COMMUNITY • CAREER • PROFESSION • PRACTICE MANAGEMENT • SERVICE

THE DISTRICT OF COLUMBIA BAR MAGAZINE

45TH ANNIVERSARY EDITION

MEET NEW D.C. BAR CEO ROBERT J. SPAGNOLETTI

D.C. BAR AT 45

REFLECTIONS ON OUR HISTORY

THE FOUNDING OF THE D.C. BAR



901 4th Street, NW





Approximately **32,000 SF** for Lease Available Late 2017/Early 2018

Features:

- Class A office building
- Corner location with an expansive glass line and high ceilings
- Rooftop deck with 3,000 SF of outdoor space and 1,500 SF of indoor space
- LEED Silver Building
- Located in the heart of Mt. Vernon Triangle
- Walkable to 4 Metro stations: Gallery Place (Red), Judiciary Square (Red), Mt. Vernon Sq./Convention Center (Yellow/Green), and Union Station (Red)
- Parking in the building

Partial 1st Floor:	3,000 SF
Partial 1st Floor:	3,500 SF
Partial 6th Floor:	10,500 SF
Entire 7th Floor:	15,000 SF
Rent:	Negotiable

For more information, please contact:

Nicole Miller 202.624.8542 nmiller@savills-studley.com Demetri Koutrouvelis 202.624.8509 dkoutrouvelis@savills-studley.com

Rick Rome 202.624.8518 rrome@savills-studley.com



THE WAY ATTORNEYS GET PAID



Proud Member Benefit Provider



1.95% & 20¢ per transaction

No swipe required

quired | No equipment needed

\$5-\$20 monthly

The proven payment solution for lawyers.

Managing payments and growing revenue for over 30,000 law firms in the US, LawPay is the only solution recognized by the ABA. Designed specifically for the legal industry, LawPay guarantees complete separation of earned and unearned fees, giving you the confidence and peace of mind your credit card transactions are handled the right way.

LawPay.com/DCBar | 866.376.0950



CONTENTS

JULY 2017 VOLUME 31, NO. 11

- 05 YOUR VOICE
- **06** FROM OUR PRESIDENT
- **08** CALENDAR OF EVENTS
- **10 FEATURE** The Bar at 45
- 16 FEATURE D.C. Bar Annual Report 2016-17
- 21 FEATURE

Reflections on Our History

- 1970s
- 1980s
- 1990s
- 2000s
- 2010s

42 FEATURE

The Founding of the D.C. Bar

46 FEATURE

A Conversation With New D.C. Bar CEO Robert J. Spagnoletti

50 ATTORNEY BRIEFS

52 ASK THE ETHICS EXPERTS54 DISCIPLINARY SUMMARIES56 LAST WORD



See Special Section, pages 21–41

Cover photo: Robert J. Spagnoletti by Patrice Gilbert Photography This page: Darrell G. Mottley by Patrice Gilbert Photography

Note: Unless otherwise credited, photos in this issue were scanned from archival issues of *Washington Lawyer*.

Darrell G. Mottley, D.C. Bar President, 2011–12

Your contribution continues our proud tradition of pro bono service.

o. Litigation

20. Health Law

mence Management

D.C. Bar Pro Bono Center Donation

O Other

21. Arts, Entertainment and Sports Law

2017 - 2018 D.C. BAR COMMUNITY DUES

Please support the D.C. Bar Pro Bono Center with a volumtary in the support of your membership dues is used for the D.C. Bar Pro Bono Center with a volumtary. tax deductions is supported entirely by voluntary contributions. The deduction of the

The D.C. Bar Pro Bono Center mobilizes hundreds of attorneys each year to serve our neighbors in need.

Please include a voluntary, tax-deductible contribution to the D.C. Bar Pro Bono Center when renewing your D.C. Bar license.

This small act can make a big difference in our community.

Contribute easily in one of three ways:

unchasors

Suggested Donation . Or consider a donation of

1. Complete Step 6 on your D.C. Bar license renewal form

D.C. BAR PRO BONO CENTER DONATION

- 2. Include a voluntary contribution when renewing your license online at **dcbar.org/login**
- 3. To contribute to the Pro Bono Center separate from your membership dues:

visit dcbar.org/pro-bono and click on "Donate" or mail your check to the D.C. Bar Pro Bono Center, 1101 K Street, NW, Suite 200, Washington, DC 20005 The D.C. Bar Pro Bono Center is supported entirely by voluntary contributions. No portion of your D.C. Bar membership dues is used to support the Pro Bono Center.

cand Use

The D.C. Bar Pro Bono Center transforms lives by providing free legal assistance to individuals, nonprofit organizations and small businesses through volunteer lawyers.





www.dcbar.org/pro-bono @DCBarProBono

DIGITAL EXTRAS DCBAR.org

D.C. BAR ON THF ROAD

The D.C. Bar traveled to nine cities to hear from our members across the country about the resources they need to enhance their careers. Watch the highlights.

youtube.com/TheDCBar



Cynthia Wright

A NEW NORMAL

Follow one attorney's journey through addiction. "I always got the best and hardest cases. On the outside, nobody would see what a mess I was. On the inside, I was losing it."



dcbar.org/news



AVOIDING UNAUTHORIZED PRACTICE OF LAW

Cynthia Wright, former chair of the D.C. Court of Appeals Committee on Unauthorized Practice of Law, writes about why there's been an increase in UPL inquiry letters and offers practical tips on how to respond and avoid UPL problems. Photo: Patrice Gilbert Photography



dcbar.org/news



CONNECT WITH US

f facebook.com/dcbarhq twitter.com/DC Bar

youtube.com/TheDCBar in linkedin.com/company/dc-bar



VOLUME 31 NO 11

PRESIDENT Patrick McGlone PRESIDENT-ELECT

Esther H. Lim SECRETARY

Alva Y. Waller TREASURER

A.J.S. Dhaliwal

BOARD OF GOVERNORS

David W. Arrojo, Jessica E. Adler, Elizabeth R. Dewey, Susan L. Bloch, Megan Lacchini, Rodney J. Bosco, Cindy Conover, Moses A. Cook, Karen E. Evans, Theodore A. Howard, Arian M. June, Annette K. Kwok, Ellen Ostrow, Leah M. Quadrino, Gregory S. Smith, Keiko K. Takagi, Annamaria Steward, Benjamin F. Wilson, Christopher P. Zubowicz.

CHIEF EXECUTIVE OFFICER

Robert J. Spagnoletti Editor in Chief

Jenny L. Martin Managing Editor Tim Wells

Associate Editor Andrea T. Williams

Copy Editor Fleur L. Harris

Staff Writers Jeffery Leon; email: JLeon@dcbar.org; Twitter: @JLeonDCBar

Tracy Schorn; email: TSchorn@dcbar.org; Twitter: @TracySchorn

Art Director Jodi Bloom

Headquarters

The District of Columbia Bar, 1101 K Street NW, Suite 200, Washington, DC 20005-4210; 202-737-4700; Toll free 1-877-33DCBAR (1-877-333-2227); www.dcbar.org

Editorial editorial@dcbar.org

Advertising Sales

Director, Virgil Cotton 202-737-4700, ext. 3268

Associate, Renita Parker Mobley 202-737-4700, ext. 3330

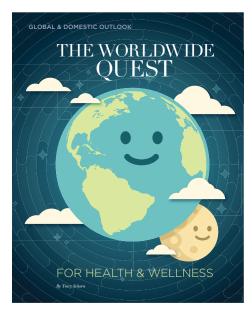
Washington Lawyer is furnished to members as part of their D.C. Bar dues. Changes of address must be in writing.

Copyright © 2017 The District of Columbia Bar. The editorial contents of this publication are the opinions of the authors and do not necessarily represent or reflect the policies or thinking of the District of Columbia Bar. Washington Lawyer has the authority to edit letters and other material submitted for publication. For author guidelines, visit www.dcbar.org, keywords: Author Guidelines. The D.C. Bar reserves the right to reject advertising determined not to be in keeping with the publication's standards. Acceptance of advertising by Washington Lawyer does not necessarily constitute endorsement of products or services advertised. The D.C. Bar does not make any effort to review or substantiate claims made by advertisers. Washington Lawyer (ISSN 0890-8761) Copyright © 2017 by the District of Columbia Bar is published monthly by the District of Columbia Bar, 1101 K Street, Suite 200, Washington, D.C., 20005-4210. Business and Editorial Offices: District of Columbia Bar, 1101 K Street, Suite 200, Washington, D.C., 20005-4210., Accounting and Circulation Offices: District of Columbia Bar, 1101 K Street, Suite 200, Washington, D.C., 20005-4210. Call 202-737-4700 to subscribe. Periodicals postage prices is paid at Washington, D.C.

YOUR VOICE

Letters, posts, emails & tweets from our members

ON HEALTH & CRISIS PR 101



PROOF THAT WELLNESS WORKS

I read with great interest Tracy Schorn's May "Global & Domestic Outlook" column featuring health and wellness around the globe. It was nice to see an apolitical take on health care for a change. Having lived in two of the countries, I can personally attest to both the expanded use of technology in Canada and the delectable use of tea in the U.K. as a means to good health. From bicycling in The Netherlands to practicing tai chi in China, the column was filled with lots of good health advice, no matter where you reside.

Anna Wilson

Silver Spring, Maryland

DMMUNITY • CAREER • PROFESSION • PRACTICE MANAGEMENT • SERVICE WASHINGTON LAWYER DITION OF COLUMNA BAR ARABERE



GOOD CONTENT, HELPFUL TIPS

I wasn't the biggest fan of the April cover, but the stories inside were exceptional. As noted throughout the issue, the legal marketplace is very competitive and the stories conveyed the true spirit of that competition. I thought the advice offered in Sarah Kellogg's "Crisis Management" article was especially helpful, particularly for small firm practitioners like myself where one crisis could jeopardize my entire business.

Chris Spencer Fairfax, Virginia

> We want to hear from you: ☑ email us at dcbarvoices@dcbar.org or tweet us ☑ #dcbarvoices

TWEET US! twitter.com/DC_Bar

Jonathan Mast @JonathanDMast

Re: May's Heather Sachs cover story

How cool to see my friend @heathersachs on the cover of Washington Lawyer @DC_Bar magazine! Bit.ly/20YBYuD.

Ally Amerson @AllyMerrill

Re: Rebecca Troth: Responding to the Call to Do More for Others

Fantastic introduction to Rebecca Troth, the new ED of @DCBarProBono Center. A great #probono leader at the @DC_Bar. Bit.ly/2pNlu4r.

Womble Carlyle @WCSRTweet

Re: May's Partners' Perspective column on wellness at work

Our own Alex Park quoted in Washington Lawyer about bringing wellness into work life. Ow.ly/Sahw30bxYzP @DC_Bar.

FROM OUR PRESIDENT

with Patrick: pmcglone@dcbar.org

ITH BATON IN HAND, OFF ANI RUNNING

When Annamaria Steward began her year as D.C. Bar president 12 months ago, she forecast "unprecedented change" during her term. That prediction proved true, and I am proud to say that our era of change will continue throughout my tenure as well. I view this prospect of continuing growth and change with great enthusiasm.

Bob Spagnoletti is off and running as our new CEO and is filling several high-ranking positions on the Bar's staff (see Q&A on page 46). As a former Bar president, a senior government leader, and a widely respected lawyer and exceptional manager, I am confident that Bob will capably preserve what works well at the Bar while implementing improvements that will enhance members' experiences.

My term will see the completion of our new 100,000-square-foot building at 901 4th Street NW. Construction remains on schedule and within budget, so we expect to move in shortly after the New Year. I am excited by all the amenities our new space at the Mount Vernon Triangle neighborhood will offer, and I am particularly enthusiastic about the fabulous new facilities that will benefit our members: a sophisticated conference and classroom center, a production studio for the creation of more online content, temporary workspaces for visiting members, a rooftop terrace for social functions, and a number of nooks and other private spaces for conversational gatherings.

We will be introducing many technological upgrades to improve member experience, too, including vastly superior communications tools that will foster connections among members with common interests. The Bar also will begin the transformation of our 20 former Sections into Communities, with a new pricing model offering multiple Communities memberships; two free on-demand CLE programs; and admission to many Communities events for one low price, giving members a substantially improved value bundle. Because of the Bar's reputation for innovation in serving its members, I expect that our new Communities structure will become a model for bar associations around the country.

Lest you think that changes in personnel, building construction, and organizational reform have slowed down the excellent work of the Bar's volunteers and staff, rest assured that such efforts continue apace. The Global Legal Practice Task Force has proposed innovative changes to the D.C. Court of Appeals' rules on admission to ease the entry of foreign-barred lawyers into our Bar. Our CLE Program continues to expand its number of on-demand, webaccessible course offerings. The top-notch Practice Management Advisory Service and Lawyer Assistance Program provide members with invaluable services to boost their professional competency and manage their personal challenges. And the D.C. Bar Pro Bono Center has already and ably served a record number of clients and others who use our services in 2017.

These and other fundamental functions of the Bar have never been stronger, and the upcoming improvements will elevate the Bar to a new level of service to members and the public. In my future columns, I look forward to sharing with you my own goals and priorities for the busy year ahead.

"I am proud to say that our era of change will continue throughout my tenure...."

PATRICK McGLONE

Photo: Patrice Gilbert Photography









The D.C. Bar Lawyers' Professional Liability Insurance Program



Powered by USI Affinity

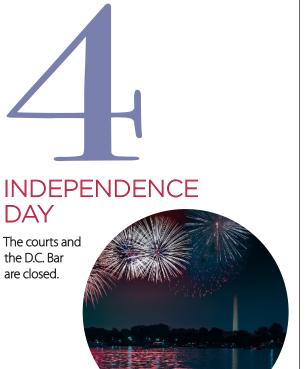
The USI Affinity Difference

USI Affinity and the D.C. Bar have partnered together to offer a comprehensive Lawyers' Professional Liability Program available only to D.C. attorneys and their firms.



CALENDAR OF EVENTS

EVENTS • NETWORKING • CLE • SECTIONS





FREE! LUNCH AND LEARN: Low Bono for the Small Firm Lawyer

Discover the benefits and common pitfalls associated with low bono practice.



dcbar.org/marketplace

CALL FOR WRITERS

Do you enjoy writing and have mock trial experience? D.C. Bar Communities is looking for individuals to help draft materials for its annual Youth Law Fair and D.C. Cup Moot Court Competition. Email outreach@dcbar.org for more information.









1(

CALENDAR OF EVENTS

12 & 19

BASIC TRAINING & BFYOND

Join our Practice Management Advisory Service for this two-day program and learn the methods and skills necessary for starting and growing a small firm.

DUFS

dcbar.org/marketplace

ETHICS AND LAWYER TRUST ACCOUNTS

AUGUST

D.C. BAR TRIAL SKILLS

CLINIC: MOTIONS AND ORAL ADVOCACY

and oral advocacy.

Learn the ins and outs of handling motions

 $X_{T}16$

BASIC TRAINING & BEYOND

Sign up for this free interactive program to learn what it takes to get a law office up and

Get the practical information you need to comply with the governing rules on trust accounts. (3.0 ethics credit hours)

dcbar.org/cle



Renew your law license today at dcbar.org. Dues payments not received by July 17 will incur a late fee.



