association, and the Roanoke Bar Association. He served on the Salem City Council from 2004 to 2008.

Judge Clemens teaches at Roanoke College when a professor needs a substitute in Criminal Law and The Law and Society. In his community, he is a member of First United Methodist Church in Salem, Virginia.

**Fairness and Temperament:** Through his submission and interview, Judge Clemens demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Judge Clemens possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Judge Clemens is well qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **RECOMMENDED**.

## **TREVOR STEPHEN COX, ESQUIRE \***

**Experience and Legal Ability:** Mr. Cox attended Harvard College for both undergraduate and law school. He earned his Juris Doctor in 2009 and was admitted to the Virginia Bar that same year.

Mr. Cox began his legal career in 2010 with Hunton & Williams on their securities litigation team, representing issuers and individuals in litigation matters related to securities, corporate governance, and mergers and acquisitions, as well as public and private companies in complex civil litigation, class actions, and government or internal investigations involving alleged violations of state and federal securities laws.

From 2014 to 2018, Mr. Cox was a member of the Solicitor General's division of the Attorney General's Office. His job focused on appellate litigation involving the Commonwealth, its agencies, and officials in matters involving the constitutionality of statutes or regulations, both in front of federal and Virginia courts. He also provided legal counsel to the Governor, Attorney General, and others on constitutional issues and matters of Virginia government. During his four-year tenure, the Office of the Attorney General was involved in nearly 80 appellate cases, with Mr. Cox contributing by briefing and presenting those cases, or assisting his colleagues with their briefs.

He returned to Hunton, Andrews, and Kurth in 2018 as a member of the Issues and Appeals team focused on appellate litigation. His current practice focuses on representing private and public individuals and companies on constitutional issues regarding energy, the environment, employment, and federal Title IX.

In addition to Mr. Cox's appellate practice, he is active in the Virginia Bar Association, having presented several CLEs, as well as co-teaching a seminar at the University of Richmond T.C. Williams School of Law. Mr. Cox also engages with the community through service in his church vestry, serving on several library boards, including the Richmond Public Library Foundation, and with alumni associations.

**Fairness and Temperament:** Throughout the screening process, Mr. Cox displayed a thoughtful, professional, and respectful demeanor. The Committee believes he demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Mr. Cox is highly respected among his supervisors, peers and support staff for his thorough scholarship, industriousness, ethical practices and appellate leadership. Throughout the interview and based upon information gathered, Mr. Cox demonstrates a level of professionalism and integrity that meets and exceeds the requisite professionalism and integrity for the Court of Appeals for Virginia.

**Overall Evaluation:** The Committee believes that Mr. Cox would bring needed balance to the Court of Appeals. Accordingly, the Committee finds that he is well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **RECOMMENDED**.

## **HON. DALE DURRER \***

**Experience and Legal Ability:** Judge Dale Durrer attended a local community college before transferring to the University of Virginia to complete his undergraduate degree. Judge Durrer graduated with his Juris Doctor from American University Washington College of Law in 2000 and passed the Virginia bar in the same year. He was the first in his family to attend college.

Judge Durrer began his legal career as an associate attorney at the firm of Davies, Barrell, Will, Lewellyn, & Edwards in Culpepper, Virginia. He was part of a general practice firm, which included criminal defense, personal injury, real estate, and domestic relations work. In 2003 he left the firm to work in the Commonwealth's Attorney's Office in Culpepper. While in the Commonwealth's Attorney's Office, Judge Durrer handled cases in all Culpepper trial courts, including approximately thirty-five criminal jury trials. His caseload ranged from capital murder to sexual assault to money laundering to fraud. While at the Commonwealth's Attorney's Office, Judge Durrer was also designated a Special Assistant United States Attorney (2007-2013) in order to assist the federal government in prosecuting violations of federal law in Culpepper County, Virginia. Judge Durrer was appointed to the district court bench by the General Assembly in April 2013. He was elevated to Culpepper Circuit Court in 2018. In the almost 8 years he has been on the bench, he estimates presiding over 750 cases through verdict or judgment. Judge Durrer has not hesitated to write opinions explaining more complex rulings in various areas of law such as equitable distribution, constitutional supremacy clause questions, and judgments at the demurrer stage.

Judge Durrer is also an adjunct professor at American University Washington College of Law, where he won an adjunct faculty teaching award in 2016 and is thought of very highly by students and professors alike. One of Judge Durrer's references, a woman who put herself through law school as a single mother, gave Judge Durrer credit for inspiring her to continue her education. She is now an attorney at a prestigious firm. Judge Durrer is also a named author and contributor to the seminal treatise Wesley Oliver, Dale B. Durrer, & Kirsha Weyandt Trychta, *Evidence: Common Law and Federal Rules of Evidence* (7th ed. 2015).

**Fairness and Temperament:** In speaking with the Committee, Judge Durrer was thoughtful, professional, warm and respectful. The Committee believes he demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

**Professionalism and Integrity:** The Committee finds that Judge Durrer demonstrates a level of professionalism and integrity that meets and exceeds the requisite professionalism and integrity for the Court of Appeals for Virginia. He is very well respected in his community and the legal field. In speaking with his references, the common thread that emerged was that Judge Durrer cares very much about treating others (litigants, law students, attorneys, colleagues) with respect.

**Overall Evaluation:** The Committee finds that Judge Durrer is well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **RECOMMENDED**.

## **THE HONORABLE DOUGLAS L. FLEMING, JR.**

**Experience and Legal Ability:** Judge Fleming earned his bachelor's degree from the College of William and Mary in 1979 and his Juris Doctor from the College of William and Mary in 1982. Judge Fleming has been a member of the Virginia State Bar since 1982.

Judge Fleming worked as an Associate Attorney at Hanes, Sevila, Saunders, & McCahill, P.C. from 1982 to 1987, and he was a Partner from 1987 to 1996. He then founded Douglas L. Fleming, Jr., P.C. where he practiced general civil and criminal matters from 1996 to 2015. In 2015, Judge Fleming was elected Circuit Court Judge for the 20th Judicial Circuit of Virginia. He is currently the Chief Judge of the 20th Judicial Circuit.

Over the course of his legal career, Judge Fleming has held leadership positions in numerous organizations. He is a former President of the Loudoun County Bar Association. He was also a Director of the Loudoun County Bar Association where he served two separate terms. Additionally, he was an adjunct faculty member at Shenandoah University where he taught Business Law in the M.B.A. Program.

Judge Fleming is active in his community. He was a youth soccer coach and volunteer with the Loudoun Youth Soccer Association, Premier AC Soccer Club, and former director of the Loudoun Soccer Club. He was also a member of the Loudoun County Economic Development Advisory Committee. Judge Fleming assists individuals with limited means through organizations such as Loudoun County's non-profit holiday toy distribution centers, and he was also a volunteer at the non-profit Blue Ridge Speech and Hearing Center.

**Fairness and Temperament:** Through his submission and interview, Judge Fleming demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Judge Fleming possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Judge Fleming is well qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **RECOMMENDED**.

## **THE HONORABLE WILLIAM E. GLOVER**

**Experience and Legal Ability:** Judge Glover earned his bachelor and Juris Doctor degrees from the College of William & Mary in 1982 and 1986, respectively. Judge Glover was admitted to practice in Virginia in 1986 and before the United States District Court for the Eastern District of Virginia.

Judge Glover began his career working as an Assistant Commonwealth's Attorney in the City of Fredericksburg for one year and at various small firms before opening a general practice firm, Glover & Dahnk, in 1994. While in private practice, Judge Glover handled both civil and criminal cases and both plaintiff and defense work. He appeared before General District, Juvenile & Domestic Relations, and Circuit Courts across the Commonwealth in addition to the Worker's Compensation Commission, Virginia Employment Commission, Board of Medicine, Board of Realtors, Virginia State Bar, and Judicial Inquiry & Review Commission. He regularly represented clients on a pro bono basis during his time in private practice. While a practicing attorney, Judge Glover also argued cases before the Virginia Court of Appeals and Virginia Supreme Court.

Judge Glover has served on the bench of the Spotsylvania Circuit Court since 2019. He served as a substitute judge in the General District Courts in the same circuit from 1998 to 2018. Judge Glover is working with the Spotsylvania Commonwealth's Attorney's Office to initiate a Mental Health Docket in his jurisdiction.

Throughout his career, Judge Glover has devoted a significant amount of time to the Virginia State Bar and other legal organizations within the community. Judge Glover's work with the Virginia State Bar focused on initiatives involving professionalism, education, professional regulation and judicial selection. He served on the Board of Governors for both the Education and Litigation sections, Judicial Nominating Committee, the 6<sup>th</sup> District Disciplinary Committee, and the Carrico Professionalism Course. Judge Glover has been a member of the Boyd Graves Conference since 2014. He has previously testified in Court as an expert in legal ethics and attorney fees. He has also authored and instructed CLEs on the Rules of Civility and Autism & The Law.