SUMMER PRO BONO & PUBLIC INTEREST FORUM WITH JUSTICE GINSBURG

Justice Ruth Bader Ginsburg will keynote this annual Washington Council of Lawyers event. Tickets are now sold out. Visit wclawyers.org to be added to the waiting list.

running in the District of Columbia.

dcbar.org/marketplace

FEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONO • F INECTION • COMMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL I • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHA ELOPMENT • INTERACTION • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEM T • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • CONNECTION • COMMUNITIES DERSHIP • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • ISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • **CLE** • PROFESSIONAL DEVELOPMENT • INTERACTION /ERSITY • GLOBAL • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DE\ • FORCE FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPOF RITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONO • PIONI TION • COMMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL • A MMUNICATIONS • CONNECTION • COMMUNITIES <u>• INTEGRITY</u> • GROWTH • MEMBERSHIP • FORCE FOR CHANG ELOPMENT • INTERACTION • COMMUNICAT MMUNITIES • INTEGRITY • GROWTH • MEM T • CLE • PROFESSIONAL DEVELOPM S • CONNECTION • COMMUNITIES •

RING • STRATEGIC • SUPPORT • RUISM • PRO BONO • PIONEER /ERSITY • GLOBAL • ALTRU • FORCE FOR CHANGE RITY • GROWTH • MEM TION • COMMUNITIES MMUNICATIONS • (OPMENT • INTERA E • PROFESSION RATEGIC • SUPP O BONO • PION ´• GLOBAL • A CE FOR CHAN WTH • MEMBE 1MUNITIES • IN VAL DEVELOP **PPORT • CLE •** DNEERING • ST

ALTRUISM • PF NGE • DIVERSIT IBERSHIP • FORC FEGRITY • GROW INECTION • COMM I • COMMUNICAT ELOPMENT • INTERA T • CLE • PROFESSION RING • STRATEGIC • SUP RUISM • PRO BONO • PIONE /ERSITY • GLOBAL • ALTRUISM CE FOR CHANGE • DIVERSITY • GL WTH • MEMBERSHIP • FORCE FOR CH IMUNITIES • INTEGRITY • GROWTH • MEMBERSH

The Bar at

By Sarah Kellogg

DEVELOPMENT • INTERACTIC CLE • PROFESSIONAL DE STRATEGIC
 SUPPOF PRO BONO • PIONE RSITY • GLOBAL • AI DRCE FOR CHANGE ROWTH • MEMBER UNITIES • INTEG CONNECTIO COMM action NAL DEVELOP PPORT • CLE • ONEERING • S HIP • FORCE F RITY • GROWT ON • COMMUN MMUNICATIONS OPMENT • INTE CLE • PROFESSI STRATEGIC 1 • PRO BONO • I VERSITY • GLOBAL P • FORCE FOR CHA ITY • GROWTH • MEM TION • COMMUNITIES • COMMUNICATIONS 'ELOPMENT • INTERACTIC ORT • CLE • PROFESSIONAL DE NG • STRATEGIC • SUPPORT • CLE TRUISM • PRO BONO • PIONEERING • S CHANGE • DIVERSITY • GLOBAL • ALTRUISM • F ATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSI

CTION • COMMUNICATIONS • C

FERACTION • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORC SIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GRO SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • CONNECTION • COM IO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNIC, BAL • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFE MBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONC INNECTION • **LEADERSHIP** • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL I • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHA ELOPMENT • INTERACTION • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEM PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • **INTERACTION** • COMMUNICATIO • **ALTRUISM** • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTE • NGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONO • **PIONEERING** • STRATEGIC • SUPPORT • CLE • PROFESSION • BERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • • INTEGRITY • GROWTH • **MEMBERSHIP** • FORCE FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BO • CONNECTION • INSPIRE • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHA /ELOPMENT • INTERACTION • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEM RT • CLE • **PROFESSIONAL DEVELOPMENT** • INTERACTION • COMMUNICATIONS • **CONNECTION** • COMMUNICATIONS • COMMUNICATIONS • COMPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • COMMUNICATIONS • COMPORT • INTERACTION • COMMUNICATIONS • **CONNECTION** • COMMUNICATIONS • COMMUNICATIONS • COMPORT • INTERACTION • COMMUNICATIONS • **CONNECTION** • COMMUNICATIONS • CONSECTION • INTERACTION • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • CONSECTION • PIONEERING • STRATEGIC • **SUPPORT** • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • CTRUISM • PRO BONO • PIONEERING • STRATEGIC • **SUPPORT** • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • CLE • PROFESSIONAL DEVELOPMENT • CLE • PROFESSIONAL DEVELOPMENT

INTEGRITY • GRO **ONNECTION • CO** N • COMMUNICAT /ELOPMENT • INT RT • CLE • PROFE EERING • STRATE TRUISM • PRO BC • DIVERSITY • GL RSHIP • FORCE FC RITY • GROWTH • N • COMMUNITIES IUNICATIONS • CC MENT • INTERACI PROFESSIONAL **TRATEGIC** • SUPP OR CHANGE • DIV H • MEMBERSHIP ITIES • INTEGRITY • CONNECTION • RACTION • COMM ONAL DEVELOPM UPPORT • CLE • P PIONEERING • STR . • ALTRUISM • PR NGE • DIVERSITY **IBERSHIP** • FORCE **INTEGRITY** • GR(**ONNECTION • CO** N • COMMUNICAT VELOPMENT • IN1 PROFESSIONAL

he District of Columbia Bar is the triumph of an

idea: By creating a unified bar, D.C. lawyers would advance professional standards, adhere to a more effective attorney discipline system, and help bridge the racial divide within the District's legal community. Over 45 years, the promise of that idea has been realized, leaders say. RUISM • PRO BONO • DIVERSITY
 GLOI IP • FORCE FOR CH Y • GROWTH • MEM ON • COMMUNITIES OMMUNICATIONS • **OPMENT • INTERAC** LE • PROFESSIONA • STRATEGIC • SUP PRO BONO • PIONEE Y • GLOBAL • ALTR E FOR CHANGE • D ROWTH • MEMBERS 1MUNITIES • INTEGF ATIONS • CONNECT JPPORT • CLE • PRO VIONEERING • STRAT **ALTRUISM • PRO E** NGE • DIVERSITY • G MBERSHIP • FORCE **INTEGRITY • GROV** NECTION • COMMUN ON • COMMUNICATIO **VELOPMENT** • INTE I • CLE • PROFESSION RING • STRATEGIC • UISM • PRO BONO • DIVERSITY
 GLOI IP • FORCE FOR CH ROWTH • MEMBERS MUNITIES • INTEGF

TRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • CONNECT PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • CON TY • **GLOBAL** • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOP E FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • WTH • MEMBERSHIP • **FORCE FOR CHANGE** • DIVERSITY • GLOBAL • ALTRUISM • **PRO BONO** • PIONEERING • STF IMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERSITY • GLOBAL • ALTRUISM • ATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWTH • MEMBERSHIP • FORCE FOR CHANGE • DIVERS INTERACTION • COMMUNICATIONS • CONNECTION • **COMMUNITIES** • INTEGRITY • GROWTH • MEMBERSHIP • FO SSIONAL DEVELOPMENT • INTERACTION • COMMUNICATIONS • CONNECTION • COMMUNITIES • INTEGRITY • GROWT • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNITIES • INTEGRITY • GROWT • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • **COMMUNICATIONS** • CONNECTION • COMMUNICATION • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • **COMMUNICATIONS** • CONNECTION • COMMUNICATION • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • **COMMUNICATIONS** • CONNECTION • COMMUNICATION • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATION • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • **COMMUNICATIONS** • CONNECTION • COMMUNICATION • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATION • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATION • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATION • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION • COMMUNICATION • ALTRUISM • PRO BONO • PIONEERING • STRATEGIC • SUPPORT • CLE • PROFESSIONAL DEVELOPMENT • INTERACTION

With more than 104,000 members, the Bar has been and continues to be a force for change in the District, nationwide, and globally.

Today the Bar is a staunch and effective advocate for its members. It educates and trains novice and veteran lawyers alike, preserves the integrity of the profession, presents a cohesive voice on legal issues, and responds to the concerns of its members as the profession regularly evolves.

"I think there are a lot of things that make the D.C. Bar stand out as an excellent bar association," says Brigida Benitez, a partner at Steptoe & Johnson LLP and past president of the Bar. "But first and foremost, it is our membership. We've got an amazingly diverse membership in every respect. Not only do we have people in Washington, D.C., we have members all around the country and all over the world. Having that kind of membership where you've got people involved in cutting-edge legal issues requires the Bar to match that level of expertise and commitment, and it does."

With more than 104,000 members, the Bar has been and continues to be a force for change in the District, nationwide, and globally. The proof is in the variety of its programs and breadth of its membership. The D.C. Bar is the second largest unified bar in the country, with members from all 50 states and 83 different countries.

The story of the Bar is, in many respects, the story of the shifting landscape of the legal profession. Created in the wake of the 1960s civil unrest, the Bar's diversity reflects the evolution of D.C.'s legal community. As the profession has thrived, even when it faced setbacks, the Bar has prioritized growth and service. As it matured in response to business and technology changes, the Bar has fine-tuned its services to address the new priorities of its membership — often moving far beyond the organization its founders envisioned.

"We are in new territory here from where we started," says Annamaria Steward, immediate past president of the Bar and associate dean of students at the University of the District of Columbia David A. Clarke School of Law.

The present-day Bar is an organization that appreciates tradition without clinging to the past, executives say. Its programs and initiatives are rooted in D.C. Bar 2020, a set of strategic priorities and objectives that demonstrate the Bar's enduring commitment to enhancing member value, providing public service, and fostering community and connections.

DFI IVFRING DYNAMIC VALUE

One of the Bar's core functions, reinforced by member dues, voluntary contributions, and user fees, is providing important educational and professional development programs.

A key value for members comes from the Bar's Practice Management Advisory Service (PMAS), a go-to resource for lawyers looking to start their own firms, seeking complex practice and marketing advice, or growing their firms at mid-career. Free and confidential, the PMAS has worked with thousands of attorneys over the years. Its catalog of programs offers Bar members detailed training in practice management, including financial management, client relations and communication, business planning, office technology, and office systems and procedures such as calendar and docketing systems.

By cultivating better management practices, the PMAS has improved the practice of law and the delivery of legal services to the community. Overseen by the Practice Management Service Committee, a Bar standing committee, the PMAS has a unique slate of programs, ranging from its popular Practice 360° | A Day for Lawyers & Law Firms and Lunch and Learn series to newer offerings such as "Build Your EQ 2017 Series: Emotional Intelligence for Lawyers."

Sogand Zamani, founder of Zamani & Associates PLLC, attended the PMAS's Basic Training & Beyond program for solo and small firm practitioners in 2010 when she formed her first law firm with a colleague, and counts it as a major benefit of Bar membership. "The workshop had the answers to every question we had about what we needed to do to start a firm," says Zamani, who is now in solo practice. "We had a useful baseline to gauge our choices. We knew we wanted to start out financially lean, and we weren't sure what the possibilities were. On a basic level, we walked away with a clear understanding of what we needed to do to start a law firm."

Another avenue for Bar members to grow professionally and acquire new skills and knowledge is the D.C. Bar Continuing Legal Education (CLE) Program. Created more than 25 years ago, the CLE Program has since grown in scope and esteem.

For Thomas B. Mason, chair at Harris, Wiltshire & Grannis LLP whose practice focuses on professional responsibility and legal ethics, the Bar's CLE Program stands out because of the quality of both its faculty and course attendees.

"The breadth and the quality of the D.C. Bar's CLE programs are a tremendous service to the Bar and in helping lawyers prosper and ... better serve their clients," says Mason. "I think it's an opportunity for attorneys who are not regularly practicing in a particular area to keep current, whether it's real estate law or how to do a deposition. They can stay familiar enough with recent developments to practice in a broader area and in different situations."

Despite not having continuing mandatory CLE requirements as most other bars do, the Bar has a vibrant program that offers more than 200 courses annually to some 7,000 attorneys. With limited exceptions, the D.C. Bar CLE classes qualify for MCLE credit in all jurisdictions that have mandatory continuing legal education requirements (46 jurisdictions).

"I'm at a smaller firm and I am pretty much responsible for my own professional development," says Christopher A. Hatfield, associate attorney at Trout Cacheris & Janis PLLC in Washington, D.C. "I need to go outside because we don't have an enormous training staff like a big firm. Being able to look through the Bar's CLE offerings and choose one for myself allows me to direct my own professional development."

What appeals to Hatfield is the CLE Program's push to increase the accessibility of its courses by offering them in person, by webinar, and on demand. The Bar offered more than 100 CLE webinars in fiscal year 2016-17 and currently has 76 classes in its ondemand CLE library.

"I took an e-discovery course online," says Hatfield. "It was much more convenient doing it from home than having to go downtown, especially because it took place over a longer period of time."

The Bar's emphasis on professional development isn't focused solely on legal training. Being a good lawyer doesn't always translate into being a good leader, and the Bar's John Payton Leadership Academy has looked to build the leadership quotient in the Bar and the community since it launched in 2013. The Leadership Academy is designed to identify potential candidates for Bar leadership positions while developing the skills and strategies that are commonly associated with effective leaders.

Brenda C. Zwack, a partner at Murphy Anderson PLLC who attended the Leadership Academy in

2014, describes how the classes introduced her to concepts she had never considered in her practice, particularly in terms of applying her "emotional quotient" or EQ to better understand and inspire her colleagues.

"The Leadership Academy helped me take a step back and look at how I make decisions, how I influence other people, and how I work in a group dynamic," says Zwack. "It was really eye-opening. In the three years since I finished the Academy, I apply this knowledge in my personal life, in my professional life, and in my law practice with colleagues and clients."

Beyond supporting members in their professional pursuits, the Bar has distinguished itself in providing programs that serve members' personal needs. The Lawyer Assistance Program (LAP) offers a broad array of services to address mental health challenges, including relationship difficulties and stress management, as well as treatment for substance abuse and other addictions. The LAP held about 1,500 counseling sessions in 2016.

Modeled after employee assistance programs in corporate America, the LAP offers comprehensive assessment, short-term counseling sessions, and referral services. LAP clients include lawyers in the District, judges serving on D.C. courts, and students attending D.C. law schools.

"We're seeing an increase in mental health issues in law schools. I don't know if there are more mental health issues or more awareness of mental health," says Steward. "Each year, I have LAP members come talk to students. This is a free resource that's available to law students. The students hear directly from people who have had addiction problems. It goes a long way to helping the student body."

To be a leader in the legal profession, the Bar has ramped up its efforts in delivering engaging and thought-provoking content to assist members in their practice. In 2016 the Bar redesigned its flagship publication, *Washington Lawyer*, for the first time in more than a decade and launched a digital edition, linking members to additional articles, audio, and video on the Bar's website and social media channels. In addition, the Bar launched the daily curated news email Legal Brief, providing members with the latest in the national and international legal world. These digital tools have further opened up new opportunities for the Bar to reach its members and to connect them to each other.

"I think the D.C. Bar has made huge strides and investments in the most current technologies in terms of communications," says Benitez. "It's an area that has been necessary to better serve our members. The upgrading and revamping of the Bar's website and its magazine are just two examples." The D.C. Bar also made significant enhancements to its Fastcase legal research benefit, providing all active and judicial members free unlimited access to officially published decisions of the D.C. Superior Court, in addition to access to Fastcase's full national law library and collection exclusive to D.C.

SERVING MEMBERS AND THE PUBLIC

From its beginning, the Bar's core mission, supported by member dues, has been the regulation of attorney conduct and the education of attorneys in their ethical obligations under the D.C. Rules of Professional Conduct. In doing so, the Bar continues its central responsibilities of enhancing the integrity of the profession and ensuring the protection of the public.

Through the administration of the Clients' Security Fund, which is funded by a portion of member dues, clients are reimbursed for the theft of their money or property caused by the dishonest conduct of Bar members. The Attorney/Client Arbitration Board provides a forum for the resolution of fee disputes by arbitration or voluntary mediation between Bar members and the clients or former clients.

Nearly 2,400 calls to the Legal Ethics Helpline last fiscal year provided Bar members with confidential advice and guidance about ethics issues that arise in their practices.

The D.C. Court of Appeals has the ultimate authority for disciplining members who violate the Rules. The Board on Professional Responsibility (BPR) serves as the disciplinary arm of the court, adjudicating cases of lawyer misconduct. The Office of Disciplinary Counsel, appointed by the BPR, investigates complaints of misconduct against Bar members and serves as chief prosecutor for the disciplinary system. The court reviews the recommendations of the BPR and its Hearing Committees and imposes the most serious sanctions — public censure, suspension, or disbarment.

"I think the system has worked extraordinarily well over the years," says Eric L. Yaffe, a principal with the Washington, D.C., office of Gray Plant Mooty who served as BPR chair from 2014 to 2016. "That is, in part, because it's a system overseen by the D.C. Court of Appeals, which plays a very active role in the enforcement of the Rules of Professional Conduct."

"Our system has worked very well because it focuses on fairness to everybody involved in the process. It's held up to the test of time, and while nothing is perfect, I think the system has been the envy of a lot of disciplinary systems around the country," adds Yaffe.



INVESTED IN THE COMMUNITY

- Investors Saving for Retirement
- Retirees
- College Savers
- Individuals with Insurance Needs
- Individuals with Estate Needs



Sheila Cheek Financial Advisor

1667 K Street NW Suite 260 Washington, DC 20006

Bus. 202-223-2902 Fax 855-849-8107

sheila.cheek@edwardjones.com www.edwardjones.com

The Bar's strategic planning efforts have set the stage for ongoing growth, and the planned move to its new headquarters in 2018 will further enhance opportunities.

The Bar membership's dedication to community service is best exemplified by the D.C. Bar Pro Bono Center. Through the Pro Bono Center, the Bar served almost 17,000 D.C. residents last year. Established in 1998 as a separate but affiliated nonprofit legal services organization, the Pro Bono Center is supported by voluntary contributions from D.C. Bar members and local law firms. The Center provides low-income residents with full representation by lawyer volunteers in family, housing, consumer, public benefits, and health care access matters. It also holds Saturday neighborhood advice and referral clinics, serves pro se litigants at three D.C. Superior Court resource centers, provides pro bono counsel and legal training for nonprofits and small businesses, and operates a legal information telephone help line and a self-help website for people unable to pay for the legal help they need.

"There are a lot of legal services providers in D.C., but what distinguishes the Pro Bono Center is the way it motivates and leverages the large number of private attorneys and government attorneys to donate their services," says Timothy Webster, a partner at Sidley Austin LLP and past president of the Bar. "It literally leverages a very small paid staff to provide thousands and thousands of hours of pro bono services through the legal community."

Supported by more than 1,500 volunteers, dozens of law firms, and many federal government agencies each year, the Pro Bono Center operates clinics that help families avoid eviction, assist parents to secure custody of their children, and help individuals access health care, appeal disability and social security decisions, file for bankruptcy protection, defend against personal injury claims, and more.

To continue its pioneering work, the Pro Bono Center paralleled the Bar's strategic planning process with its own. It established a strategic framework for how best to sustain its commitment to providing legal services to the D.C. community.

"The Pro Bono Center did its own strategic plan to look at how it's going to focus ... on the areas of most need," says Katherine A. Mazzaferri, who retired in April as the Bar's chief executive officer after 35 years of service. She says the Bar was

looking to fill gaps where other groups couldn't. "It is always a challenge to serve as many people as you can."

The direct legal services provided by the Pro Bono Center complement the critical efforts of the D.C. Bar Foundation (DCBF), which distributes public and private dollars to underwrite legal services for the poor and to offset law school loans for attorneys working with nonprofit organizations that provide direct civil legal services to low-income D.C. residents.

"The Foundation raises money from individuals and law firms, and it is the largest grantor for legal services in the District," says Mazzaferri. "It's a very important player in this legal community."

Since its inception, the DCBF's DC Legal Services Grants Program has leveraged private dollars to provide more than \$25 million in unrestricted support to D.C. legal aid organizations to cover operating expenses. These grants are underwritten by private contributions and revenue received through the District's Interest on Lawyers' Trust Accounts (IOLTA) Program. The funds help D.C. residents to address civil legal problems affecting their basic needs.

The DCBF's Access to Justice grants (\$4.5 million to 33 recipients in 2017) are funded by the District of Columbia Office of Victim Services and Justice Grants and support three categories of assistance: a shared legal services interpreter bank, underserved areas in D.C., and housing-related matters. The DCBF also runs two loan repayment assistance programs, funded by public and private dollars, to help qualified attorneys working with indigent clients to repay their student loans.

BUILDING COMMUNITIES, MAKING CONNECTIONS

When it comes to connections, the Bar's 20 Communities, previously known as Sections, have been an incomparable avenue for the Bar to ignite networking and education. Their focus on a range of practice areas, from criminal law and human rights to environment, energy, and natural resources, have fostered additional member interaction.

Each year Communities sponsor hundreds of lawrelated events and activities that offer lawyers opportunities to network, be informed, and become leaders in the Bar. In 2016 Communities hosted 260 events that drew some 5,500 registrants.

"We have restructured the Sections into Communities to maintain the practice areas, but to make sure our members focus on their strengths, which is the content," says Steward. "Our members have told us they want us to provide more content, and we can with our reconfigured Communities."

For any institution, 45 years would be a milestone. As much as it is an occasion to celebrate the past, it also is an opportunity to chart a path forward, say Bar leaders. As the legal profession evolves in ways that can only be imagined, the Bar will continue to be both support and partner in those changes.

The Bar's strategic planning efforts have set the stage for ongoing growth, and the planned move to its new headquarters in 2018 will further enhance opportunities. The Bar is envisioning its new home — a 100,000-square-foot corner location in the bustling Mount Vernon Triangle neighborhood - as a place for members to gather, network, and learn. The state-of-the-art building will feature more classrooms to accommodate programming, an in-house production studio to expand the Bar's capabilities in capturing events and member knowledge and broadcasting them virtually to members here and abroad, and member access to additional space and valuable resources.

With four decades of work behind and potentially exhilarating times ahead, the Bar is prepared for what's next.

"I'm excited about our new headquarters and what it means for the Bar," says Steward. "I hope it becomes the gathering place we hope it to be, a gathering place for the D.C. legal community, and a gathering place for us to grow professionally and personally."

Sarah Kellogg is a regular contributor to Washington Lawyer.

EMBRACING TRANSITIONS & TRANSFORMATIONS

THE D.C. BAR AT WORK: A YEAR IN REVIEW

Member Services & Experience 104,935 members* in 50 states and 83 countries

- · Restructured and Enhanced Help Desk: - 97.5% member satisfaction score

 - Faster response time (from 2 weeks to 1 business day) - Resolved 21,017 member inquiries during the 2016
- license renewal period
- · Launching new master member database in 2017

*As of April 2017

D.C. Bar Pro Bono Center

16,652 clients served

Advocacy & Justice Clinic-Placed 303 cases Bankruptcy Clinic-Provided counsel in 52 cases Advice & Referral Clinics-Served 1,422 people Immigration Clinic-Assisted 122 individuals Legal Information Help Line-Fielded 5,000 calls

Guided 6,051 pro se litigants at D.C. Superior Court Matched 54 nonprofits with pro bono counsel Matched 450 small business owners with lawyer volunteers

Launched the Katherine A. Mazzaferri Emerging Legal Needs Fund with initial \$107,000 raised by Bar leaders



CLE Program

7,368 attendees in 207 courses **18% INCREASE IN PROGRAMMING**



- 110+ broadcast live
- 64 on-demand courses covering 18 practice areas

5th John Payton Leadership Academy 11 new graduates

New D.C. Bar Communities (Formerly Sections)

260 events 5,500 registrations **100+** online content offerings

18th Annual Youth Law Fair – **170** student attendees

Regulation Counsel

- 150+ education and outreach programs, 3,200+ attendees
- 35 arbitration cases concluded
- 1,520 face-to-face and phone Lawyer Assistance Program counseling sessions
- 2,400 requests for guidance received through Legal Ethics Helpline



Practice Management Advisory Service

20 Basic Training sessions



- 21 Lunch and Learn programs
- 20 Successful Small Firm Practice classes
- 265 registrations
 - 18 programs

2017 Judicial and Bar Conference

- 600+ registrants (luncheon and seminar programs)
- 275 Judicial Reception attendees

Our Future Home Is Rising!

Concrete poured on all 8 floors, topped off with what will soon be a panoramic rooftop; exterior glass mounted



Projected equity accumulation by end of construction

\$25M-\$30M Projected savings over the next 30 years

THE DISTRICT OF COLUMBIA BAR

Consolidated Statements of Activities and Financial Position

Years Ended June 30, 2016 and 2015

REVENUE	2016	2015
Members Dues	\$26,190,962	\$24,858,874
Investment Income (Loss)	(43,838)	1,256,617
In-Kind Contributions	2,436,015	2,774,088
Admission and Registration	1,608,586	1,882,443
Contributions	2,750	2,399
Advertising	227,292	261,579
Royalties	57,795	77,269
Books and Publication Sales	187,349	213,299
Miscellaneous Fees and Services	76,659	46,133
Mailing List	13,463	29,662
Rental Income	1,545	3,834
Cost Center Transfers	(25,250)	(40,328)
Total Revenue	\$30,733,328	\$31,365,869
EXPENSES		
Program Services		
Board on Professional Responsibility	\$8,282,149	\$8,371,895
Continuing Legal Education	3,008,843	3,137,979
Regulation Counsel	3,089,906	3,110,371
Communications	2,622,867	2,666,937
Communities (Formerly Sections)	1,557,101	1,562,473
Clients' Security Trust Fund	217,530	160,684
Bar Conference and Annual Meeting	124,657	92,503
Total Program Services	\$18,903,053	\$19,102,842
Supporting Services		
Administration and Finance	\$10,650,950	\$8,428,832
Executive Office	2,438,936	2,343,424
Total Supporting Services	13,089,886	10,772,256
Total Expenses	31,992,939	29,875,098
Changes in Net Assets	(\$1,259,611)	\$1,490,771
Net Asset–Beginning of Year	24,312,144	22,821,373
Net Assets–End of Year	\$23,052,533	\$24,312,144

ASSETS	2016	2015
Cash and Cash Equivalents	\$16,722,875	\$16,401,354
Investments: Clients' Security Trust Fund	750,000	750,000
Investments	10,283,643	27,555,233
Receivables, Net of Allowance for Doubtful Accounts	30,764	135,588
Other Assets	579,774	679,162
Property and Leasehold Improvements, Net	28,850,678	4,718,411
Total Assets	\$57,217,734	\$50,239,748
LIABILITIES AND NET ASSETS		
Liabilities		
Accounts Payable and Accrued Expension	se \$5,581,019	\$4,566,735
Amount Due to Affiliate	\$61,479	\$283,540
Deferred Revenue	19,992,113	17,333,025
Landlord Improvement Allowance	1,768,873	2,128,644
Deferred Rent Liability	1,401,307	1,459,581
Other Liabilities	178,908	156,079
Loan Payable	5,181,502	
Total Liabilities	\$34,165,201	\$25,927,604
Net Assets		
Undesignated	\$1,563,211	\$1,513,764
Board Designated		
Mandatory Dues Purpose	17,657,133	18,776,523
Communities (Formerly Sections)	2,081,917	2,174,027
Continuing Legal Education	1,000,272	1,097,830
Clients' Security Trust Fund	750,000	750,000
Total Board Designated	21,489,322	22,798,380
Total Net Assets	23,052,533	24,312,144
Total Liabilities and Net Assets	\$57,217,734	\$50,239,748

The above financial reports represent the District of Columbia Bar's Statements of Activities and Statements of Financial Position for the Years ended June 30, 2016 and 2015.

D.C. BAR BOARD OF GOVERNORS, 2016-2017

President Annamaria Steward University of the District of Columbia David A. Clarke School of Law

President-Elect Patrick McGlone *Ullico Inc.*

Secretary David W. Arrojo U.S. House of Representatives, Committee on Ethics

Treasurer Megan Lacchini *Legal Services Corporation*

Members Jessica E. Adler *The Law Office of Jessica E. Adler*

Susan Low Bloch Georgetown University Law Center

Rodney Bosco Chess Consulting LLC

Cindy Conover Shearman & Sterling LLP

Moses Cook DC Law Students in Court

Karen E. Evans The Cochran Firm

Ann K. Ford DLA Piper LLP

Theodore A. Howard Wiley Rein LLP

Arian M. June Debevoise & Plimpton LLP

Sara E. Kropf Law Office of Sara Kropf PLLC

Annette K. Kwok Venable LLP

Ellen Ostrow, Ph.D. Lawyers Life Coach LLC

Leah Quadrino Steptoe & Johnson LLP

Gregory S. Smith Law Offices of Gregory S. Smith

Keiko K. Takagi Sughrue Mion PLLC

Lindsey R. Vaala Vinson & Elkins LLP Timothy K. Webster Sidley Austin LLP

Benjamin F. Wilson Beveridge & Diamond, P.C.