**Fairness and Temperament:** Through his submissions and interview, Judge Glover demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals. Judge Glover consistently displayed a thoughtful, courteous and professional demeanor.

**Professionalism and Integrity:** The Committee finds that Judge Glover possesses a level of professionalism and integrity that exceeds the requisite professionalism and integrity for the Virginia Court of Appeals. He is committed to providing all litigants access to justice.

**Overall Evaluation:** The Committee finds that Judge Glover is well qualified for the position of Judge on the Virginia Court of Appeals. He warrants the Committee's rating of **RECOMMENDED**.

## **CARLOS L. HOPKINS, ESQ.**

**Experience and Legal Ability:** Carlos Hopkins earned his bachelor's degree from the Citadel, The Military College of South Carolina in 1993 and his Juris Doctor from the University of Richmond, T.C. Williams School of Law in 1996. Mr. Hopkins has been a member of the Virginia State Bar since 1996.

Mr. Hopkins began his distinguished career as a Deputy Commonwealth's Attorney with the Richmond Commonwealth's Attorney's Office, where he also assisted with prosecutions with the U.S. Attorney's Office for the Eastern District of Virginia. In 2006, Mr. Hopkins served as a Training & Attorney Certification Director for the Virginia Indigent Defense Commission, where he represented the Commission before the Virginia General Assembly and various other boards and commissions. Concurrently with this role, in 2008, Mr. Hopkins served on a Joint Task Force in Guantanamo as a Chief Military Justice & Assistant Staff Judge Advocate. Most recently, in 2017, Mr. Hopkins was appointed by Governors Terence R. McAuliffe and Ralph S. Northam as the Cabinet Secretary of Veterans and Defense Affairs, a position in which Mr. Hopkins still serves today. In this role, Mr. Hopkins has served as the Commonwealth's chief liaison with Virginia's federal defense installations. He also advises the Governor on federal legislative and regulatory actions impacting Virginia's veteran's community.

Over the course of his legal career, Mr. Hopkins has served on the Board of Directors for the Virginia Association of Criminal Defense Lawyers (2010-2013), the Virginia State Bar Indigent Task Force (2010-2011), and the Virginia Code Commission (2014-2017), and as the Chairman for the Virginia Military Advisory Counsel (2017-present). He is also an adjunct professor at the University of Richmond, T.C. Williams School of Law, working with second- and third-year law students participating in the Criminal Law Placement Externship Program.

Perhaps most notably, Mr. Hopkins has demonstrated his commitment to service through his role with the Virginia Army National Guard, where he has acted as a Staff Judge Advocate since 1997, almost the entirety of his legal career. He has received recognitions for his service, as well as receiving military service awards, including the Joint Commendation Service Medal and the Joint Expeditionary Service Ribbon.

Mr. Hopkins is also involved in his community as a member of the Alpha Phi Alpha Fraternity, Inc, the National Negro Golf Association - Richmond Chapter, the Association of Citadel Alumni, and Saint Paul's Baptist Church.

**Fairness and Temperament:** Through his submission and interview, Mr. Hopkins demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Hopkins possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Hopkins is well qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **RECOMMENDED**.

## **SHELLY R. JAMES, ESQ.**

**Experience and Legal Ability:** Shelly R. James earned her bachelor's degree from the James Madison University in 1983, her Master's Degree from the University of Pittsburgh in 1985, and her Juris Doctor from University of Iowa in 1995. Ms. James has been a member of the Virginia State Bar since 1995.

Ms. James served as a law clerk in the Office of the City Attorney of Alexandria from 1995 to 1996. She then worked as an Assistant Commonwealth's Attorney from 1996 to 1999. She worked as an Assistant Attorney General from 1999 to 2001. After that, she served as a law clerk to the Honorable Robert P. Frank of the Court of Appeals of Virginia from 2001 to 2004. She then practiced as an Associate Attorney for the Law Office of Franklin Blatt before serving again as a law clerk. This time, for the Honorable Randolph A. Beales of the Court of Appeals of Virginia from 2006 to 2011. She founded her own firm and practiced family law from 2011 to 2015. Currently, she practices for John Elledge & Associates from 2016 to the present and is a Visiting/Assistant Professor at the Appalachian School of Law from 2019 to the present.

Over the course of her legal career, Ms. James has received numerous honors from various organizations, including Editor in Chief of the Journal of Corporation law, American Jurisprudence Award for Evidence, Little Brown Award for Corporate Law and a Pro Bono award for her work with Legal Aid client in 2018. Ms. James as also published legal articles including "School Choice in Joint Custody Cases: Tips to Help the Judge Decide" in the Virginia Lawyer, "Don't Lose Your Case Before It's Argued" in the VBA News Journal, and "Arbitration in the Securities Field" in the Journal of Corporation Law. Ms. James regularly speaks at Virginia CLEs, such as Troxel/parental rights CLE. Ms. James has also taught at Appalachian School of Law teaching legal writing and research, appellate advocacy, family law, administrative law, and sentencing law.

Ms. James is active in her community, working with Legal Aid and the moot court team at Appalachian School of Law and the Medical/Legal Partnership program. She is an Elder in the Mossy Creek Presbyterian Church and a member of the Daughters of the American Revolution.

**Fairness and Temperament:** Through her submission and interview, Ms. James demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. James possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. James is well qualified for the Virginia Court of Appeals. She warrants the Committee's rating of **RECOMMENDED**.



## **LISA MARIE LORISH, ESQUIRE**\*

**Experience and Legal Ability:** Ms. Lorish attended Princeton University, graduating in 2003. She later earned her law degree from the University of Virginia School of Law, graduating in 2008. Ms. Lorish was the Essays Development Editor of the Virginia Law Review, a John M. Olin Scholar in Law and Economics, a Raven Society Member, and recipient of the 2008 Raven Award.

Ms. Lorish began her legal career as a Litigation Associate at Sullivan Cromwell, LLP where she worked from 2008 to 2011. In 2011, she joined McGuireWoods as Litigation Association in Charlottesville, where she managed multi-year class action litigation and represented numerous companies in civil litigation. In 2014, Ms. Lorish transitioned to her current role as a Federal Public Defender serving the Western District of Virginia. In this role, Ms. Lorish gained appellate experience as she has briefed and argued 11 cases before the Fourth Circuit Court of Appeals.

In addition to her work as a Federal Public Defender, Ms. Lorish shares her passion for the law with others by teaching as an Adjunct Professor at the University of Virginia School of Law. As an Adjunct Professor, Ms. Lorish is the Director and Founder of the Federal Sentence Reduction Clinic, a Lecturer for the Criminal Justice Reform Seminar, and former Co-Director of the Criminal Defense Clinic.

Additionally, Ms. Lorish is highly regarded by her peers for her leadership skills and desire to serve her community. In 2016, Ms. Lorish became a Board Member of the Fountain Fund, which is an organization that provides low interest loans to formerly incarcerated citizens. Ms. Lorish served as the President of the Charlottesville Albemarle Bar Association from 2018 to 2019. She also served on the Judicial Endorsement Committee and the Pro Bono Committee from 2019 to 2020.

**Fairness and Temperament:** Throughout the interview and from the information gathered, Ms. Lorish consistently displays a thoughtful, courteous, and professional demeanor. She is known for her zealous representation of clients, her strategic legal decision making, and her ability to remain cordial to all parties. The Committee believes that Ms. Lorish demonstrates the requisite fairness and temperament necessary for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Ms. Lorish is highly respected by her peers for her professionalism, community involvement, and impressive legal skill. Throughout the interview and based upon the information gathered, Ms. Lorish meets and exceeds the requisite professionalism and integrity for the Court of Appeals for Virginia.

**Overall Evaluation:** The Committee finds that Ms. Lorish's depth of knowledge in criminal law as well as her background in civil litigation would make her a valuable addition to the Court of Appeals in Virginia. Accordingly, the Committee finds that she is well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **RECOMMENDED**.

## **HON. WESLEY GILMER MARSHALL\***

**Experience and Legal Ability:** Judge Marshall earned his law degree from the University of Virginia in 1988 and was licensed to practice in Virginia later that same year.

Judge Marshall started his legal career in private practice handling national and local defense cases. He also handled products liability, FELA, tort, workers' compensation, bankruptcy and general practice matters. He thereafter transitioned to a smaller law firm and then started his own private practice. In his private practice, Judge Marshall handled tort, employment, personal injury, workers compensation and general practice matters. Judge Marshall has managed discrimination cases in federal courts, the Equal Employment Opportunity Commission, in state courts and before administrative agencies.

Since 2012, Judge Marshall has served as an appellate judge at the Virginia Workers Compensation Commission. Since becoming a judge, Judge Marshall has mentored young lawyers and law students. He also lectured at the University Richmond T. C. Williams School of Law and acted as a moot court judge Virginia and Florida for the past seven years. He has spoken frequently on his transition from advocate to judge, and he has given educational presentation to judges from over thirty-five states.