Christopher P. Zubowicz U.S. Department of Justice

D.C. BAR COMMITTEES AND TASK FORCES

Attorney/Client Arbitration Board Hansel Pham, Chair Jessica Horewitz, Vice Chair

Audit Timothy K. Webster, Chair

Budget Patrick McGlone, *Chair*

Building Advisory Task Force Stephen I. Glover, *Chair*

Compensation Annamaria Steward, *Chair*

Continuing Legal Education Diane A. Seltzer Torre, *Chair* Daria Zane, *Vice Chair*

Court Funding Carolyn B. Lamm, *Chair*

Election Board Jennifer A. Kang, *Chair* Radhika Raju, *Vice Chair*

Executive Annamaria Steward, *Chair*

Finance Timothy K. Webster, Chair

Global Legal Practice Task Force Darrell G. Mottley, *Chair*

IOLTA Member Communications Advisory Task Force Nathalie P. Gilfoyle, *Chair*

Judicial Evaluation Christopher Glaser, Chair

Lawyer Assistance Sarah L. Knapp, *Chair* Steven A. Keller, *Vice Chair*

Leadership Development Brigida Benitez, *Chair* Julienne W. Bramesco, *Vice Chair*

Legal Ethics Paul Hurdle, *Chair* Alexandra W. Miller, *Vice Chair* Nominations Erica J. Dominitz, *Chair*

Pension Timothy K. Webster, Chair

Practice Management Service Wayne P. Williams, *Chair* Sonali Khadilkar, *Vice Chair*

Regulations/Rules/Board Procedures Morton Posner, Chair

Rules of Professional Conduct Review Marina S. Barannik, *Chair* Thomas B. Mason, *Vice Chair*

Screening Sara E. Kropf, *Chair*

Technology Laura A. Possessky, Chair

D.C. BAR COMMUNITIES (FORMERLY SECTIONS)

Council on Sections Alexander L. Reid, *Chair* Rebecca L. Burke, *Vice Chair* Michelle F. Bercovici, *Immediate Past Chair*

Administrative Law and Agency Practice Matthew R. Oakes, *Cochair* Judith R. Starr, *Cochair*

Antitrust and Consumer Law Dan Ducore, Cochair Robert Hauberg, Cochair

Arts, Entertainment, Media and Sports Law Micah Ratner, *Cochair* Alison B. Schary, *Cochair*

Corporation, Finance and Securities Law Stephen J. Crimmins, Cochair Joan E. McKown, Cochair

Courts, Lawyers and the Administration of Justice Susan Bennett, *Cochair* David Steib, *Cochair*

Criminal Law and Individual Rights Brandi J. Harden, Cochair Heather N. Pinckney, Cochair

District of Columbia Affairs Esther Bushman, *Cochair* Janene Jackson, *Cochair* Environment, Energy and Natural Resources Justin Smith, Cochair Linda Tsang, Cochair

Estates, Trusts and Probate Law Jennifer Concino, Cochair Giannina Lynn, Cochair

Family Law Chris Locey, Cochair Stephanie Troyer, Cochair

Government Contracts and Litigation Joseph P. Hornyak, *Chair* Lisa Martin, *Vice Chair*

Health Law Amy E. Nordeng, Cochair Julia K. Tamulis, Cochair

Intellectual Property Law Kenie Ho, Cochair Benjamin Huh, Cochair

International Law Stephen Claeys, Cochair Mary Ann McGrail, Cochair

Labor and Employment Law Keith D. Greenberg, *Cochair* Edgar F. Ndjatou, *Cochair*

Law Practice Management Benjamin L. Grosz, *Cochair* Benjamin Takis, *Cochair*

Litigation Julia M. Jordan, *Cochair* Kevin M. Clark, *Cochair*

Real Estate, Housing and Land Use June L. Marshall, *Cochair* Brian W. Thompson, *Cochair*

Taxation Layla J. Asali, *Chair* Michael Caballero, *Vice Chair*

Tort Law Daniel C. Scialpi, *Chair* Nicholas S. McConnell, *Vice Chair*

AFFILIATED PROGRAMS

Board on Professional Responsibility Robert C. Bernius, *Chair* Patricia Butler, *Vice Chair*

Clients' Security Fund Jan Simonsen, Vice Chair

District of Columbia Bar Foundation Susan M. Hoffman, *President* Paul M. Smith, *Vice President*

GING THE FXTRA

A BENEFIT FOR WHITMAN-WALKER'S **LEGAL SERVICES**

HONORING



Ava Benach Benach Collopy LLP

KILPATRICK TOWNSEND

FERTAINMENT



Tshila

EMCEE



Horace Holmes

D-CHAIRS



Eva Marie Carney



Matthew Reinhard

STEERING COMMITTEE

George (Chip) Cannon Jr. Floyd Chapman June Crenshaw Alan Grimaldi Mark Herzog Charles Keller Chris Man William A. McGrath Paul E. Pompeo Corey W. Roush Chris Svoboda Erich Veitenheimer SaVanna Wanzer



Vhitman-Walker Health We see you.

THANK YOU **TO OUR SPONSORS!**

STANDING TOGETHER FOR INDIVIDUAL RIGHTS

MARATHONERS Akin Gump ARNOLD PORTER Hogan STRAUSS HAUER & FELD LLP Lovells **SPRINTERS** BEVERIDGE & DIAMOND Cooley Dale Edwin Sanders, Esq. MAYER * BROWN Wilev SIDLEY Miller & Chevalier Kein **RUNNERS** ALSTON & BIRD BSF BOIES SCHILLER BENACH COLLOPY LLP chadbourne **Erich Veitenheimer LATHAM**[&] FRIED FRANK Persevare LLC & Drew Cariaso WATKINS Steptoe 💿 Potomac WILMERHALE[®] VILMER CUTLER PICKERING HALE AND SOLICITORS

JURISTS

Corey Roush Covington & Burling LLP Crowell & Morina LLP Dentons US LLP Feldesman Tucker Leifer Fidell LLP Forensic Risk Alliance LLP Freddie Mac James Sandman Jenner & Block LLP Jones Day Kilpatrick Townsend & Stockton LLP Pasternak & Fidis, P.C. Paul Pompeo Reed Smith LLP Skadden, Arps, Slate, Meagher & Flom LLP White & Case LLP

BARRISTERS

Brendan and Victoria Lill Brody Kling PLLC Celeste Letourneau Charles Keller Denyse Sabagh Dykema Gossett PLLC Elizabeth Hadley Erin Loubier & Steven Bennett Eva Marie Carney

ACC National Capital Region Alan Grimaldi Baker, Donelson, Bearman, Caldwell & Berkowitz, PC Baker & McKenzie LLP Cecily Baskir Chip Cannon & Jaime Crowe Chris Gattuso Floyd Chapman Foley & Lardner LLP Kathi Westcott Matthew Reinhard & Kelly Stuart Patricia A. Brannan Patrick McGlone & Kevin Taylor Travis Patton & Jeff Seese Vinson & Elkins LLP Weil, Gotshal & Manges LLP William A. McGrath Jeffrey Crowley

June Crenshaw McDermott Will & Emery LLP Olivia Hunt Paul J. Murphy Paul Smith Rob Falk Sheri L. Orlowitz & Randa Paver

CONTINUING LEGAL EDUCATION

Featured July CLE classes. Register Now!

Whoa Partner, What Just Happened? A Brief Update on the U.S. Supreme Court's Most Significant Patent Decisions This Term Tuesday, July 11, 2017, Time: 6-8:15 p.m. (2.0 Credit Hours)

Accounting Language in Merger and Acquisition Contracts Wednesday, July 12, 2017, Time: 3-5:15 PM (2.0 Credit Hours)

D.C. Bar Trial Skills Clinic: Advanced Cross Examination and Impeachment Monday, July 17, 2017, Time: 12:30-4:45 PM (4.0 Credit Hours)

Email Negotiations for Lawyers Tuesday, July 18, 2017, Time: 9 a.m. – 4:15 p.m. (6.0 credit hours)

Government Contracts Basics: Formation of Government Contracts and Protests Date: Wednesday, July 19, 2017, Time: 10 a.m.—12:15 p.m., (2.0 credit hours) Note: This class is the first of four classes to be offered monthly on Government Contracts Basics.

D.C. Bar Trial Skills Clinic: Opening Statements and Closing Arguments Monday, July 24, 2017, Time: 12:30-4:45 PM (4.0 Credit Hours)

Ethics Issues in Law Firm Dissolutions Date: Monday, July 31, 2017. Time: 1–3:15 PM (2.0 Ethics Credit Hours)

La indicates class also offered as a Webinar

Finding the right class for you is as easy as 1, 2, 3

BROWSE our in-person, webinar, and on-demand classes in over 18 subject areas

REGISTER at www.dcbar.org/cle or call 202-626-3488

EARN CLE Credit anytime, anywhere!

*Restrictions may apply.

Classes qualify for MCLE Credit in All States!*

DGBAR Reflections on Our History

1970s	Bar Beginnings	p. 22
1980s	Reagan Reigns, Women Rise	p. 26
1990s	Re-Envisioning & Expanding	р. 30
2000s	Strength in the Face of Adversity	р. 34
2010s	Solidifying the Bar's Future	р. 38

1970s Bar Bar Beginnings

By Tracy Schorn

he year 1972 was a tumultuous time. The Vietnam War was still raging, President Nixon went to China, Alabama Governor George Wallace was shot, the headquarters of the Democratic National Committee was burglarized in what became the Watergate scandal — and the D.C. Court of Appeals created the D.C. Bar, the first mandatory bar for the District of Columbia.

E. Barrett Prettyman Jr.



ERA supporters march on the Illinois State Capitol.

1972

The D.C. Bar is created by the D.C. Court of Appeals. The court also establishes a Clients' Security Trust Fund to reimburse clients for losses caused by the dishonest conduct of D.C. Bar members.

Five men are arrested for burglarizing the Democratic National Committee headquarters in the Watergate office complex.

The Equal Rights Amendment is passed by Congress and sent to the states for ratification.

The last U.S. ground troops are withdrawn from Vietnam.



1973

The D.C. Bar publishes the first edition of its official newspaper, *Bar Report*.

President Nixon signs the District of Columbia Self-Government and Governmental Reorganization Act, also known as the D.C. Home Rule Act.

In *Roe v. Wade*, the U.S. Supreme Court strikes down state laws restricting abortions during the first two trimesters of pregnancy.

1974

The Legal Services Corporation is created.

Richard Nixon resigns; Gerald Ford is sworn in as president.

President Ford pardons Nixon.

D.C. citizens elect their first government in more than 100 years.



E. Barrett Prettyman Jr., courtesy of the D.C., Bar; President Richard Nixon, National Archives/Hulton Archive/Getty Images; President Gerald Ford, Consolidated News Pictures/Hulton Archive/Getty Images; ERA march, Bettmann / Contributor/Getty Images; bicentennial celebration, JHU Sheridan Libraries/Gado/Getty Images The new D.C. Bar was an "integrated bar" in more than the unified practice sense. By 1972, it had only been a decade or so since the voluntary Bar Association of the District of Columbia (BADC) had admitted minorities and women. This new bar a mandate from the court to come together under one disciplinary code — was a diverse organization during a time in which diversity was new and often suspect.

The creation of the D.C. Bar intersected with the nascent self-governance of the District from federal authority and relatively recent desegregation of what was a Southern city. Congress first established judicial courts for the District of Columbia in 1801, but it wasn't until 1871 that the BADC formed as a voluntary association to support lawyers practicing in those courts. Membership was restricted to white men, so minority lawyers formed the Washington Bar Association and female lawyers founded the Women's Bar Association. Membership in those organizations remained voluntary.

Until 1970, the U.S. District Court maintained bar admissions and discipline through its Committee on Admissions and Grievances. The committee had a reputation for not disbarring lawyers for misconduct.

Calls to establish a mandatory bar as a means of curbing unethical lawyering were stalled by Congress, until the Nixon administration decided to reorganize the D.C. Courts (ostensibly to reduce the power of "liberal" judges). Lawyer discipline was removed from the courts and vested in a mandatory bar association. One of the first acts of the new bar was to create a Clients' Security Trust Fund to reimburse clients for losses caused by the unethical conduct of D.C. Bar members.

Expectations for the new, unified D.C. Bar were modest in scope — discipline and licensing. However, many saw the formation of a new bar as an opportunity for progressive change.

To hear Marna S. Tucker, founding partner at Feldesman Tucker Leifer Fidell LLP, tell it, the first Board of Governors elections of the fledgling Bar did not go as expected.

D.C. Bar Presidents

1972-73 E. Barrett Prettyman Jr.

1973-74 Charles T. Duncan

1974-75 John W. Douglas

1975-76 Daniel A. Rezneck

1976-77 Charles R. Work

1977-78 Louis F. Oberdorfer

1978-79 Robert L. Weinberg

1979-80 John H. Pickering

Some of the men on the Board were just dumbfounded that women got elected and that they would have to take women seriously.

FLORENCE ROISMAN Served on the Bar's First Board of Governors



Bicentennial celebrants at the Johns Hopkins University.

1976

The Bar begins publication of its magazine, the *District Lawyer*.

The United States celebrates its bicentennial.

The D.C. Bar establishes the Office of Public Service Activities.



The D.C. Bar creates a continuing legal education program on a self-supporting basis.

"It is important to note that when the D.C. Court of Appeals decided to have a mandatory bar, it was happening at the same time that young lawyers and law students were clamoring for more public interest and pro bono work all across the country. There was a group formed called the Washington Council of Lawyers [that] wanted the profession to devote more time to pro bono and public interest efforts. This group organized an effort to turn out lawyers to vote for the Nominating Committee, to nominate the officers of the new mandatory bar," says Tucker, who later served as the Bar's first female president in 1984-85.

"I was a member of this group. We telephoned every lawyer we knew to get them to show up at the initial meeting of the new bar. Our hope was to elect at least one member of the Nominating Committee who represented the more progressive views of our group. Turns out that we had so many young lawyers turn up for the meeting that we elected the entire slate of the Nominating Committee with our members! The older members of the Bar did not see that coming!"

PRETTYMAN: A BRIDGE BETWEEN TWO WORLDS

The Nominating Committee was careful to nominate well-respected members of the Bar who were sympathetic to the public service obligation of the profession, Tucker notes. They asked E. Barrett Prettyman Jr. to serve as the first Bar president.

Choosing Prettyman as the first president of the Bar was a "wise selection," says Stephen J. Pollak, who served on the first Board, then as Bar secretary in 1974, and finally as president from 1980-81. Pollak first met Prettyman in 1963 when they both worked for Attorney General Robert Kennedy.

"His father was a federal judge, and Barrett was a well-recognized local lawyer," Pollak says. "He was a good bridge between the old voluntary bar and the new bar. He was a great leader."

It might be difficult to imagine today, but everything was a first for the new D.C. Bar — pro bono, sections, continuing legal education — these were all "learning experiences," Pollak says. And creating these functions required research. "Barrett traveled around the country studying other mandatory bars" to see how they did things, recalls Pollak.

Prettyman (who passed away in 2016) described his Board of Governors that first year in a remembrance for the 25th anniversary of the Bar:

My board was an eclectic one, with strongwilled personalities of various and diverse viewpoints, not shy at expressing themselves on any subject. In fact, my biggest task during this first year was to bring a sense of calm and reason to our meetings. I found that if Board members thought I was fair, and they had every chance to propound their views, we could all work together as a unit.

Florence Roisman, William F. Harvey Professor of Law at Indiana University and renown for her civil rights work combatting housing discrimination and segregation, was one of the "strong-willed personalities" who served on the first Board. She described being "very surprised" and elated to have been elected. "Pat Wald Ifrom the Nominating Committee] called me and said, 'We need some progressive women, will you be a candidate?' I didn't think about it for a minute. I agreed."

Roisman recalled the Board as "a very odd combination of very establishment lawyers like Charlie



Photos of Kessler, Roisman, Duncan (below), and Scupi (opposite page) from the D.C. Bar's first election ballot.

Horsky at Covington & Burling" and progressive lawyers "like Charlie Duncan, president-elect; Amy Scupi; Monroe Freedman; and Ralph Temple. Barrett was a bridge between both worlds."

BREAKING BARRIERS. NEW VOICES EMERGE

Roisman says she enjoyed the Board meetings. "We were quite different from one another. I was very pleasantly surprised at how open the establishment bar Board was to unconventional ideas," she says. "One thing I remember is that we decided to keep some of the dues money in a neighborhood credit union. It didn't get as high an interest rate, but Charlie Horsky supported that proposal. We had a fiduciary obligation to the Bar, but he accepted proposed values other than making as much money as



President Carter signs bill creating the EPA, 1979.