Judge Marshall possesses experience in a wide range of practice areas in both state and federal courts, and before administrative agencies. He has endeavored to ensure that the law serves individuals, and has been a strong advocate for workers and their families. Judge Marshall has also presided over hearing dockets across Virginia, including in Fairfax, Virginia Beach, Harrisonburg, Lebanon, Big Stone Gap, and Bristol, addressing a range of statutes, such as the Virginia Workers' Compensation Act, the Virginia Neurological Birth Fund, and the Criminal Injuries Compensation Fund. Judge Marshall has published extensively, particularly in the area of workers compensation.

**Fairness and Temperament:** Judge Marshall demonstrates a respect for the rule of law and the role of the court. He also makes an effort to balance the salience of legal procedure, against the need for practical solutions to solving problems and addressing litigants' concerns. Judge Marshall expressed his observation about the importance of education relating to the legal system in order to maintain the public's respect for the judiciary, while also insuring access to the court for those who have often been overlooked in terms of access. Judge Marshall demonstrates the requisite fairness and temperament for a judge of the Virginia Court of Appeals.

**Professionalism and Integrity:** Through the interview and information gathered, Judge Marshall demonstrated a level of professionalism and integrity that meets and exceeds the requirements for a judge on the Virginia Court of Appeals. That professionalism extends to his sense of fairness to all litigants and working to insure that the law serves people first.

**Overall Evaluation:** The Committee finds Judge Wesley Gilmer Marshall is well qualified for the position of judge for the Virginia Court of Appeals and warrants the Committee's rating as **RECOMMENDED**.

\*In accordance with VWAA's Judiciary Committee Rules, Judge Marshall elected to rely on his prior rating by the VWAA Committee from February, 2020.

## **EDWARD KYLE MCNEW, ESQUIRE** \*

**Experience and Legal Ability:** Kyle McNew graduated from the College of William and Mary with a B.A. in Government in 2003. He graduated *magna cum laude* with his Juris Doctor from Washington and Lee School of Law in 2006. While in law school, Mr. McNew was the Executive Editor of the Law Review.

Upon graduating, Mr. McNew clerked for the Honorable Walter D. Kelley, Jr. of the United States District Court for the Eastern District of Virginia. Mr. McNew went on to practice complex litigation in the Norfolk office of Troutman Pepper (then-named Troutman Sanders) for 2 years before leaving to clerk for the Honorable Boyce F. Martin, Jr., of the United States Court of Appeals for the Sixth Circuit.

Upon completing his appellate clerkship in the Sixth Circuit, Mr. McNew returned to Virginia to practice at Michie Hamlett, a Plaintiff's-side civil litigation firm. Mr. McNew started as an associate and is now a partner. He is a self-described "trial lawyer" with a focus on issues and appeals arising out of personal injury and products liability cases. While at Michie Hamlett, Mr. McNew has argued before the Supreme Court of Virginia, the Fourth Circuit, and Virginia state and federal courts. He has been lead attorney in more than 10 appeals to the Supreme Court of Virginia, and has authored numerous *amicus curiae* briefs on behalf of the Virginia Trial Lawyers Association. He has also been lead counsel in at least three appeals to the Fourth Circuit.

Mr. McNew has previously chaired the VTLA *amicus curiae* committee. He is a member of the VTLA Board of Governors, as well as the Board of Governors for the Litigation Section of the Virginia State Bar. He is frequently used as a resource for CLE courses on appellate advocacy and civil litigation issues, including an issue that frequently arises in civil litigation – the exclusivity rule in the Workers' Compensation Act (also known as the Workers' Compensation bar). Mr. McNew has been named a Rising Star in Appellate Practice by Virginia Super Lawyers from 2016 to present.

**Fairness and Temperament:** Through his submissions and interview, Mr. McNew demonstrated a thoughtful, professional, and respectful demeanor. His references stated that they seek him out as a person of wise counsel. He is considered the "go-to" appellate lawyer in his region (one reference even went so far as to call him an "appellate master"), assisting not only his firm, but outside attorneys as well. Mr. McNew demonstrated to the Committee that he possesses the requisite fairness and temperament for the Court of Appeals of Virginia.

**Professionalism and Integrity:** The Committee finds that Mr. McNew possesses the requisite professionalism and integrity for the Court of Appeals of Virginia. He was repeatedly praised for being impartial, unbiased, and academically interested.

**Overall Evaluation:** Based on his educational background, varied litigation/appellate experience, and commitment to continued scholarship in Virginia, the Committee finds that Mr. McNew is well-qualified for the Court of Appeals of Virginia and warrants the Committee's rating of **RECOMMENDED**.

## **BRENDAN O'TOOLE, ESQUIRE**

**Experience and Legal Ability:** Brendan O'Toole graduated with his bachelor degree from Wake Forest University in 2002 and received his Juris Doctor from the University of Richmond in 2005. Mr. O'Toole was admitted to practice in Virginia in 2005. He has since been admitted to practice in the Eastern and Western Districts of Virginia, the U.S. Court of Appeals for the Fourth Circuit, and the U.S. Supreme Court, and has appeared multiple times before the Virginia Supreme Court and U.S. Court of Appeals for the Fourth Circuit.

Mr. O'Toole is a Litigation Partner with Williams Mullen in Richmond, where he primarily practices complex commercial litigation in state and federal courts. He has litigated matters involving breaches of contract, business torts, construction, shareholder disputes, and financial services litigation. He has also defended claims brought by the Virginia Attorney General's Office and under the Virginia Fraud Against Taxpayers Act. Mr. O'Toole also occasionally handles white collar criminal defense and no-fault divorces.

Prior to joining Williams Mullen, Mr. O'Toole was a Law Clerk in the Fourteenth Judicial Circuit and the Eastern District of Virginia and as an intern in the Norfolk Commonwealth's Attorney's Office. He is presently part of the Virginia Redemption Project, which provides pro bono legal services to inmates seeking clemency, and the Eastern District of Virginia's Pro Se Mediation Program.

Mr. O'Toole recently co-authored a Virginia CLE, *Federal Civil Practice in Virginia*; has been published in *The Journal of Civil Litigation*.

Mr. O'Toole, who is bi-racial, is a member of the Diversity and Inclusion Committee at Williams Mullen, which recruits and mentors diverse attorneys at the firm. Mr. O'Toole volunteers with his family at two historically African-American cemeteries in the Richmond area. Mr. O'Toole is also a pediatric cancer survivor, which he credits with teaching him the "values of determination, patience, and the importance of second chances," and has volunteered with pediatric cancer organizations in the past. Finally, he has served as a Board Member of Communities in Schools of Chesterfield County since 2009. The organization's mission is to foster public and private partnerships to provide prevention and intervention services to at-risk youth in the county.

**Fairness and Temperament:** Through his submissions and interview, Brendan O'Toole demonstrated that he meets and exceeds the requisite standards for fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Brendan O'Toole possesses the requisite professionalism and integrity for the Virginia Court of Appeals. Mr. O'Toole is highly respected amongst his peers for his legal skill, community involvement and professionalism.

**Overall Evaluation:** The Committee finds that Judge is well qualified for the position of Judge on the Virginia Court of Appeals. He warrants the Committee's rating of **RECOMMENDED**.

## **DOUG RAMSEUR, ESQUIRE \***

**Experience and Legal Ability:** Mr. Ramseur attended James Madison University, receiving his B.S. in Political Science in 1993. He received his Juris Doctor from the University of Richmond T. C. Williams School of Law in 1996. He was admitted to practice in Virginia in 1996.

Mr. Ramseur has spent the last 18 years as a public defender representing people charged with death penalty offenses. He was head of the Office of the Capital Defender for Central and Southeastern Virginia for 10 years. During his tenure he recruited and hired women and minority candidates, by actively seeking out and participating in public interest job fairs in order to reach a diverse field of candidates. He has recently opened a private practice where he is practicing state and federal criminal defense with an emphasis on death penalty litigation. He has represented clients before the Virginia Court of Appeals and the Virginia Supreme Court and the Georgia Supreme Court.

Mr. Ramseur was one of the principal authors of the new criminal discovery rules and has regularly presented on this topic and others. His references reported that his participation in drafting of the discovery rules was instrumental. He is a member of the faculty of the National College of Capital Voir Dire and trains lawyers from around the country in the selection of juries in death penalty cases. He is the past-president of the Virginia Association of Criminal Defense Attorneys. He has published on the need for criminal discovery reform.

Mr. Ramseur's colleagues report that his skills in the courtroom and in legal research and writing are exemplary and that he has been instrumental to ending the death penalty in Virginia, by giving poor defendants the best defense available. The committee understands that Mr. Ramseur did not have a client sentenced to death since he joined the Capital Defenders office. One reference said Mr. Ramseur was his hero.