1977

The D.C. Bar Board of Governors is expanded to include nonlawyers as nonvoting members.

The Supreme Court holds that the U.S. Environmental Protection Agency has authority to establish industrywide standards to control discharge of pollutants into U.S. waterways.

The U.S. Department of Energy is created.

Federal regulations are adopted banning discrimination against the disabled by employers, schools, and institutions receiving federal funds.



1978

The D.C. Bar Lawyer Referral and Information Service begins operations.

The deadline for Equal Rights Amendment ratification is extended to June 30, 1982.

Congress passes the Pregnancy Discrimination Act, an amendment to the sex-discrimination section of the Civil Rights Act of 1964.

66 My Board was an eclectic one, with strong-willed personalities of various and diverse viewpoints, not shy at expressing themselves on any subject. 🤧

> E. BARRETT PRETTYMAN JR. First Bar President, 1972-73



possible. He saw that promoting neighborhood stability was a value."

"It was a learning experience for me," Roisman adds. "I was a young Turk and I came to the experience not having any respect for people from big firms, and I learned to respect them. They were openminded, had good values, and were attentive. They changed their positions, and in response, I changed my attitude."

Roisman notes that in those early years "not very many women were in the Bar Board, not like the percentages there are today."

"Some of the men on the Board were just dumbfounded that women got elected and that they would have to take women seriously," she says. Roisman recalls an incident in which a male Board member admonished another female Board member, maritime lawyer Amy Loeserman Klein (formerly Scupi) for not attending to Board business in what he deemed the proper manner. He called Klein to complain: "You girls had better be more careful. Your stature in this organization is diminishing."

"Amy responded ferociously in a letter, which was copied to all Board members. The man probably still hasn't recovered," Roisman says. "Some men had to learn how to deal with women as equals. They came through it pretty well," she laughs.

Klein remembers the letter, and her response to the phone call. "I advised the man to perform a tricky anatomical feat and then I hung up," Klein says. In the letter, to clarify the association with Roisman, Klein said: "We share more things than our gender. We are both moms, we are both near-sighted, and we both bathe. These linkages are not fragile." However, given Roisman's stature, Klein wrote she was not fit to "ride her blouse-tails."

Klein says she asked Prettyman to address a pattern of interruptions and patronizing remarks by the men. But, according to Klein, Prettyman said that, frankly, "he didn't have the confidence he would recognize it when it happened." Klein says Prettyman was open to learning. "He was a fine person, very sympathetic, very frank."

FINDING ITS SEA LEGS

In the early days, mandatory bars had more freedom to act independently on behalf of their members. Figuring out where that line started and stopped was difficult that first decade. Recalling controversial amici briefs filed on behalf of the Bar that some members supported and others vehemently opposed, Pollak notes, "The self-awareness of our limitations had to be learned."

The tension on whether to have a broader bar concerned with public interest work, or a mandatory bar with a smaller role focused on discipline and ethics oversight, played out over the 1970s and culminated in two referendums — the first mandated that the Board had to get membership approval for any legislative advocacy and for filing amici briefs, the second ended the use of mandatory dues to provide free legal services for the poor and for continuing legal education. John H. Pickering, Bar president in 1979–80, said in an interview marking the Bar's 25th anniverary that the decision was "a shocking victory of pocketbook over professionalism."

The 1970s was a decade in which the D.C. Bar was forging its identity through its policies and new publications like *Bar Report* and *District Lawyer*. While its



[Prettyman] was a good bridge between the old voluntary bar and the new bar. He was a great leader.

STEPHEN J. POLLAK Served on Bar's First Board of Governors

mission might have been a work in progress, what is remarkable in retrospect is how it endured and grew from a membership of around 15,000 in 1972 to more than 104,000 members today.

On the Bar's 25th anniversary, Prettyman remarked, "We must've done something right. This baby organization that could've expired in its crib has grown . . . into healthy, rollicking adulthood." And, at 45 years old, has matured into solid, middle-aged stability today.

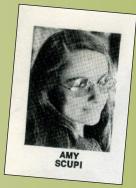
1979

Iranian students storm the U.S. embassy in Tehran and take several Americans hostage. The Iran Hostage Crisis ends after 444 days.

A D.C. Bar referendum declines to expand the authority of the Bar's Board of Governors to speak for the membership on legislation related to the structure and administration of the Bar, courts, legal services delivery systems, or adjudicatory and rule-making procedures of administrative agencies.

The Supreme Court rules in *United Steelworkers of America v. Weber* that affirmative action is legal.

The U.S. Department of Education is created; it begins operations in 1980.



President Jimmy Carter, AP Photo/Barry Thumma; Stephen J. Pollak, Howard Ehrenfeld; Iran hostage crisis, Goodell DeVries/Getty Images



Members of the group Muslim Students of the Imam Khomeini Line hold a press conference after storming the U.S. embassy in Tehran.

1980S Reagan Reigns, Women Rise

By Anna Stolley Persky

he 1980s brought its own brand of social, political, and economic upheaval to this country. At the beginning of the decade, voters elected actor-turned-politician Ronald Reagan as the country's 40th president. With Reagan's ascent to power, the country seemed focused on rebuilding its military and economic strength and distancing itself from the social tumult of the 1960s and '70s.



Marna S. Tucker

1980

The U.S. Equal Employment Opportunity Commission issues guidelines declaring sexual harassment a form of prohibited sex discrimination.

1981

Ronald Reagan becomes the 40th U.S. president, serving until 1989.

John Hinckley Jr. attempts to assassinate President Reagan.

The U.S. Centers for Disease Control and Prevention marks the first official reporting of what will become known as the AIDS epidemic. John Hinckley Jr. (below) is escorted by police in Washington, D.C., following his arrest after shooting and seriously wounding President Reagan.





Demonstrators protest outside New York City Hall while council holds a hearing on AIDS.

Marna S. Tucker, courtesy of the D.C. Bar; Ronald Reagan, Harry Langdon/Archive/Photos/ Getty Images; John Hinckley, AFP/Getty Images; NYC protest, New York Post Archives/Getty Images; Sandra Day O'Connor, David Hume Kennerly/Getty Images; John Nields Jr, Chris Wilkins/AFP/Getty Images Reagan brought to the White House an optimistic vision of the future and an emphasis on what the political right described as "traditional American values." Reagan concentrated on tax relief, deregulation, and ensuring law and order in his domestic agenda, and on defeating communism in his foreign policy strategy. At the end of the decade, George H. W. Bush was able to capitalize on Reagan's popularity to become the 41st U.S. president.

Reagan's presidency was not without its share of controversies and drama. In 1987 the U.S. Senate, in one of the most controversial votes on a U.S. Supreme Court nominee, rejected Reagan's choice of Robert H. Bork for the Court. In addition, the Reagan administration's second term became mired in the Iran-Contra scandal, in which government officials were taken to task for secretly facilitating the sale of arms to Iran.

The '80s also saw heated debates over gun control and the insanity defense. On December 8, 1980, Mark David Chapman shocked the world by shooting and killing Beatles legend John Lennon. A little more than a year later, on March 30, 1981, John Hinckley Jr. attempted to kill Reagan. Firing six times, Hinckley wounded Reagan and three others, including White House Press Secretary James Brady. After an eight-week trial, Hinckley was found not guilty by reason of insanity.

The Reagan administration certainly had its share of vocal critics. The prospect of nuclear war hung over the country. Critics blamed Reagan's military policies and foreign affairs agenda for inching the country toward nuclear confrontation. In addition, protest groups like the AIDS Coalition to Unleash Power spoke out against the government's handling of the AIDS epidemic. Reagan also infuriated labor unions when he dismissed thousands of striking air traffic controllers.

Reagan also engaged in a polarizing effort to shut down the Legal Services Corporation (LSC), the nonprofit corporation established by Congress to ensure equal access to justice. LSC survived, but has been once again targeted for defunding. In its proposed budget released on March 16, 2017, the Trump administration proposed defunding LSC in fiscal year 2018.

D.C. Bar Presidents

1980-81 Stephen J. Pollak

1981-82 James J. Bierbower

1982-83 Jacob A. Stein

1983-84 David B. Isbell

1984-85 Marna S. Tucker

1985-86 Frederick B. Abramson

1986-87 Paul L. Friedman

1987-88 Robert E. Jordan III

1988-89 Philip Allen Lacovara

1989-90 Charles F. C. Ruff



1981 (continued)

President Reagan nominates Sandra Day O'Connor as the first woman to the U.S. Supreme Court.

President Reagan attempts to eliminate the Legal Services Corporation by zero-funding it. Ultimately, financial support is reduced.

Sandra Day O'Connor is sworn in before the Senate Judiciary Committee during confirmation hearings in 1981 in Washington, D.C.

1985

Iran-Contra Affair begins with the U.S. supplying weapons to a sworn enemy.

D.C. Bar establishes the Lawyer Counseling Program, now the Lawyer Assistance Program.



John Nields Jr., chief counsel for the House committee investigating the Iran-Contra scandal, during a congressional hearing in 1987.





66 Democrats were not exactly sanguine about a Reagan appointee; nevertheless, there was a lot of cheering among women lawyers when Justice O'Connor was nominated. She brought a perspective that was previously missing on the Court.

JAMIE S. GORELICK D.C. Bar President, 1992-93

Many Americans remember the Reagan era fondly as a time of prosperity, compassion, and strength. But the decade was a challenging time for public interest lawyers and activists working on behalf of minorities, women, and poor people, according to Maureen Thornton Syracuse, who served as executive director of the D.C. Bar Pro Bono Center in 1992-2011.

"The election [of Reagan] changed everything," Syracuse says. "It was a real attack on the social safety net for low-income people and on civil rights."

Meanwhile, the legal industry underwent its own changes as more and more lawyers entered the market. Locally, the D.C. Bar experienced growing pains as it struggled to define its mission.

"There were questions about how active the Bar should be in the name of its members, and how much of the dues should support such advocacy," says Jamie S. Gorelick, D.C. Bar president in 1992–93 and chair of WilmerHale LLP's regulatory and government affairs department.

LAWYERS. STRESS & ALCOHOL

For lawyers in the D.C. area, the '80s was a decade of shifting job opportunities. In a market tightly linked to the federal government, Democratic lawyers were out, and Republican lawyers had administration positions from which to choose.

"It was a long Democratic drought," says Gorelick, adding that the Reagan administration's emphasis on deregulation also forced some lawyers in the D.C. area to reinvent themselves.

"There was a strong reaction against the regulatory impulses of the Carter administration, so there were many changes in how much the government regulated industries," Gorelick says. "This led to a change in the legal profession. For example, the antitrust practice in Washington, which had been quite robust in the 1970s, shrank in the 1980s. Many people had to recycle themselves into other areas."

But Reagan wasn't the only catalyst for change in the legal industry in the 1980s. Lawyers coped with increased competition as new lawyers flooded the market. At the start of the decade, there were 574,810 lawyers in the United States. By the end of decade, there were 725,579 lawyers, according to the American Bar Association.

In addition, the legal industry's methods of doing business morphed over the decade. Where lawyers once worked in small to mid-size general practice firms, now they congregated in larger firms. Lawyers also were increasingly expected to develop an area of expertise.

The 1980s also brought a raised awareness of the level of alcohol addiction in this country, specifically among lawyers. In June of 1981, the D.C. Bar's Board of Governors established a special committee to develop and implement a program aimed at helping lawyers struggling with alcohol addiction.

Four years later, the Bar established a program, now called the Lawyer Assistance Program, to help lawyers cope with alcoholism. The free, confidential program is still available to lawyers, judges, and law



Judge Robert Bork is sworn in to testify before the Senate Judiciary Committee on his nomination to be a Supreme Court justice.

1986

The Washington Legal Clinic for the Homeless is founded through the support of the D.C. Bar and D.C. Bar Foundation.

1987

President Reagan nominates Robert Bork to the U.S. Supreme Court; U.S. Senate rejects nomination.

1989

George H. W. Bush begins serving as the 41st U.S. president.



Jamie S. Gorelick, courtesy of the D.C. Bar; Robert Bork, Wally McNamee/Corbis Historical/Getty Images; George H. W. Bush, David Hume Kennerly/Archiv Images/Getty Images; Marcia D. Greenberger, Patrice Gilbert Photography; WBA members, courtesy of Katherine A. Mazzaferri



students experiencing a variety of problems, including mental health issues and addiction.

"It was decided that the program needed to be more 'broad brush' and reach out to people not just with alcohol issues," says Denise Perme, director of the Lawyer Assistance Program since 2006. "We realized that helping people with mental health issues related to stress, such as depression or anxiety disorders, also helped to reach lawyers with addiction issues."

WOMEN & THE LAW

In the 1980s women entered the legal field in record numbers. Sometimes they found themselves battling discrimination and harassment in the law firms they joined. Some women, such as Marcia D. Greenberger of the National Women's Law Center (NWLC), spent the decade taking on cases in the fight for the rights of women.

In 1980 the U.S. Equal Employment Opportunity Commission issued guidelines declaring sexual harassment a form of prohibited sex discrimination. In 1981, following the retirement of Justice Potter Stewart, Reagan nominated Sandra Day O'Connor as the first woman to the U.S. Supreme Court.

Justice O'Connor's nomination was a memorable occasion for female lawyers in the D.C. area and beyond. Once on the bench, Justice O'Connor was often the deciding vote on cases affecting women's education, reproductive rights, and employment conditions.

"Democrats were not exactly sanguine about a Reagan appointee; nevertheless, there was a lot



Members of the Women's Bar Association celebrate the voluntary bar's 15th anniversary.

of cheering among women lawyers when Justice O'Connor was nominated," Gorelick recalls. "She brought a perspective that was previously missing on the Court."

A few years later, the D.C. Bar elected well-known attorney Marna S. Tucker as its first female president, serving in 1984–85.

"By the time she became the president of the Bar, she was already an extraordinary force in our legal community," says Greenberger, founder and copresident of the NWLC. "She had already displayed a strong commitment to what the law can do for people who need it most. She was the perfect pathbreaker."

Tucker says that it surprised her how much her becoming Bar president meant to female lawyers at that time.

"My being president let women know that that they could join leadership, that there was a place for them in leadership," Tucker says.

GROWING PAINS

As the legal industry grew, so did the D.C. Bar, and it struggled to define itself along the way. In the 1980s, Bar members and leadership asked and reviewed questions relating to how much lawyers should pay in fees and where the money should go. The debate somewhat mirrored the concern nationally over whether tax dollars should go to legal-aid services.

"The contours of the D.C. Bar were being worked out in the 1980s," Gorelick says.

In the early 1980s there was a push to establish a dues ceiling and restrict how funds should be used. By 1981 the D.C. Court of Appeals had approved a \$75 dues ceiling and ruled to restrict use of the money to basic Bar functions such as discipline, admissions, and continued registration.

But Tucker was focused on figuring out how to get the Bar to help the less fortunate.

"I had ideas. I was an activist," Tucker says. "I had to figure out a way to increase participation in public service and pro bono cases, but by doing it through private funds. It was a real challenge."

By 1988 the D.C. Bar Office of Public Service Activities (now the Pro Bono Center) incorporated as the D.C. Bar Public Service Activities Corporation. The funding initially came from individual Bar members.

"The program started small and was initially primarily a source of information and referrals," Syracuse says.



66 By the time [Marna S. Tucker] became the president of the Bar, she was already an extraordinary force in our legal community. She had already displayed a strong commitment to what the law can do for people who need it most. She was the perfect pathbreaker.99

MARCIA D. GREENBERGER Founder and Co-President National Women's Law Center

Also during the 1980s, the D.C. Bar helped found the Washington Legal Clinic for the Homeless.

By the end of the decade, the questions over how Bar dues should be used remained. In 1988 the D.C. Bar Board of Governors initiated a referendum to examine the use of Bar dues, but it did not achieve a consensus for any change.

In the meantime, the D.C. Bar Legal Ethics Committee was "very active" during the 1980s, Gorelick says.

"D.C. has always distinguished itself in this area," Gorelick says. "Because we have more people moving in and out of government, we are more thoughtful and experienced than some other bars on this front."

Anna Stolley Persky is a regular contributor to Washington Lawyer.

1990s Re-Envisioning & Expanding

By Jeffery Leon

he 1990s was a period of upheaval in the United States and abroad, beginning with the collapse of communist regimes, the end of apartheid in South Africa, and the start of the Gulf War. However, there also were major breakthroughs: the World Wide Web, the launch of the Hubble Space Telescope, and the cloning of a sheep named Dolly. The decade saw the rise of third-wave feminism, environmentalism, and the counterculture Generation X.



1990

D.C. Bar establishes the Beatrice Rosenberg Award for Excellence in Government Service.

Bar leadership elects to bring its Continuing Legal Education Program in-house, with the George Washington University Law School (then called the George Washington University National Law Center) providing assistance, and secures MCLE accreditation the same year.

President George H. W. Bush signs into law the Americans with Disabilities Act.

Maureen Thornton Syracuse, courtesy of the D.C. Bar, Justice Clarence Thomas, MCT/Contributor/Tribune News Service/Getty Images; Cynthia D. Hill, Tracy Schorn The Immigration Act of 1990 becomes law.

The District of Columbia celebrates its bicentennial.

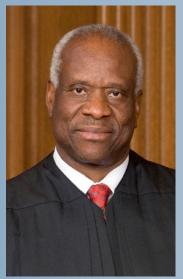
1991

A new code of ethics for D.C. Bar members, the District of Columbia Rules of Professional Conduct, goes into effect.

U.S. Supreme Court rules that use of racial criteria in jury selections is unconstitutional.

Clarence Thomas becomes the second black Supreme Court justice.

Congress passes the Civil Rights Act of 1991.



Justice Clarence Thomas

66 The 1990s was transformational for the Pro Bono [Center]. It was a period of dramatic and rapid change.99

> MAUREEN THORNTON SYRACUSE D.C. Bar Pro Bono Center Executive Director, 1992-2011

In the legal world, there was the "trial of the century" — the O.J. Simpson double murder case that gripped the nation. DNA evidence was increasingly being used in criminal trials, and the country took a tough stance on crime with the Violent Crime Control and Law Enforcement Act of 1994. President Bill Clinton became the second president in U.S. history to be impeached.

The decade was significant for the D.C. Bar as well: For the first time, attorneys admitted to practice in the District of Columbia were now required to take a mandatory course within 12 months of admission to the Bar. The Bar also began an ambitious reenvisioning of its Pro Bono Program (now Pro Bono Center) and an expansion of its Programs Division. Many of the Bar's achievements from this decade continue to impact the organization today.

PRO BONO CENTER: FINDING ITS IDENTITY

Throughout the 1980s and early 1990s, in response to federal cutbacks in legal aid, there was a national push for more coordinated pro bono initiatives, but the District was lagging in this effort.

"Demand for legal services by many in D.C. was front and center," recalls Cornish Hitchcock, a member of the Bar's Board of Governors during the early 1990s.

The D.C. Bar decided to take a close look at its Public Services Activities Corporation (PSAC), forerunner of the Pro Bono Program. PSAC was a nonprofit service established by the Bar following the 1980 referendum in which members voted to limit the use of mandatory dues to four specified areas, which excluded funding of public interest activities. PSAC provided telephone callers with information and referrals to private attorneys or to legal services providers for those unable to pay a lawyer. It also placed some more complex pro bono cases with private or government attorney volunteers. During this time, PSAC also worked to attract charitable contributions to support its services.

In 1990 D.C. Bar president Sara-Ann "Sally" Determan tapped Stephen Pollak, a former Bar president, to chair the PSAC Review Committee. Working for two years, the Review Committee was exhaustive in its approach, examining PSAC's accomplishments and budget, communicating with stakeholders, and looking at pro bono programs around the country. It also consulted with Esther Lardent, a major advocate for pro bono service who later founded the Pro Bono Institute.

In June 1992, the Review Committee brought its findings to the Bar's Board of Governors, concluding that PSAC's lawyer referral services, which began in the 1970s, were outdated. PSAC had to be proactive instead of reactive, the committee said, and must work harder to identify and target unmet legal needs in the community. The committee concluded that PSAC needed to get a greater number of attorney volunteers involved, and that its activities should have a multiplier effect, helping the most people possible.

D.C. Bar Presidents

1990-91 Sara-Ann "Sally" Determan

1991-92 James Robertson

1992-93 Jamie S. Gorelick

1993-94 Mark H. Tuohey III

1994-95 Pauline A. Schneider

1995-96 Robert N. Weiner

1996-97 Myles V. Lynk

1997-98 Carolyn B. Lamm

1998-99 Andrew H. Marks

1999-00 Joan H. Strand



Cynthia D. Hill

D.C. Bar overhauls its Public Services Activities Corporation (precursor of its Pro Bono Program, now Pro Bono Center) to increase legal services for low-income people in the District.

1992

D.C. Council imposes a \$250 tax on most professionals in the District, specifically including active members of the D.C. Bar. Nearly 5,000 members switch from active to inactive status to exempt themselves from the fee, negatively affecting the Bar.

Pro Bono Center holds first biweekly Law Firm Pro Bono Clinic and launches the Pro Se Plus Divorce Clinic.

1993

D.C. Bar establishes the William J. Brennan Jr. Award and the Thurgood Marshall Award for exceptional achievement in the pursuit of equal justice and opportunity.

1994

Pro Bono Center opens Bankruptcy Clinic.

D.C. Court of Appeals adopts rules that all attorneys admitted to the D.C. Bar after July 1, 1994, must complete a course on the D.C. Rules of Professional Conduct and the practice of law in the District of Columbia. 66 It was quite a challenge . . . But we got where we needed to go as far as being able to provide a full-service CLE Program for our members. ??

CYNTHIA D. HILL Former D.C. Bar Chief Programs Officer The committee's recommendations led to major reforms, turning PSAC into a program that delivered services and leveraged staff to help provide pro bono work to attorney volunteers. New staff was hired, including Maureen Thornton Syracuse, who served as director of the Pro Bono Center from 1992 to 2011.

In 1993 the Pro Bono Center launched its flagship project, the Law Firm Clinic (now the Advocacy & Justice Clinic), recruiting and training attorney volunteers to represent prescreened low-income clients in housing, family, public benefits, disability, consumer, and unemployment law matters. Syracuse and Pollak shopped the clinic's concept around to major law firms to gauge their interest in participating. Syracuse recalls the initial concerns: "We spent months recruiting firms and structuring the supporting materials, and figuring out how to get these lawyers to do cases they knew nothing about, including going to a courthouse most of them had never seen."

Fortunately, the response was extremely positive: 18 firms volunteered for the Law Firm Clinic in the first year.

That same year, the Pro Bono Center established the Pro Se Plus Divorce Clinic, providing training and support in a classroom setting to individuals representing themselves, followed by the Pro Bono Bankruptcy Clinic in 1994. In September 1995, the Pro Bono Center convened the first Pro Bono Initiative Breakfast, briefing the District's legal community on the state of the safety net in the wake of new federal cutbacks, and calling for increased support for pro bono work to fill the gaps.

From that summit came the Pro Bono Center's Advice and Referral Clinic, a push to get pro bono attorneys out into hard-hit neighborhoods to offer onsite legal

assistance on Saturdays. Working with Bread for the City, the Center held its first Advice and Referral Clinic in the Shaw neighborhood in 1997. A second clinic would launch in Anacostia a few years later.

In 1998 the Pro Bono Center established the Community Economic Development Project with the goal of getting business lawyers involved in pro bono work by helping community-based organizations working in distressed neighborhoods in the District.

"The 1990s was transformational for the Pro Bono [Center]," says Syracuse. "It was a period of dramatic and rapid change."

EXPANDING THE PROGRAMS DIVISION

In 1990 Cynthia D. Hill joined the D.C. Bar as assistant executive director for programs, overseeing the Attorney/Client Arbitration Board, the Lawyer Counseling Program, and the Legal Ethics Program. Also under Programs were the Clients' Security Fund, the Continuing Legal Education (CLE) Program, and the Sections Office (now Communities). In the early 1990s, Programs did not yet have a Regulation Counsel, a Practice Management Advisory Service, or a Rules of Professional Conduct Review Program.

One of the first tasks under Hill's management was developing the Bar's CLE Program, which had been administered by Georgetown University. In June 1990, the Bar decided to bring the CLE Program in-house, negotiating a five-year agreement with the George Washington University Law School to provide seed funding toward the CLE Program and coordinate its multiday courses. The CLE Committee, chaired by Mark Tuohey III, who would later serve as president of the Bar, led the development of the

curriculum. The first class was held in October 1990, and much of the CLE programming in those early days was taught by CLE Committee members.

With the assistance of Susan Moss of the U.S. Department of Justice's Legal Education Institute, the CLE Program successfully obtained MCLE accreditation by the end of the year. In June 1991, Mary Frances Edwards would be hired as the first manager of the CLE Program. She would help build the program and set the template for future managers.

"It was guite a challenge, especially to be starting a program of that nature during an economic recession," recalls Hill. "But we got where we needed to go as far as being able to provide a full-service CLE Program for our members."

Several other notable changes would come to Programs in the 1990s. The Lawyer Counseling Program (now Lawyer Assistance Program), which was established in 1985 to provide support to legal professionals dealing with substance abuse, would expand its focus to include mental health.

In 1995 the Lawyer Practice Assistance Program, now the Practice Management Advisory Service, would debut, providing free and confidential service to members seeking to improve their office and practice management.

That same year, upon recommendation by the D.C. Bar Board of Governors, the D.C. Court of Appeals adopted changes to Rules Governing the Bar on lawyer discipline and attorney conduct regulation. The amendments changed the timing of when disciplinary complaints would become public, and provided diversionary options for attorneys in cases where ethical violations are deemed minor. The court also made fee arbitration mandatory if the client requests it.



O.J. Simpson (left) with defense attorney Johnnie Cochran.

O. J. Simpson, Rick Meyer/Pool/Getty Images; Mark H. Tuohey III, Howard Ehrenfeld; Bill Clinton, Richard Ellis/ Hulton Archive/Getty Images

1995

The O.J. Simpson murder case becomes one of the most followed trials of the century.

D.C. Court of Appeals rule changes making the attorney discipline system more public take effect.

D.C. Bar holds referendum on mandatory continuing legal education and legal ethics courses for members. The proposal is defeated.

Bar establishes the Lawyer Practice Assistance Program (now Practice Management Advisory Service).

Pro Bono Center holds first Pro Bono Initiative Breakfast; 54 local firms pledge to increase their pro bono efforts in the city.

dcbar.o

Congress establishes the District of Columbia Financial Control Board to monitor the District's finances.

1996

Congress passes the Antiterrorism and Effective Death Penalty Act.

Defense of Marriage Act becomes law.

Congress passes the Personal Responsibility and Work Opportunity Reconciliation Act, a major welfare reform.

Congress overhauls telecommunications law for the first time in nearly 62 years with the Telecommunications Act of 1996.

D.C. Court of Appeals adopts a comprehensive set of changes to the D.C. Rules of Professional Conduct.

D.C. Bar launches its website, dcbar.org.

THE MAKING OF THE MANDATORY COURSE

In the mid-1990s there were several discussions by the Bar's Board of Governors about mandatory courses, one an introduction for new members on practicing law in the District of Columbia, and the other about continuing legal education.

The idea of a mandatory course for new D.C. Bar members was fueled by concerns that attorneys admitted to the Bar by motion after passing the Multistate Bar Exam lacked the knowledge of D.C. legal rules, practices, and procedures. The Board tasked the CLE Program to develop a curriculum for a mandatory course for newly admitted members, which was adopted as a rule by the D.C. Court of Appeals. Pursuant to the rule, all members admitted after July 1, 1994, must complete the Mandatory Course on the District of Columbia Rules of Professional Conduct and District of Columbia Practice.

Responding to early negative feedback about the course, the CLE Committee convened a subcommittee to examine improvements. Judge Annice Wagner, then chief judge of the D.C. Court of Appeals, assigned two judges from her court to provide feedback on plans for overhauling the course. Ultimately, the course was welcomed by members, finding it to be a necessary resource for new D.C. attorneys.

Also in debate during this time was the idea of implementing mandatory CLE and legal ethics courses, a divisive issue among members of the Bar. A membership referendum was held in 1995, and the proposal was defeated.

SUPPORTING THE D.C. COURTS

The D.C. Bar also went to bat for the District of Columbia Courts, lobbying for and securing adequate funding.

"One of the big issues of the era was representing the D.C. Courts in the political system, where judges couldn't defend themselves," recalls Jamie Gorelick, D.C. Bar president from 1992 to 1993. "I spent a good part of my tenure speaking with members of the city council and the mayor's office on issues of importance to the D.C. Court of Appeals and the Superior Court."

The Bar also supported Congresswoman Eleanor Holmes Norton's push to create her Federal Law Enforcement Nominating Commission in 1993, granting Norton senatorial courtesy to recommend to the White House federal district court judges and other federal law enforcement officials in the District.

"We had a very important relationship with the White House during the '90s and this contributed to the benefit of the bench, Bar, and those we serve," says Tuohey, D.C. Bar president from 1993 to 1994.

D.C. BAR FOUNDATION: INVESTING IN JUSTICE

In 1998 the D.C. Bar embarked on a study of the D.C. Bar Foundation to find out what more the nonprofit could do to benefit the community. It would be the first in-depth look at the work of the Foundation since its inception in 1977.

A committee established by the Board of Governors went to work in September 1998 and delivered its final report in 2000. Andrew Marks, D.C. Bar president



66 We had a very important relationship with the White House during the '90s and this contributed to the benefit of the bench, Bar, and those we serve.

MARK H. TUOHEY III D.C. Bar President, 1993–94

from 1998 to 1999, recalls the study and subsequent results as a major accomplishment in bolstering the legal services community in the District.

"The result now, 17 years later, is that the Bar Foundation is providing dramatically more financial assistance to legal services organizations and has much more of a role in the community than it had before," Marks says.

Today, the D.C. Bar Foundation is the leading funder of civil legal aid in the District of Columbia, and has awarded more than \$43 million in civil legal services grants.

1997

Pro Bono Center's Advice and Referral Clinic opens at Bread for the City in the Shaw neighborhood.

1998

Congress passes the Digital Millennium Copyright Act.

Pro Bono Center launches the Community Economic Development Project.

D.C. Bar establishes a committee to study the D.C. Bar Foundation.