**Fairness and Temperament:** Throughout the interview and from the information gathered, Mr. Ramseur consistently displays a thoughtful, professional, and respectful demeanor. Several references described Mr. Ramseur as displaying exceptional calm and grace in cases that have the highest stakes and they try to follow his example in dealing with clients, counsel, and the courts. The Committee believes Mr. Ramseur demonstrates the requisite fairness and temperament necessary for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Mr. Ramseur is respected among his peers for his ethical practices, efforts at inclusion, and leadership. The Committee finds that Mr. Ramseur demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

**Overall Evaluation:** The Committee believes that Mr. Ramseur has significant experience that would be a valuable asset on the Court of Appeals, that he has given the best representation to the least among us, and that in doing so he has advanced the cause of fairness in the criminal justice system. Accordingly, the Committee finds that he is well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating of **RECOMMENDED**.

### **MELISSA WALKER ROBINSON, ESO.**

**Experience and Legal Ability:** Melissa Robinson graduated from the University of Virginia in 1985. She then attended William and Mary Law School and graduated with a Juris Doctor in 1988. That same year, she began her career at Gentry Lock Rakes & Moore in Roanoke, Virginia and was admitted to the Virginia State Bar. Ms. Robinson became partner at Gentry Locke in 1994 where she stayed until she joined Glenn Robinson Cathey Memmer & Skaff, PLC where she is a named partner. She has been a member at her firm for the past eighteen years, and practices primarily civil general litigation – representing both plaintiffs and defendants. As an AV- Rated litigator on Martindale-Hubbell, she handles a variety of claims including insurance defense, premises liability personal injury, product liability, commercial litigation, trucking litigation, local government litigation, employment liability, medical malpractice, and civil rights litigation. Ms. Robinson also served as a substitute judge in the 23rd Judicial Circuit primarily in Roanoke City General District Court from 2014 through 2016.

Throughout her career, Ms. Robinson has been an active member of various bar and community organizations. She has been a fellow of the Virginia Law Foundation since 2012 and a fellow of the Roanoke Law Foundation since 2014. She was on the Virginia State Bar Disciplinary Board, which hears the most serious cases of lawyer misconduct, from 2012 through 2018. This board is appointed by the Supreme Court of Virginia. She is a Master of the Ted Dalton American Inn of Court, and was its president in 2018. She edited portions of the 2009 “Civil Discovery in Virginia” CLE publication, because legal writing is a particular passion of hers. In 2011, she was named among “Influential Women of Virginia” by Virginia Lawyers Weekly. She has also been named to Super Lawyers in Insurance Coverage in 2019 and 2021. She is currently a member of the Virginia State Bar Standing Committee on Lawyer Discipline (“COLD”) and the Virginia State Bar Client Protection Fund Board. Ms. Robinson’s community involvement also includes service on the board of directors of the YWCA of Roanoke and the Good Samaritan Hospice.

**Fairness and Temperament:** Through her submission and interview, Ms. Robinson demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Robinson possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Robinson is well qualified for the Virginia Court of Appeals. He warrants the Committee’s rating of **RECOMMENDED**.

## **CULLEN D. SELTZER, ESQ.**

**Experience and Legal Ability:** Cullen Seltzer earned his bachelor's degree *cum laude* from Mary Washington College in 1990 and his Juris Doctor from the T. C. Williams School of Law at the University of Richmond in 1993. Mr. Seltzer has been a member of the Virginia State Bar since 1993.

Mr. Seltzer served as a law clerk to the Honorable James W. Benton, Jr. at the Virginia Court of Appeals from 1993 to 1994. He then worked as an Assistant Public Defender in the City of Richmond, where he served as an appellate attorney practicing in the Virginia Court of Appeals and the Supreme Court of Virginia and as a trial attorney in the General District and Circuit Courts for the City of Richmond. In 1998, he joined Rawlings & Wood for two years before joining Bowman and Brooke LLP and BrownGreer PLC from 2000 to 2004. In 2004, Mr. Seltzer established his own law firm, Cullen D. Seltzer, Attorney at Law PLC, which later became SeltzerGreene, PLC. In 2011, Mr. Seltzer joined Sands Anderson PC and became a shareholder in 2016, where he continues to practice. Mr. Seltzer has also served as a substitute judge in the General District Court for the 13<sup>th</sup> Judicial District since 2010.

Over the course of his legal career, Mr. Seltzer has received numerous honors from various organizations and publications, including Best Lawyers in America®, Mass Tort Litigation (2012-2021); Legal Elite, Appellate Law, Civil Litigation, *Virginia Business Magazine* (2011-2021); Leaders in the Law, *Virginia Lawyer's Media* (2016); and Super Lawyers® (2009-2021), Rising Star (2008).

Mr. Seltzer is active in the legal community, including his service as Adjunct Faculty at the University of Richmond School of Law since 2001; membership in the John Marshall Inn of Court from 1997 to 2009, serving as President from 2005 to 2006; Virginia State Bar, Harry L. Carrico Professionalism Course Faculty from 2008 to 2011; and Virginia State Bar Council from 2019 to the present.

Mr. Seltzer is heavily involved in community service as well, including as a Member of the Development Board for Sports Backers (2018-2020); Weinstein Jewish Community Center (Board member 2010-present, President/Chairman 2013-2016); Jewish Community Federation of Richmond; and Virginia Capital Trail Foundation (Past Chairman of the Board, current General Counsel 2016-present), among others.

**Fairness and Temperament:** Through his submission and interview, Mr. Seltzer demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Seltzer possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Candidate is well qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **RECOMMENDED**.

## **JULIE A. C. SEYFARTH, ESQ.**

**Experience and Legal Ability:** Julie A.C. Seyfarth graduated from Furman University with a B.A. in Political Science and Spanish in 1998. She also studied at the Universidad Nebrija in Madrid, Spain in the fall of 1997. Ms. Seyfarth received her J.D. from University of Richmond School of Law, *cum laude*, in 2001. During law school, she was President of the Women's Law Student Association.

Ms. Seyfarth is a Deputy County Attorney for the Chesterfield County Attorney's Office, where she has worked for approximately 10 years. She provides legal counsel to County officials and employees and handles a variety of civil defense matters, representing the County in contract disputes, employment law cases, allegations of civil rights violations, and personal injury claims, police misconduct claims, among other things. She also handles personnel matters and defends the County in cases before the Virginia Employment Commission. In connection with her work for the Chesterfield County Attorney's Office, Ms. Seyfarth has handled matters on appeal to the Virginia Supreme Court and the U.S. Court of Appeals for the Fourth Circuit. On a pro bono basis, Ms. Seyfarth provides education, training, and support on mental health and wellness issues to those employed in public safety positions, as well as their spouses.

Before starting her work for the Chesterfield County Attorney's Office, Ms. Seyfarth worked in private practice at Seltzer Greene, PLC/Davis Childress P.C. (2009 – 2010), O'Hagan Spencer LLP (2006 – 2009), and Bowman and Brooke LLP (2001-2006). Her practice was primarily civil litigation defense, with a focus on products liability for automotive clients. She also handled personal injury claims and some plaintiff-side cases, and she represented clients in criminal matters, including serving as court-appointed defense counsel.

Ms. Seyfarth is a member of the Richmond and Chesterfield County Bar Associations and the John Marshall American Inn of Court. She is a former member of the Virginia Association of Defense Attorneys, and she served as the Chair of the Products Liability Committee from 2006-2007. Ms. Seyfarth also serves on the Board of Directors of the Westwood Club, and she has volunteered for Celebrate! RVA, Race to Parenthood, and Connor's Heroes.

**Fairness and Temperament:** Through her submissions and interview, Julie Seyfarth demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals. Ms. Seyfarth is held in high esteem by her peers and displayed a thoughtful, courteous and professional demeanor throughout her interview.

**Professionalism and Integrity:** The Committee finds that Julie Seyfarth meets and exceeds the requisite professionalism and integrity required for the Virginia Court of Appeals. Ms. Seyfarth's colleagues describe her as thoughtful, diligent and highly intelligent.

**Overall Evaluation:** The Committee finds that Julie A. C. Seyfarth's credentials and experience are sufficiently above the minimum requirements to warrant an affirmative recommendation for a position on the Virginia Court of Appeals. Ms. Seyfarth warrants the Committee's rating of **RECOMMENDED**.



## **JONATHAN SHELDON, ESQUIRE\***

**Experience and Legal Ability:** Mr. Sheldon attended the University of Massachusetts, Amherst where he graduated in 1987 with a B.S. in mathematics. He later earned his law degree from William & Mary School of Law in 1995.

Mr. Sheldon began his legal career in Massachusetts. He was licensed to practice law in the Commonwealth of Virginia in 2004. He has also belonged to the bars of New York and Massachusetts in the past. Mr. Sheldon has been a partner at his firm, Sheldon & Flood, PLC since 2006. His work has consisted primarily of criminal and capital defense, including post-conviction appeals and habeas corpus work. He has extensive experience in both appellate work and trial work, making him well suited to understand the challenges unique to litigators at both levels.