President Clinton reacts to his acquittal of charges of perjury and obstruction of justice in 1999.

President Bill Clinton's impeachment trial in the U.S. House of Representatives begins.

1999

Congress returns management and personnel authority to the District with the District of Columbia Management Restoration Act of 1999.

President Clinton is acquitted of charges.



2000S Strength in the Face of Adversity

By William Roberts

he millennial decade 2000–2010 was a heady time for everyone in Washington, D.C., including the D.C. Bar — think *Bush v. Gore* and 9/11 — and yet it was a period when lawyers found ways to work together for the good of the city and the future of the profession. Events of the decade were truly historic. Epic even.

John Payton

2000

In *Bush v. Gore*, the U.S. Supreme Court resolves the dispute surrounding the 2000 presidential election.

2001

September 11 attacks shake the nation — and the world.

U.S. War in Afghanistan begins.

John Payton, Patrice Gilbert Photography; Al Gore, Brooks Kraft/Sygma/Getty Images; President George W. Bush, Stock Montage/Archive Photos/Getty Images; aftermath of 9/11 attacks, Alex Fuchs /AFP/Getty Images; Iraq War, Joe Raedle/Getty Images News; Hurricane Katrina, NASA/Corbis News/Getty Images



It began with a U.S. Supreme Court decision effectively awarding the contested 2000 presidential election to George W. Bush over Al Gore, a first in U.S. constitutional history.

Less than a year later, America was suddenly and shatteringly attacked by terrorists on September 11, an event that reverberates today in law, policy, and geopolitics.

As the decade drew to an end, we saw the election of the first black U.S. president in Barack Obama and a drawdown of the United States' war footing in Iraq and Afghanistan.

Now, nearly seven years after the end of the 2000s, we can begin to look back on that history and draw some lessons. One of those lessons, perhaps, is about the positive work that a nonpartisan, community-oriented organization such as the D.C. Bar can do.

It was during this time of struggle and conflict on the national and global stage that the D.C. Bar brought government lawyers into its Pro Bono Center and helped set up and establish the D.C. Access to Justice Commission.

"The Bar reflects what's happening in the world around us. I think that's true today and it's true in the era that I was president," says John C. Cruden, a former U.S. Department of Justice official in both the George W. Bush and Barack Obama administrations who also served as D.C. Bar president in 2005–06. "There were all kinds of things that we could join on. It was those things that everybody could agree on and it really helped. It's what a bar brings to the table — that ability to look at government, look at really important things to value the rule of law, and make it better."

DEFINING MOMENTS

A defining moment came quickly for the Bar when the day after September 11, smoke still lingering over the Pentagon just across the Potomac River, then-Bar president John Payton, a civil rights lawyer and partner at WilmerHale LLP, called members and staff together and declared we would not be afraid to come to work in Washington, D.C.

An already security-conscious city that had the day before evacuated its workforce on foot was now essentially an armed camp with fighter jets patrolling the skies above. Payton's leadership and courage in that moment, like that of so many others throughout the District, set a tone of fearlessness and perseverance for the nation's capital.

Payton died in 2012 after a brief illness at the age of 65. At the time, he was the sixth president of the NAACP Legal Defense and Educational Fund.

For all the powerful history unfolding as President Bush took the United States to war in Afghanistan in 2001 and in Iraq in 2003, there was important work to be done at home and Bar members were active.

D.C. Bar Presidents

2000-01 John W. Nields Jr.

2001-02 John Payton

2002-03 George W. Jones Jr.

2003-04 Shirley Ann Higuchi

2004-05 John "Jack" C. Keeney Jr.

2005-06 John C. Cruden

2006-07 James J. Sandman

2007-08 Melvin White

2008-09 Robert J. Spagnoletti

2009-10 Kim M. Keenan

2003

Iraq War begins.



Left: U.S. Marines attack the military garrison of the Iraqi 23rd Infantry brigade in Nasiriyah. Right: Hurricane Katrina as seen from space.

2005

Hurricane Katrina hits the Gulf Coast of the United States, killing nearly 2,000 people and causing more than \$100 billion in damage.

The D.C. Access to Justice Commission is founded.

2007

The Great Recession begins, an economic decline that impacts the world's financial markets.



A SURGE IN GOVERNMENT PRO BONO

"Every Bar president, you are kind of building on what other people have done," says Cruden, recalling the creative work and dedication of others he served with during the decade.

"We had a really cool Board. So, I'm president, but first of all, I had Jim Sandman as my president-elect, Annamaria Steward was secretary, and on the Board with me were a lot of presidents-to-be: Kim Keenan, Mel White. We had just a really great set of Board members, which allowed us to do a lot just because they were such a talented group," says Cruden, who is remembered by others for his work bringing government lawyers into the D.C. Bar Pro Bono Center.

"I wrote a letter to every single counsel of every single agency in the government saying I was a government lawyer and already doing pro bono and so should they, and I would be happy to meet with them and fold them into an already existing pro bono process," Cruden recalls.

James Sandman, Bar president from 2006 to 2007, and now president of the Legal Services Corporation, also tried to focus on expanding pro bono work. "I was fortunate to be John Cruden's successor," he says. "John helped to expand the Bar's pro bono work enormously by mobilizing government lawyers. In significant part as a result of his efforts, today federal government lawyers are the single largest source of staff for some of the Pro Bono Center's signature programs."

Sandman, too, is credited with recruiting large law firms to the Bar's Pro Bono Center.

"In expanding the list of firms that were committed to the pro bono initiative, I contacted the leaders of big law firms that were not already participating. I made the case that this is a list you don't want to be left off of — that the participating firms are known as leaders of pro bono in Washington. Because pro bono is so much a part of the culture of the Bar here, and so important in recruiting, I tried to make it attractive to be a part of the pro bono club," Sandman recalls, chuckling at some of the arm bending that went on in those days.

NATIONAL DEVASTATION

There were other events during the decade. The devastation of New Orleans, a major American city, by Hurricane Katrina. The Great Recession of 2007–08. Both events had an impact on the Bar.

Katrina, which made landfall in southeast Louisiana on August 29, 2005, was one of the deadliest hurricanes in U.S. history, killing nearly 2,000 people and displacing tens of thousands more. The Bar

John C. Cruden

66 I wrote a letter to every single counsel of every single agency in the government saying I was a government lawyer and already doing pro bono and so should they.

> JOHN C. CRUDEN D.C. Bar President, 2005–06

John C. Cruden, Patrice Gilbert Photography; President Barack Obama, Chip Somodevilla/Getty Images News; D.C. Bar officers, courtesy of Katherine A. Mazzaferri; Melvin White, Patrice Gilbert Photography





Barack Obama becomes the first black president of the United States.



established the Hurricane Katrina Pro Bono Legal Relief Project to help evacuees who were being taken in by the city of Washington.

"We had 300 or 400 individuals that we were providing legal service to who were in D.C. from New Orleans. But we also reached out to the bar of Louisiana, and for a while we were actually running their web page out of D.C. and that was wonderful because that allowed people to communicate with one another," Cruden recalls.

Defaults in the subprime mortgage business triggered a financial crisis and led to the 2007–08 recession, the worst economic downturn in the United States since The Great Depression of 1929. Its impact on the legal profession would be profound.

"During and after the recession, big law firms began to hire significantly fewer new associates," Sandman says. "They found their clients were no longer willing to pay big-firm associate rates to have lawyers do document review. And when big law firms, which used to soak up dozens of new lawyers every year, cut back, it had a big impact. Associate salaries stagnated.

"That had a big impact on the profession. It took several years, but the word eventually spread down to the colleges that law school was no longer the ticket that it used to be, and that there were significant numbers of lawyers graduating without jobs after having



66 What I tried to do was bring attention to the breadth and depth of the legal talent that we have in our community, regardless of identity group. **99**

> MELVIN WHITE First Openly Gay D.C. Bar President, 2007-08



Bar officers Cynthia D. Hill, Wilbur Smallwood, Katherine A. Mazzaferri, John Payton, Cynthia Kuhn, and Charles Lorenzetti witnessed a rapidly growing and changing Bar during their tenures.

incurred substantial debt. Law school applications and enrollment plummeted. We continue to see the effects of that a decade later," Sandman says.

The recession had another effect. Poverty levels increased in the District as elsewhere, and housing troubles rose for the city's residents. In 2005, after years of collaborative work among judges and public interest lawyers, the D.C. Access to Justice Commission was founded to provide leadership and cohesion for the District's legal services community.

Jack C. Keeney Jr., D.C. Bar president in 2004–05, recalls that time: "What I remember, particularly during the years when I was president, was the Bar working very closely with then Chief Judge Annice M. Wagner of the D.C. Court of Appeals to formulate and then implement what became the D.C. Access to Justice Commission.

"That was a very important institutional change as it brought together not only the resources of the Bar but the resources of the court and the resources of the community to essentially have a practical impact on obtaining lawyers and legal representation for many of the D.C. residents who just had no chance of getting legal representation," Keeney says.

PATH TO INCLUSION

Melvin White, a partner at Berliner Corcoran Rowe LLP, recalls the decade of the 2000s as a period when

the LGBTQ community gained greater acceptance within the Bar and the legal profession. White, who served as the first openly gay Bar president in 2007–08, did a lot of speaking and writing about diversity. He reached out to demographic groups among the voluntary bars, groups like GAYLAW, and worked to bring people into Bar activities.

"What I tried to do was bring attention to the breadth and depth of the legal talent that we have in our community, regardless of identity group," White says. "I'm gay and I never thought about being openly gay in my law firm. I thought that was the worst thing that could happen. But around 2007, times changed. Society opened up and the legal profession opened up. What that did was, it just brought a flood of different kinds of attorneys — more people — into the fold. All of that gave us more people to help with our programs, to do pro bono. Because when people feel that they are included, they naturally give back."

Today, White sees frustration among younger lawyers who "are upset by a lack of progress and they are impatient" with a recent backlash against gay rights, but he cautions, "where this movement was 10 years ago, there's been a lot of progress. It's been a rousing success. You keep moving, keep working and persuade people, one by one."

William Roberts is a regular contributor to Washington Lawyer.



2010s Solidifying the Bar's Future

By Erika Winston

his decade began with the D.C. Bar shoring up its financial future with the purchase of a new headquarters building in the up-andcoming Mount Vernon Triangle neighborhood. Other key milestones include the adoption of D.C. Bar 2020, a list of strategic priorities and objectives that would shape the Bar's future, and the establishment of the John Payton Leadership Academy to cultivate future Bar leaders. As the decade progressed, changes at the top took center stage with the retirement of Katherine A. Mazzaferri, the Bar's long-time chief executive officer, and the hiring of her replacement, Robert J. Spagnoletti, former attorney general for the District of Columbia and a past president of the Bar.





2010

Elena Kagan becomes the fourth woman justice to serve on the U.S. Supreme Court.

2013

D.C. Bar launches the John Payton Leadership Academy.

2015

D.C. Bar's Board of Governors signs an agreement to purchase land at 901 4th Street NW in the Mount Vernon Triangle neighborhood to build the Bar's new headquarters. Move-in date is early 2018.

Board of Governors approves D.C. Bar 2020 — a set of strategic priorities and objectives that will serve as the foundation for the Bar's vision over the next five years.

Some of the first graduates of the John Payton Leadership Academy.

Leadership Academy inaugural class, Patrice Gilbert Photography; Justice Elena Kagan, Chip Somodevilla/Getty Images; Fred Sainz and Jim Obergefell, Win McNamee/ Getty Images News; Kim M. Keenan, Patrice Gilbert Photography

BUILDING RESERVE FUND

Upon the recommendation of its Finance Committee in 2009, the D.C. Bar established a building reserve fund in preparation for future office expenses. After considerable deliberation, the decision was made to build a new, state-of-the-art home at 901 4th Street NW. Former D.C. Bar chief operating officer Victor L. Velazquez explains that the new 100,000-square-foot development will create space for lawyers to convene, network, and learn.

"Its spaces are being designed with the latest technologies, which can adapt as technology adapts," says Velazquez, who continues to be involved in the construction project. "We also recognized that given the fact that over 40,000 members reside outside of the D.C. metro area, we wanted to broadcast the rich experiences and learning that occurs onsite by launching a full video production studio."

One of the huge financial benefits of this purchase, Velazquez says, is a projected savings of \$28.32 million in occupancy costs for the Bar over the next 30 years.

"We were sitting in an expensive part of the country, real estate-wise, which translated into a significant occupancy expense in the form of rent for the Bar," Velazquez explains. "In fact, over the past 20 years, the average lease rate increase was 2.94 percent, and so occupancy costs were absorbing a healthy portion of [the Bar's] operating expense."

The Bar also is expected to benefit from future equity, which further makes the purchase a good vehicle for investment. Construction is expected to be completed by early 2018.

THE LEADERSHIP ACADEMY

In 2013 the D.C. Bar graduated its inaugural class of the John Payton Leadership Academy, an intensive training program that helps lawyers develop and sharpen essential leadership skills. The Academy's three full-day sessions include teambuilding activities, strategy projects, and insights from community members.

"What makes a great lawyer does not necessarily make a great leader," D.C. Bar Senior Staff Attorney Rebecca Gilliam explains. "Lawyers work, live, and breathe in an adversarial world. Their work is usually full of conflict with opposing sides and a narrow focus. In contrast, an effective and strong leader is one who brings people together to accomplish a common goal. A good leader is collaborative and positive, inspiring others to work toward a shared vision. The Academy not only teaches these skills, but it also emphasizes self-awareness."

So far, 76 Bar members from diverse legal backgrounds, including the nonprofit sector, small practices, large firms, and mid-size boutiques, have graduated from the Academy.

"It's a wonderful way for us to train a cadre of younger lawyers who are our members and who will be leaders of the future," says Mazzaferri.

Participants also gain hands-on experience working at the D.C. Bar Pro Bono Center's Advice and Referral Clinic. Speaking with *Washington Lawyer* in 2013, inaugural class graduate David William Arrojo, then an associate at Sutherland Asbill & Brennan LLP, said the Academy enabled him to realize a very important point: "Every scenario — no matter the size of

D.C. Bar Presidents

2010-11 Ronald S. Flagg

2011-12 Darrell G. Mottley

2012-13 Thomas S. Williamson Jr.

2013-14 Andrea C. Ferster

2014-15 Brigida Benitez

2015-16 Timothy K. Webster

2016-17 Annamaria Steward

2017-18 Patrick McGlone





Fred Sainz (front, left) from the Human Rights Campaign and Jim Obergefell, plaintiff in Obergefell v. Hodges, walk to the U.S. Supreme Court on March 6, 2015.

66 As we look toward 2020, I believe the Bar will have a clear digital imprint that provides options to members on how to engage with each other and the legal community at large. **99**

KIM M. KEENAN D.C. Bar President, 2009-10

2015 (continued)

Supreme Court rules that same-sex couples have the fundamental right to marry.

2016

Supreme Court Associate Justice Antonin Scalia dies at age 79.

the task or the scope of the endeavor - presents an opportunity for leadership." Arrojo, now working with the U.S. House of Representatives Committee on Ethics, served as secretary of the Bar for the 2016-17 term.

Moving forward, Gilliam says the Bar hopes to expand leadership education for Academy graduates. "We acknowledge that three days of training will not transform someone into a strong leader. The Academy provides the tools for building a framework of effective leadership, but the building is ongoing." She adds that Academy organizers plan to also incorporate virtual educational opportunities in the near future.