Mr. Sheldon has contributed to the scholarly body of work in his chosen field. He has drafted book chapters on Virginia Law and Practice: Post-Conviction Remedies in Virginia, he published the book, Trial of Capital Murder Cases in Virginia, as well as contributing to various related topics through articles and replies. He has been honored by Super Lawyers publication selection, Top Lawyer awards from Washingtonian Magazine, Northern Virginia Magazine, and Arlington Magazine, and he holds a 10 out of 10 rating from AVVO in criminal defense and appeals.

In addition to his practice, Mr. Sheldon performs significant *pro bono* work on complex cases. He has tailored his *pro bono* efforts to benefit a diverse group, assisting women in securing protective orders, working to exonerate innocent individuals convicted using previously untested DNA evidence, advocating for a mental health docket in Arlington, and helping the Fairfax Public Defender's Office, among others. His passion for *pro bono* service is readily apparent in speaking with Mr. Sheldon, and he acknowledges that giving up his active *pro bono* practice to take the bench would be the hardest part of the transition for him. However, he believes that he would find new ways to serve the community as a judge.

**Fairness and Temperament:** As demonstrated in both his interview and in discussions with his references, Mr. Sheldon's manner is approachable and well-grounded in his extensive knowledge and experience. He is known for presenting a zealous defense for his clients while remaining professional and courteous to everyone involved. The Committee believes Mr. Sheldon demonstrates the requisite fairness and temperament necessary for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Throughout the interview and based upon information gathered, Mr. Sheldon demonstrates the requisite professionalism and integrity for the Court of Appeals of Virginia.

**Overall Evaluation:** The Committee believes that Mr. Sheldon's legal experience would bring balance to the Court of Appeals and that his temperament and demeanor are well suited for interacting with attorneys and other judges regarding complex issues of law. Accordingly, the Committee finds that he is qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating of **RECOMMENDED**.

## **VIRGINIA B. THEISEN, ESQUIRE** \*

**Experience and Legal Ability:** Ms. Theisen earned her bachelor's degree from the College of William and Mary in 1981 and her Juris Doctor from the Marshall-Wythe School of Law at the College of William and Mary in 1984. She was admitted to practice law in the Commonwealth of Virginia in 1984.

Ms. Theisen began her legal career as an Assistant Commonwealth's Attorney in Roanoke, where she worked from 1984-87. In 1987, she took a position with the Attorney General's office in the Criminal Litigation Section. From 1994-98, she worked as a Staff Attorney with the Court of Appeals of Virginia, returning to the Attorney General's office in 1998. Ms. Theisen is currently a Senior Assistant Attorney General and a Unit Leader in the Criminal Appeals Section of the Office of the Attorney General of Virginia. Ms. Theisen has handled over 350 appeals to the Court of Appeals of Virginia, 64 appeals to the Supreme Court of Virginia and assisted with the preparation of the *Currier v. Virginia* case heard by the Supreme Court of the United States.

Over the course of her career, Ms. Theisen has worked as the OAG representative on the Virginia Model Jury Instruction Committee (2012-present), she participated with the Virginia Supreme Court Special Committee for Criminal Discovery Rules (2014), and taught an Appellate Practice Seminar at the University of Virginia (Fall 2017; Fall 2018). In 2020, she was elected as a Fellow in the American Academy of Appellate Lawyers. This is a high honor for appellate attorneys and membership is reserved for the most experienced appellate advocates with the highest skill level and integrity.

When speaking with her personal references, it was clear that Ms. Theisen is highly regarded by her peers and by the bench. She possesses a sharp legal intellect and strong legal writing, research and reasoning skills. Ms. Theisen easily and quickly learns new areas of law and has an affinity for difficult, specialized and detailed areas of criminal law. Based on her experience and the observations by her references, Ms. Theisen would easily transition to a position where collaboration with others is necessary and would quickly be "up to speed" on the legal issues before her if appointed to the Court of Appeals of Virginia.

**Fairness and Temperament:** Through her submissions and interview, Ms. Theisen has demonstrated to the Committee that she possesses the requisite fairness and temperament for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Ms. Theisen is well respected by her peers and the courts for her professionalism, integrity, civility, and impressive legal skill. Throughout the interview and based on the information gathered, the Committee finds that Ms. Theisen possesses the requisite professionalism and integrity for the Court of Appeals of Virginia.

**Overall Evaluation:** The Committee finds that Ms. Theisen is well qualified for the Court of Appeals of Virginia and warrants the Committee's rating of **RECOMMENDED**.

## **CATHERINE FRENCH ZAGURSKIE, ESQUIRE\***

**Experience and Legal Ability:** Ms. Zagurskie attended Smith College, graduating magna cum laude in 2002. She later earned her law degree, summa cum laude, from Case Western University in 2006, as well as an M.S. in Social Administration with a concentration in Mental Health. That same year, Ms. Zagurskie was licensed to practice law in the Commonwealth of Virginia. She is admitted to practice in all courts of the Commonwealth as well as the Supreme Court of the United States.

Ms. Zagurskie began her legal career in 2006 with the Office of the Capital Defender in Richmond where she litigated capital offenses and used her social work background to craft mitigation arguments. She transitioned to the Office of the Public Defender for Richmond City in 2007 where she served as an assistant public defender and trial attorney before ultimately focusing her practice on appellate work. As a supervising assistant public defender, Ms. Zagurskie maintained a full appellate caseload, supervised attorney appeals, and advised trial attorneys on legal updates, record preservation, and case-specific matters.

In 2012, she was recruited by the Virginia Indigent Defense Commission. Ms. Zagurskie currently serves as VIDC's Chief Appellate Counsel. In addition to managing her own appellate caseload, she oversees 25 appellate supervisors and serves as the Commonwealth's resident appellate expert as the first line of support to 300 public defenders and 1,500 certified court-appointed counsel. She is also an executive member of the VIDC Legislative Team and advocates for mental health and substance abuse reforms.

In addition to Ms. Zagurskie's appellate practice, she shares her wealth of knowledge through teaching. She has presented at over 30 CLEs to educate the Virginia Bar on criminal and appellate issues. In 2016, she was enlisted by the University of Richmond School of Law to consult on their criminal law curriculum, leading to the development and launch of the Criminal Law and Psychiatry course. She is currently an Adjunct Professor and serves as the sole instructor of the course. Ms. Zagurskie also has served as a Social Work Field Instructor where she supervises master's level social work students for the Virginia Commonwealth University and University of Louisville.

Ms. Zagurskie is well recognized throughout the Commonwealth for her knowledge and has been appointed to several advisory committees. In 2013, Ms. Zagurskie was invited by now Justice Stephen McCullough to serve on the Boyd Graves Evidence Committee. In 2015, she teamed with Chief Judge Marla Graff Decker to develop and lead appellate training programs which continue today. She has been twice solicited by the Governor, first for the Governor's Center for Behavioral Health and Justice Advisory Group, then as a member of the Governor's Advisory Commission on Opioids and Addiction. She also serves on the Supreme Court of Virginia's Behavioral Health Docket Advisory Committee.

Ms. Zagurskie is a superb appellate writer with a reputation for incredible judgment. Her acumen and measured demeanor is notable among her peers and the appellate courts. Her arguments before the Supreme Court of Virginia have resulted in Rule changes leading jurists to consult with her when changes are proposed. She further demonstrates a unique depth of

knowledge about the appellate process and therefore insight as to improvements that could be made in the appellate courts.

**Fairness and Temperament:** Throughout the interview and from the information gathered, Ms. Zagurskie consistently displays a thoughtful, professional, and respectful demeanor. She understands the difficulties trial lawyers face with issue preservation and creating a record and the Committee believes she would be more than fair to appellants in this regard. Overall, the Committee believes she demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Ms. Zagurskie is highly respected among her superiors and peers for her ethical practices and appellate leadership. Throughout the interview and based upon information gathered, Ms. Zagurskie demonstrates a level of professionalism and integrity that meets and exceeds the needs for a judge in the Court of Appeals for Virginia.

**Overall Evaluation:** The Committee believes that Ms. Zagurskie would bring balance to the Court of Appeals by providing significant criminal defense experience and perspective that is not represented in the current composition of jurists. The Committee further believes that with additional experience outside of criminal law, Ms. Zagurskie would be an exceptional addition to the appellate courts. Accordingly, the Committee finds that she is qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **RECOMMENDED**.

\*In accordance with VWAA's Judiciary Committee Rules, Ms. Zagurskie elected to rely on her prior rating by the VWAA Committee from February, 2020.

## **HUGH SHANNON COOKE, ESQ.**

**Experience and Legal Ability:** Mr. Cooke earned his bachelor's degree from King University in 1988 and his Juris Doctor from the University of Virginia School of Law in 1991. He has been a member of the Virginia State Bar since 1991.

Mr. Cooke worked as a litigation associate at Street, Street, Street, Scott & Bowman in Grundy, Virginia from 1991 to 1992. He operated a private practice in Cedar Bluff, Virginia from 1992 to 2012. During that time, he was also a part-time attorney with the Buchanan County Commonwealth Attorney's office from 1997 to 2003. In 2012 to 2014, he expanded his private practice to create the Law Office of Cooke & Shortt. Currently, Mr. Cooke is the managing member of Cooke, Shortt & Keene, in Richlands, Virginia, and he has served as a substitute judge in the Juvenile and Domestic Relations Court since 2003. Mr. Cooke's level of experience at the appellate court level and jury trial practice in the past five years has been limited.

Mr. Cooke was a founding member of the Tazewell County Drug Court Program, on which he served from 2005 to 2009. He was also a Board member of Client Centered Legal Services in Castlewood, Virginia from 1999 to 2003. His contributions to pro bono work and accomplishing diversity in the bar have been limited.

**Fairness and Temperament:** Through his submission and interview, Mr. Cooke demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Cooke possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Cooke is qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **QUALIFIED**.

**CHARLES E. HADEN, ESQ.**

**Experience and Legal Ability:** Charles Haden earned his bachelor's degree from Randolph-Macon College in 1981 and his Juris Doctor from the University of Virginia School of Law in 1985. Mr. Haden has been a member of the Virginia State Bar since 1985.

Mr. Haden has been a solo practitioner with an office in Hampton since 1987. His practice focuses on criminal defense and appellate work. He has participated in various forms of death penalty litigation and does guardian ad litem work. He filed many bankruptcies for indigent individuals prior to 2000.

Mr. Haden performs occasional pro bono legal work for indigent clients. He is a member of the Hampton Bar Association. He was awarded the Champion of Justice Award from the Mid-Atlantic Innocence Project in 2013 after securing the freedom of an innocent man wrongly convicted of capital murder.

**Fairness and Temperament:** Through his submission and interview, Mr. Haden demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Haden possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Haden is qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **QUALIFIED**.

## **SCOTT DAVID HELSEL, ESQUIRE \***

**Experience and Legal Ability:** Mr. Helsel attended Elizabethtown College, graduating in 1992 with a B.A. in English. He went on to attend law school at the College of William and Mary, graduating in 1995. He was admitted to the practice of law in Virginia in 1995.

Mr. Helsel began his career clerking for the Hon. Henry Whiting of the Supreme Court of Virginia. After completing his clerkship, he joined the firm of Arnold & Porter in Washington, D.C. where he was part of a complex litigation team that included the defense of class actions.

Since 2003, Mr. Helsel has been a Principal at Walton & Adams in Reston, Virginia, where his practice focuses on representing private and government clients in civil litigation in state and federal court. He has significant experience in eminent domain suits. Mr. Helsel has a special interest in appellate practice and has regularly represented clients in front of the Supreme Court of Virginia.

Mr. Helsel has frequently served on the faculty for Virginia Eminent Domain CLE program, and co-authored a recent edition of Virginia CLE's "Eminent Domain in Virginia." He is known in his practice as a lawyer who is interested in taking on complex and unusual issues and does not shy away from learning new areas of the law.

**Fairness and Temperament:** Throughout the interview and from the information gathered, Mr. Helsel consistently displays a thoughtful, professional, and respectful demeanor. Overall, the Committee believes Mr. Helsel demonstrates the requisite fairness and temperament necessary for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Mr. Helsel is respected among his peers for his ethical practices, efforts at inclusion, and leadership. Throughout the interview and based upon information gathered, Mr. Helsel demonstrates a level of professionalism and integrity that meets the requisite professionalism and integrity for the Court of Appeals for Virginia.

**Overall Evaluation:** The Committee finds that Mr. Helsel meets the qualifications for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **QUALIFIED**.

## **MICHAEL V. HERNANDEZ, ESQUIRE \***

**Experience and Legal Ability:** Michael V. Hernandez earned his bachelor's degree from the University of Virginia in 1984 and his Juris Doctor from University of Virginia in 1987. He was admitted to the practice of law in the Commonwealth of Virginia in 1987.

Mr. Hernandez began his legal career with McGuire Woods Battle & Boothe in Richmond (1987-89), as a civil litigator. He primarily litigated Products Liability cases. From 1989-92, Mr. Hernandez was a litigation associate with McSweeney, Burtch & Crump, P.C., where he transitioned to Environmental Law litigation. In 1992, he joined Regent University School of Law as an adjunct assistant professor. Mr. Hernandez became a tenured professor at Regent in 2001, and served as the Dean of Regent's Law School from 2015-18. During his time as Dean, the law school earned prominent rankings, increased job placement rates, increased the Virginia Bar passage rate, and welcomed a more diverse student body.

Mr. Hernandez founded and continues as the director of the LL.M in American Legal Studies and the LL.M in International Human Rights Program at Regent University, and has served as the faculty advisor to the Hispanic Law Student Association, Moot Court Board, and Trial Advocacy Board. Over his years of service as a professor, he has taught a multitude of legal subjects, becoming knowledgeable in each subject matter, including Appellate Advocacy, Advanced Appellate Advocacy, Property, Remedies, Advanced Legal Reasoning, Analysis & Writing, Race & the Law, International Human Rights, Environmental Law, and Civil Procedure, to name a few.

In addition to being a professor of law, Mr. Hernandez also works as a consultant for other attorneys on legal issues involving property, entity, equity, appellate, and constitutional law. He has served as *pro bono* counsel for public housing residents in Portsmouth, and currently is lead counsel on a case before the Supreme Court of Virginia.

Mr. Hernandez is active in his community, serving on the Board of Directors of the Christian Legal Society, Courtside Ministries (currently interim President), and Bethany Christian Services of Southampton Roads. He coaches boys basketball and girls volleyball at Veritas Christian Academy.

**Fairness and Temperament:** Through his submissions and interview, Mr. Hernandez has demonstrated to the Committee that he possesses the requisite fairness and temperament for the Court of Appeals of Virginia.

**Professionalism and Integrity:** The Committee finds that Mr. Hernandez possesses the requisite professionalism and integrity for the Court of Appeals of Virginia.

**Overall Evaluation:** The Committee finds that Mr. Hernandez meets the requirements for the position of a Court of Appeals of Virginia and warrants the Committee's rating of **QUALIFIED**.



**KAREN MARIE ANDERSON HOLMAN, ESQ.**

**Experience and Legal Ability:** Karen M. Anderson Holman earned her bachelor's degree from Alaska Pacific University and her Juris Doctor from American University, Washington College of Law in 2009. Ms. Holman has been a member of the Virginia State Bar since 2009.

Ms. Washington founded the Law Office of Karen M. Holman, PLLC in 2010, where she focuses her practice area on family law matters. She also worked as Counsel for National Public Radio, Inc. from 2011 to 2015. Prior to working as an attorney, she was a Senior Contract Specialist and later a Manager for Sprint Nextel Corporation from 2004 to 2009.

Ms. Holman, routinely provides pro bono legal services to individuals involved in custody and visitation matters. Additionally, she assisted a cemetery association with a dispute regarding 30 years of unpaid taxes from 2020 to 2021. Ms. Holman is active in her community, serving on the Board of Directors of the Laurel Center, Dr. Terry Sinclair Health Clinic, and Faithworks. She also serves as Vice Chair on the Winchester Public School Board. Ms. Holman was a Vice-President and later Interim President for the Habitat for Humanity Winchester Frederick from 2012 to 2015.

**Fairness and Temperament:** Through her submission and interview, Ms. Holman demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Holman possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Holman is qualified for the Virginia Court of Appeals. She warrants the Committee's rating of **QUALIFIED**.

## **MATTHEW HULL, ESQ.**

**Experience and Legal Ability:** Matthew Hull earned his bachelor's degree from the Virginia Polytechnic Institute & State University in December 2006 and his Juris Doctor from the University of Richmond School of Law in 2010. Mr. Hull has been a member of the Virginia State Bar since 2010.

Mr. Hull served as a term law clerk to the Honorable William F. Stone, Jr. in the United States Bankruptcy Court for the Western District of Virginia from 2010-2011. He then worked as an Assistant Attorney General in the Consumer Protection Section of the Office of the Attorney General of Virginia from 2014-2017. In 2017, Mr. Hull joined the Virginia Marine Resources Commission as a Policy Manager and he remained there until 2018. In June 2018, Mr. Hull joined Mason, Mason, Walker and Hedrick, P.C. as an associate. In September 2019, Mr. Hull transitioned to his current role as associate at Pender & Coward, P.C. where he litigates eminent domain and other civil litigation matters.

It appears that Mr. Hull possesses the intellectual capacity to serve as a member of the Virginia Court of Appeals. From the interview, the committee ascertained that Mr. Hull has not been particularly active in bar organizations nor taken on any leadership positions in the profession. Mr. Hull indicated that he does volunteer in the community on a limited basis.

**Fairness and Temperament:** Through his submission and interview, Mr. Hull demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Hull possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Hull is qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **QUALIFIED**.

**SEAN S. JUNG, ESQ.**

**Experience and Legal Ability:** Sean Jung earned his bachelor's degree from the University of Virginia in 2001 and his Juris Doctor from the University of Virginia in 2004. Mr. Jung has been a member of the Virginia State Bar since 2004.

Mr. Jung began his career practicing civil litigation at Colten Cummins Watson & Vincent (2004-2005) before becoming an Assistant Public Defendant at the Hampton Public Defendant's Office (2005-2013). In 2013, Mr. Jung established his own firm, Pilgrims Law Group, PLLC, where he practices criminal and immigration law and serves as guardian ad litem for children and incapacitated adults.

Mr. Jung is involved in his community; he was a guest speaker at a deferred action for childhood arrivals forum sponsored by a local BB&T Bank and is a member of the Peninsula Korean Baptist Church

**Fairness and Temperament:** Through his submission and interview, Mr. Jung demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Jung possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Jung is qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **QUALIFIED**.

### **THOMAS K. PLOFCHAN, JR., ESQ.**

**Experience and Legal Ability:** Mr. Plofchan earned his Bachelor's Degree with distinction from the United States Naval Academy in 1985. He then attended Georgetown University and received his Master's Degree the following year. Mr. Plofchan earned his Juris Doctor from University of Virginia School of Law in 1992. Mr. Plofchan was admitted to the practice law in Virginia in 1992.

Mr. Plofchan has been the manager and sole member of Westlake Legal Group, PLLC since November 1992. His practice areas include criminal law, corporate matters, family law, real estate, trusts and estate, general litigation, and bankruptcy work. He also notes that from December 1992 through August 1994, he was employed at the U.S. Department of State as a special programs assistant. From January 1994 through 2005, Mr. Plofchan was also an attorney for a Title Insurance and Real Estate Settlement Company in Northern Virginia. Mr. Plofchan has appeared before the Virginia Court of Appeals and the Virginia Supreme Court on behalf of his clients and his firm over the years. He is also admitted to practice before the United States Supreme Court, the United States Circuit Court for the Fourth Circuit, and various federal district courts. He regularly litigates civil and criminal cases to trial, both before judges and juries. He has obtained more than six jury verdicts in excess of \$1 million, and one being in excess of \$15 million.

Mr. Plofchan is also currently the President of TJ Westlake, LLC, a government contracting firm owned with his son. He would not divest any interest in the company if he were appointed as a judge, because he believes that the company would then be at risk of losing the contracts that he can currently help attract as a disabled veteran. When asked about whether continuing the business could raise the appearance of impropriety, he said that he did not believe it would because the government contracts at issue are federal and this would be a state judicial appointment.

**Fairness and Temperament:** Through his submissions, interview, and professional references, Mr. Plofchan demonstrated to the Committee that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Plofchan possesses the requisite professionalism and integrity to serve on the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Plofchan is qualified for the Virginia Court of Appeals. Mr. Plofchan warrants the Committee's rating of **QUALIFIED**.

**ERNEST WAYNE POWELL, ESQUIRE** \*

**Experience and Legal Ability:** Mr. Powell received his undergraduate degree from the University of Richmond, graduating with a B.A. in Spanish and French in 1972. He received his M.A. in Spanish from the University of Wisconsin-Madison in 1973. He was an active duty Army Officer for 4 years (1973-77) and served 26 years in active reserve. He graduated from T. C. Williams School of Law, University of Richmond, with his Juris Doctor in 1980. He has been licensed to practice law in Virginia since 1980.

Mr. Powell started his legal career as a staff clerk at the Supreme Court of Virginia. In 1981 he joined the Richmond office of Sands Anderson as a litigator with emphasis on civil litigation, before moving on to the Office of the Attorney General, where he gained experience in federal and state court with criminal and civil trial law. Mr. Powell has a depth of experience in Workers' Compensation, having served from 1985-1991 as a Deputy Commissioner. While with the Workers' Compensation Commission, he gained experience writing opinions and took a judicial writing course at the National Judicial College, University of Nevada in 1989. Since 1991, he has worked in his own firm focusing on civil litigation, workers' compensation, personal injury and criminal misdemeanor litigation. Mr. Powell is fluent in Spanish and was commended by his peers for often representing clients for whom Spanish is a first language, including women who are victims of domestic violence.

Mr. Powell has participated in legal clinics for poor and Hispanic community members in Central Virginia, Richmond and the surrounding area. He has participated in several appeals in the Virginia Supreme Court, 4th Circuit, DC Court of Appeals, and the Virginia Court of Appeals.

**Fairness and Temperament:** Throughout the interview and from the information gathered, Mr. Powell consistently displays a thoughtful, professional, and respectful demeanor. The Committee believes Mr. Powell possesses the requisite fairness and temperament necessary for the Court of Appeals of Virginia.

**Professionalism and Integrity:** Mr. Powell is respected among his peers for his ethical practices, efforts at inclusion, and leadership. He was commended as being a thoughtful lawyer who gives excellent representation to vulnerable populations. Throughout the interview and based upon information gathered, Mr. Powell possesses the requisite professionalism and integrity for the Court of Appeals of Virginia.

**Overall Evaluation:** The Committee believes that Mr. Powell has significant civil experience that would be a valuable asset on the Court of Appeals, including in depth experience in the field of workers' compensation. Accordingly, the Committee finds that Mr. Powell is qualified for the Court of Appeals of Virginia and warrants the Committee's rating of **QUALIFIED**.

## **ELWOOD EARL "SANDY" SANDERS, JR., ESQUIRE\***

**Experience and Legal Ability:** Elwood Earl "Sandy" Sanders, Jr., earned his law degree from the University of Alabama School of Law in 1983. He worked in a private, solo practice in Woodbridge, Virginia from 1986 to 1996, where his practice consisted of general trial practice with an emphasis on appeals, both criminal and civil. He handled many court-appointed cases in the Prince William County courts. From 1996 to 2000, he served as Director of Capital/Appellate Services, later known as the Appellate Defender at the Public Defender Commission (now the Indigent Defense Commission) of Virginia in Richmond, and was the first person to serve as Appellate Defender. From 2000 to 2007, he was an attorney at the Framme Law Firm in Richmond where he handled pre-paid legal standard benefits for member clients.

Beginning in 2007 and continuing through the present, he has held the role of Appellate Procedure Consultant for Lantagne Legal Printing. In his current position, he works closely with members of the legal community to ensure compliance with all appellate court rules and procedures. He reviews briefs, appendices, and other appellate documents to ensure compliance with the rules of court and has used his dedication, expert knowledge of appellate rules and procedure, and attention to detail to help numerous practitioners from procedurally defaulting on their appellate filings. He is a well-respected and highly valued member of the legal community.

**Fairness and Temperament:** Through the interview and from the information gathered, Sandy Sanders demonstrates a respect for the judicial process and the role of the court. He believes that the Court of Appeals could benefit from some changes to common terminology, wants to bring a nonpartisan approach to appellate procedure, and believes that in some instances the focus should be more on substance than form. He was the first person in his family to go to law school and remains true to his roots, clearly demonstrating respect for everyone. Elwood Earl "Sandy" Sanders, Jr. demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

**Professionalism and Integrity:** Through the interview and information gathered, Sandy Sanders indicated a level of professionalism and integrity sufficient for the Court of Appeals of Virginia. His professionalism and integrity are well-known in the legal community.

**Overall Evaluation:** The Committee finds Elwood Earl "Sandy" Sanders, Jr. to be qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **QUALIFIED**.

\*In accordance with VWAA's Judiciary Committee Rules, Mr. Sanders elected to rely on his prior rating by the VWAA Committee from February, 2020.

## **THE HONORABLE RUPEN SHAH**

**Experience and Legal Ability:** Judge Rupen R. Shah received degrees from H.A. College of Commerce and Sir L.A. Shah Law School in India before moving to the United States. Prior to pursuing law in the U.S., Judge Shah and his wife were restaurateurs. In 1997, Judge Shah received his L.L.M. from Syracuse University and returned to the Staunton area, where he has remained since. He spent nineteen years at the Augusta County Commonwealth's Attorney's office as Chief Deputy Commonwealth's Attorney. In this position, he focused on criminal trial work, splitting his time between circuit court (70%) and general district court appearances (30%).

In 2017, Judge Shah was appointed to the General District Court for Augusta County. He is the first Indian American jurist appointed to any bench in Virginia. He sits in multiple counties within the 25th Judicial Circuit.

Judge Shah was active in the Virginia State Bar while still in practice, and has been recognized by the Bar for his service contributions on multiple occasions. In 2009, he was awarded "Local Bar Leader of the Year." Judge Shah received the Clarence M. Dunnaville, Jr. Award in 2018 for his devotion to improving diversity and equality in Virginia. Judge Shah also served as chair of the VSB Diversity Conference and Vice President and then President of the Augusta County Bar Association.

Before becoming a judge, Judge Shah was instrumental in founding and funding the Valley Children's Advocacy Center in Staunton, which assists child sexual abuse victims with the help of mental health professionals, medical professionals, and law enforcement.

Judge Shah has created free training for young adults to help them understand their responsibilities ("So You're 18"). In addition to his heavy docket responsibilities currently, Judge Shah currently presides over a bi-weekly specialty mental health docket in Staunton. He has not published any legal books or articles.

**Fairness and Temperament:** Through his submission and interview, Judge Shah demonstrated that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Judge Shah possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Judge Shah is qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **QUALIFIED**.

**FAY F. SPENCE, ESQ.**

**Experience and Legal Ability:** Fay F. Spence earned her bachelor's degree from St. Leo College in 1983 and her Juris Doctor from the College of William and Mary in 1987. Her interest in education has continued with a Master of Art in Applied Sociology from Old Dominion University in 2005 and she is currently preparing her dissertation for a Ph. D. in Criminal Justice from Walden University.

Ms. Spence has been a member of the Virginia State Bar since 1987. She is admitted to practice in all courts of the Commonwealth as well as the Supreme Court of the United States, the U.S. District Court for the Eastern and Western Districts of Virginia, and the U. S. Fourth Circuit Court of Appeals. Ms. Spence is also a member of the Georgia State Bar.

Ms. Spence began her career with a private practice firm representing clients in personal injury, product liability, insurance defense, medical malpractice and workers' compensation. She then joined Nationwide Insurance Trial Division where she represented the insured defendants in lawsuits arising from car accidents, premises liability, professional malpractice and workers compensation. In 2002, she changed her career to representing indigent criminal defendants. She did this through the Public Defenders Office, first for the City of Norfolk and later for the City of Newport News. In 2006, she moved to the Federal Public Defenders Office in Roanoke. Her current position is with the U. S. District Court, Western District where she reviews state prisoner pro se habeas corpus claims, reviews the case records and transcripts and prepares dispositive opinions. In summary, Ms. Spence has extensive litigation experience including fifteen years of civil litigation and seventeen years of criminal litigation in state and federal courts. Her experience includes over 100 jury trials and appeals to state and federal courts.

Ms. Spence is also active in the professional bar associations in the communities where she was practicing, such as serving as the Lawyers Helping Lawyers Tidewater Committee Chair on two occasions and on the Norfolk-Portsmouth Bar Associations' ADR and CLE Committees, and their Task Force on Impaired Professionals. Ms. Spence was also a member of the Virginia Bar Association's Substance Abuse Committee. She has been a Junior Achievement Volunteer since 2012.

**Fairness and Temperament:** Through her submission and interview, Ms. Spence demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Spence possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Spence's extensive litigation experience makes her qualified for the Virginia Court of Appeals. She warrants the Committee's rating of **QUALIFIED**.



### **JACK A. THORNTON, III, ESQ.**

**Experience and Legal Ability:** Jack A. Thornton, III earned his Juris Doctor degree from the University of Richmond, T.C. Williams School of Law in 2004 after receiving his bachelor's degree from Virginia Military Institute in 2000. Mr. Thornton was admitted to practice law in the Commonwealth of Virginia in 2007.

After law school, Mr. Thornton served as a captain of several seagoing vessels from 2004-2007. He then started his legal career as an associate with John W. Burdiss, Esq., located in Cape Charles, Virginia, from 2007 to 2009 where he assisted with real estate closings and handled criminal defense and civil litigation. He then started his own law firm in Northampton County in which he handled both criminal cases and complex civil litigation from 2009-2017. Mr. Thornton is currently the Assistant Commonwealth's Attorney and Assistant County Attorney for Northampton County (2017 to the present). In these positions, the majority of his work is criminal but he also advises county personnel regarding local government issues.

In addition to his legal work, Mr. Thornton is currently President of the Eastern Shore Bar Association (2018 to present) and has remained involved in local organizations including the Northampton County Electoral Board where he served as Chairman from 2012-2014 and the Republican Party of Northampton County where he served as Chairman 2014-2016 and 2017 to present.

**Fairness and Temperament:** Through his submissions, interview, and professional references, Mr. Thornton demonstrated to the Committee that he possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Thornton possesses the requisite professionalism and integrity to serve on the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Mr. Thornton is qualified for the Virginia Court of Appeals. Mr. Thornton warrants the Committee's rating of **QUALIFIED**.

## **MARIE EVERLYN WASHINGTON, ESQ.**

**Experience and Legal Ability:** Ms. Washington earned her bachelor's degree from the College of William and Mary in 2000 and her Juris Doctor from Washington and Lee University School of Law in 2003. Ms. Washington has been a member of the Virginia State Bar since 2003.

Ms. Washington worked as an Associate Attorney at the Law Office of Mark B. Williams, PLC from 2003 to 2011. In 2011, she founded the Law Office of Marie Washington, PLC where she represents clients in criminal matters, civil litigation, family law matters, estate planning and probate, traffic violations, landlord-tenant, collections, and business related cases.

Over the course of her legal career, Ms. Washington has received numerous honors from various organizations and publications, including SuperLawyers Excellence in Practice (2019), National Trial Lawyers Top 100 Criminal Defense (2016 - 2020); America's Top 100 Criminal Defense Attorney (2021); and AVVO Client's Choice Award (2020). Ms. Washington currently serves as a Board Member on the Washington and Lee Law Council, a position which she has held since 2020. She also served on the Board of Governors for the Virginia State Bar Litigation Section from 2014 to 2017. Additionally, she has served as a Board Member on the Virginia State Bar Mandatory Continuing Legal Education Committee from 2011 to 2014.

Ms. Washington, is active in her community. She served on the Advisory Board of the Mental Health Association of Fauquier County from 2009 to 2012. She also assists individuals with limited means by volunteering with organizations such as the Salvation Army where she served on the Board of Directors. Ms. Washington is actively involved in the Warrenton United Methodist Church, and she served on the Board of Trustees from 2006 to 2007.

**Fairness and Temperament:** Through her submission and interview, Ms. Washington demonstrated that she possesses the requisite fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Ms. Washington possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** The Committee finds that Ms. Washington is qualified for the Virginia Court of Appeals. She warrants the Committee's rating of **QUALIFIED**.

## **JOHN PATRICK GRIFFIN, ESQ.**

**Experience and Legal Ability:** John P. Griffin earned his bachelor's degree from Randolph Macon College in 1973 and his Juris Doctor from T.C. Williams School of Law in 1979. Mr. Griffin has been a member of the Virginia State Bar since 1979.

Mr. Griffin's practice has largely focused on administrative law and tax law in a variety of roles. He began his career as a real estate associate at Hunton & Williams (1979-1982). Next, he worked in the Appellate Section of the Tax Division at the United States Department of Justice (1982-1986), where he briefed approximately 60 appeals and argued approximately 30. He then practiced corporate tax law in private practice, first at Freed & Haskins, P.C., (1986-1989) and then as a solo practitioner (1989-1990). Mr. Griffin spent nearly 16 years as an Assistant Attorney General in the Virginia Attorney General's Office (1990-2002; 2011-2015), where he represented a number of state agencies in federal and state court litigation and later focused on representing the Department of Taxation.

From about 2002-2011, Mr. Griffin's professional experience consists of relatively short stints in various capacities, ranging from work at a title and escrow company and general law practice (November 2002 – January 2004), work as an administrative hearing officer for the Virginia Alcoholic Beverage Control Department (ABC), Va. MVD Board (March 2002 – October 2002), and the Virginia Department of Medical Assistance Services (February 2004 – October 2005), and resumption of a solo practice focusing on tax law, administrative law, and real estate issues (November 2005 – May 2011). Since 2015, he has been the Director of Hearings, Appeals & Judicial Services Division of the Virginia ABC, where he supervises a staff of 14, manages the Division's budget, and oversees and conducts administrative hearings.

**Fairness and Temperament:** Through his submission and interview, Mr. Griffin's responses to questions regarding his position on legal issues left the Committee questioning Mr. Griffin's fairness and temperament for the Virginia Court of Appeals.

**Professionalism and Integrity:** The Committee finds that Mr. Griffin possesses the requisite professionalism and integrity for the Virginia Court of Appeals.

**Overall Evaluation:** Throughout the interview, Mr. Griffin was evasive and non-responsive to direct questions regarding his position on current issues in the legal field. Mr. Griffin's responses at times revealed questionable understanding of current legal issues and at other times, his responses were confusing and non-responsive to the question posed. The Committee finds that Mr. Griffin is not qualified for the Virginia Court of Appeals. He warrants the Committee's rating of **NOT QUALIFIED**.