D.C. BAR 2020

In 2014 the Strategic Planning Committee, led by former Bar president Kim Keenan, began crafting D.C. Bar 2020, a list of strategic priorities and objectives to guide the Bar into the next five years.

"If you do not have a plan, then you cannot really capitalize on the resources of the organization. A strategic plan allows you to set goals and move the Bar forward," says Keenan, adding that the plan features a digital and global perspective that recognizes the need to connect individual Bar members with the broader legal community.

Keenan has high hopes for the Bar's future. "As we look toward 2020, I believe the Bar will have a clear digital imprint that provides options to members on how to engage with each other and the legal community at large. We will be able to meet in state-of-the-art facilities or via virtual options. Our programming will be cutting edge and span not

just the city but the globe. But regardless of the methodology, the D.C. Bar will remain true to its mission of 'Service, Integrity, and Leadership."

LGBTQ EQUALITY

This decade has brought about significant legal changes for the LGBTQ community. In 2015 U.S. Supreme Court Justice Anthony Kennedy penned a history-making opinion in Obergefell v. Hodges, ruling that states may not discriminate on the basis of sex or gender in the provision of the right to marry.

Lower courts also considered various state laws regarding the rights of transgendered people to utilize bathrooms that correspond with their gender identity. In April 2016, the U.S. Court of Appeals for the Fourth Circuit ruled that a Virginia school district's restriction of a transgender teen's ability to use the bathroom of his gender identity violated Title IX.

Don Davis, president of the LGBT Bar Association of D.C., offers his reflections on some of the significant LGBTQ legal issues of the past decade, as well as a look ahead at the remaining challenges.

"While there is still an incredible amount to do to ensure equality and justice for transgender Americans, it is significant that the courts have been almost unified in finding that discrimination against transgender persons is sex discrimination under statutes such as Title VII," Davis says. "The U.S. Court of Appeals for the Seventh Circuit [in April] also became the first federal appellate court to rule that Title VII's prohibition against sex discrimination in employment includes sexual orientation discrimination."

Davis believes that ongoing national dialogue about transgender issues is "helping to move the needle in the right direction."

For Davis, there are three key issues of importance to the LGBTQ community. "The first is securing equal opportunity in employment, housing, and public accommodations for LGBT persons nationwide. The second issue requires pushing back against religious refusal laws - laws insidiously designed not to protect religious rights, but to chip away at civil rights laws by permitting anti-LGBT persons and businesses to use religion as a sword to deny services and employment to LGBT persons. Lastly, we must work toward securing equal access to health care and health insurance for transgender persons."

IMMIGRATION

Immigration has been a particularly contentious issue this decade. Smita Rao Dazzo, an attorney with the Immigration Legal Services Division of the Catholic Charities of the Archdiocese of Washington, says there have been several minor victories for immigration advocates, including the Obama administration's Deferred Action for Childhood Arrivals program.

"A lot of the Obama administration deportation priorities became more reasonable, focusing on criminals and persons with some risk to the safety of the United States," says Dazzo.

However, not all of the previous administration's reform efforts were successfully implemented. In 2016 a Supreme Court tie blocked Obama's Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) plan, which



Robert J. Spagnoletti

2016 (continued)

The D.C. Bar breaks ground on its new home at 901 4th Street NW. D.C. Mayor Muriel Bowser and members of the judiciary join Bar leaders in celebrating the milestone.

2017

Donald Trump becomes the 45th president of the United States.

Bar undergoes leadership changes and appoints Robert J. Spagnoletti as its new CEO and Rebecca K. Troth as the executive director of the Pro Bono Center. Hamilton P. "Phil" Fox III succeeds Gene E. Shipp as D.C. disciplinary counsel.

Neil Gorsuch is confirmed as the 101st associate justice of the Supreme Court.



Robert J. Spagnoletti, Patrice Gilbert Photography; D.C. Bar HQ rendering, Savills Studley; Darrell G. Mottley, Patrice Gilbert Photography

would have provided work permits to more than five million unauthorized immigrants, as parents of citizens or authorized workers.

Dazzo has concerns about the current immigration landscape and the direction in which policies are heading. "Now priorities have changed," she says. "Every single person in the United States who is not here legally is now a priority for deportation. Immigrants are afraid."

This fear turned into mass protests after President Trump signed an executive order on January 27, 2017, imposing a 90-day entry ban on citizens of Iraq, Syria, Iran, Libya, Somalia, Sudan, and Yemen. The order was met with almost immediate opposition from protesters, civil rights organizations, and numerous state attorneys general who filed petitions with the federal courts to block enforcement of the order. A U.S. district judge in New York was the first to temporarily block the order, with similar decisions subsequently handed down across the country. The administration responded by easing some of the restrictions of the original travel ban, before revealing a new version in March. A federal judge in Hawaii ruled to block it in the hours before it was scheduled to start.

Local government officials also took a stand in the immigration debate. So-called "sanctuary cities" such as Seattle and New York have declared their refusal to implement immigration policies that would subject certain undocumented workers to deportation. The Trump administration responded with promises to withhold federal funding to cities not in compliance with federal immigration policies, prompting lawsuits from several of these cities. In April 2017, a federal judge in San Francisco ruled that the administration's attempts to block federal funding were unconstitutional.

THE SUPREME COURT

This decade saw the addition of two new justices to the U.S. Supreme Court. In 2010 Justice Elena Kagan was confirmed as the Court's fourth female justice, following a nomination by President Obama. In 2016 Justice Antonin Scalia, who served on the Court for 29 years, died of natural causes. Nominated by President Reagan in 1986 and confirmed by unanimous vote, Scalia was a somewhat controversial figure at times. He held strong constructionist views and left an undeniable impact on the Court.

The Court's vacancy was recently filled after a contentious and history-making confirmation hearing. Senate Democrats sought to filibuster President Trump's nomination of Neil Gorsuch to the Court, but, despite these efforts, Gorsuch was confirmed as the 101st associate justice of the Supreme Court on April 7, 2017.

This change to the makeup of the Court was not the only topic of controversy this decade. On June

28, 2012, the Court upheld major provisions of the highly debated Affordable Care Act. The narrow 5–4 majority decision was authored by Chief Justice Roberts in what many considered to be a surprising split from his conservative views.

The very next year, the Court handed down another controversial decision, striking down Section 4(b) of the Voting Rights Act of 1965. The provision governed which states were required to obtain authorization from the federal government before implementing changes to their voting rights laws. The Court ruled that the formula, which was based on historical discrimination in voting practices, amounted to disparate treatment of certain states based on outdated statistical information. Many leaders of the Democratic Party expressed disappointment with the decision, while Republicans applauded the Court's protection of states' rights. It took only hours for several of the states previously bound under the Section 4(b) requirements to announce changes to their state voter identification laws.

THE ELECTION OF DONALD TRUMP

The 2016 presidential election will go down as one of the most divisive in American political history. Trump's election prompted nationwide discussions about the Electoral College process and voter identification laws. His first 100 days in office resulted in the confirmation of a new Supreme Court justice and speculation that the federal courts will become more conservative under his administration.

Several of President Trump's executive orders have sparked constitutional disputes involving issues of immigration, presidential powers, and religious freedoms. The American Bar Association (ABA) has been vocal in its dismay for the president's proposed budget, which seeks to eliminate funding for the Legal Services Corporation. The White House recently announced that the ABA will no longer be asked to evaluate potential nominees to the federal bench.

CHANGES AT THE TOP

The Bar has undergone leadership changes with Mazzaferri's retirement as CEO after nearly 35 years of service, and Cynthia Hill as chief programs officer after nearly 27 years with the Bar. Disciplinary Counsel Wallace E. "Gene" Shipp has capped his 37-year career of helping attorneys to uphold their professional responsibilities. In February, the Bar welcomed Rebecca K. Troth as the new executive director of the Pro Bono Center, bringing to the Bar her extensive experience in legal advocacy as well as management.

Patrick McGlone started his tenure as the Bar's 46th president for the 2017–18 term. As he shapes his platform, McGlone says there are two significant



66 I am hoping [the Bar] will accomplish a new model of engaging its members and the entire D.C. Bar community. I would like to see attempts to engage millennials and new lawyers coming into the profession. 99

> DARRELL G. MOTTLEY D.C. Bar President, 2011-12

milestones that stand out in his mind. The first is the construction of the Bar's new headquarters, which he calls "a tribute to the Bar's record of accomplishment."

The second is the development of the Pro Bono Center. "It has become a premier provider of civil legal services to the residents of D.C.," McGlone says. "It's a distinctive entity when you look at other bars around the country. We have developed a uniquely effective approach in marshalling pro bono services."

Annamaria Steward, who wrapped up her year as Bar president on June 14, reflected on the significance of the Bar's 45th anniversary: "I am in awe of our major accomplishments and proud of our true and unwavering commitment to improving the profession and assisting the community."

As the Bar prepares for the next decade, promoting inclusion and engaging its national and global membership will remain key.

"I am hoping [the Bar] will accomplish a new model of engaging its members and the entire D.C. Bar community. I would like to see attempts to engage millennials and new lawyers coming into the profession," says Darrell G. Mottley, principal shareholder at Banner and Witcoff who served as Bar president from 2011 to 2012.

Erika Winston is a regular contributor to Washington Lawyer.



THE FOUNDING OF THE D.C. BAR



Visionaries: Clockwise from top row: E. Barrett Prettyman Jr., Charles T. Duncan, Patricia M. Wald, Charles R. Work, and Frank Q. Nebeker. his year marks the 45th anniversary of the D.C. Bar. What began as a closeknit band of local lawyers huddled in the Mayflower Hotel has become a thriving mandatory bar with more than 104,000 members worldwide.

> efore the Bar, all an attorney had to do to practice law in Washington, D.C., was pass the bar exam, which was administered by a special committee of the U.S. District Court, and sit for a background interview. There was no requirement to belong to any organization and there was virtually no professional oversight.

The Washington legal community at the time was plagued by problems that were in serious need of redress, from blatant discrimination to inconsistent attorney discipline. While not successful, initiatives designed to unify and integrate the Bar in the 1930s, 1950s, and 1960s laid the groundwork for the successful effort in the early 1970s.

Veteran lawyers today appreciate that the representative, well organized, and serviceoriented contemporary D.C. Bar is a testament to the early — and often unheralded — work of its visionary founders.



German

Need help with evidence that is *auf Deutsch?*

For bilingual, big-case discovery and litigation support, contact us:

WKWilburn P.C.

www.wkwilburn.com wkw@wkwilburn.com

(301) 652-9700

A LEGACY OF DISCRIMINATION

he legal landscape of 1950s and 1960s Washington is far from distinguished. Washington was a city where whites and blacks attended different public schools; shopped at different stores; ate at different restaurants; and functioned in separate, parallel legal communities. In fact, the agonizing legacy of the District's Jim Crow past contributed to rioting and the violent racial strife of the 1960s.

The District's history of bitter racial segregation was reflected in the legal community as well. Two of the most prominent voluntary bars were the Bar Association of the District of Columbia (BADC), founded in 1871 and known as the "white" bar, and the Washington Bar Association, founded in 1925 and served as the "black" bar.

Black and white trial lawyers knew one another because everyone appeared in the same federal courthouse, but they didn't share it equally. Among trial lawyers, the definitive symbol of segregation was the courthouse's law library. The BADC operated the law library, which was only open to BADC's white membership. Ultimately, the law library opened its doors to black lawyers as the result of a successful lawsuit filed by the legendary Aubrey E. Robinson Jr.

Shortly thereafter, and despite vocal opposition, the BADC voted in 1956 to adopt an amendment to its constitution that struck the word "white" from the criteria for membership. Gradually, the District's largest voluntary bar was integrated, but its race-affiliated past shadowed it through the 1960s.There was some discussion among members of the Washington Bar Association about discontinuing the black bar association after BADC desegregated, but many felt the BADC would never fully represent black lawyers.

For female attorneys, the question of whether they could join the District's largest voluntary bar association or use the law library was never tested. By the time the library had been integrated by race, women lawyers had already been using it for years, and they were welcome to enlist as members of the BADC provided, of course, that they were white.

Nevertheless, former federal appellate judge Patricia M. Wald, who graduated from Yale Law School in 1951, recalled in a 2002 interview that women lawyers had to battle "the cold winds of gender stereotyping and discrimination."

Few female attorneys practiced law in Washington. If they did, they were generally working in federal agencies, and if they were part of a firm, they often were the lone women there. While welcome to participate in BADC affairs, women tended to gravitate toward the Women's Bar Association, which was founded in 1917 to "advance and protect the interests of women lawyers."

A NEED FOR LAWYER DISCIPLINE

n addition to addressing racial and gender discrimination, reform-minded advocates urging the creation of a unified bar also felt it was imperative that a system of lawyer discipline be established.

"The impetus behind the creation of the mandatory bar," former D.C. Court of Appeals Judge Frank Q. Nebeker recalled in a 2002 *Washington Lawyer* interview, "was the need for a more uniform and effective disciplinary mechanism. Without a unified bar, the court had no way to deal with its lawyers. The voluntary associations had no official disciplinary capacity."

Prior to the founding of the D.C. Bar, the U.S. District Court relied on its Committee on Admissions and Grievances to administer disciplinary action. The crux of the problem was that its resources were severely limited; there were just two paid staff members, and they had to oversee admissions as well as disciplinary action.

Such an ineffective system was widely condemned. Cases of unethical conduct and incompetence that cried out for disciplinary action were ignored. Charles R. Work, a senior counsel at McDermott Will & Emery LLP and an active participant in the creation of the mandatory bar, recalled in a 2002 interview that prior to the Bar's founding, "the disciplinary system was very lax, difficult to operate, and not well funded."

In addition to the court committee, the BADC also maintained a standing committee on ethics and grievances, but since the BADC was voluntary, it had no authority over nonmembers and no substantive jurisdiction. James A. Hourihan observed in the July–October 1971 issue of the *D.C. Bar Journal* that the unified Bar would "ensure the prompt and efficient operation of the grievance machinery and would greatly enhance the probability that professional misconduct by attorneys practicing in the District would not go unpunished."

MAKING THE MANDATORY BAR A REALITY

he social tumult of the 1960s prompted legislative proposals to broadly reform the local justice system. Reform-minded activists such as the late Harold H. Greene, who was named chief judge of the D.C. Court of General Sessions in 1966,

favored transferring federal jurisdiction over local civil and criminal matters to the local courts. Greene was a principal architect of the Court Reform and Criminal Procedure Act of 1970. The statutory language in the proposed legislation called for the creation of the Superior Court of the District of Columbia and the District of Columbia

District of Columbia and the District of Columbia Court of Appeals, and the transfer of jurisdiction



successful organizing effort by a determined group of young lawyers resulted in a diverse panel — two white women, two black men, and three white men. Five of the seven members were under 40. It was a surprising exercise of democracy and a major step toward diversity.

over major felonies from the federal courts to the local court system. It also contained a key section outlining the establishment of a mandatory bar.

Conservative opposition on Capitol Hill in the late 1960s stalled the act, but Richard Nixon threw his support behind the court reform plan after he was elected president. He believed the act would deprive the federal circuit court of its local jurisdiction and influence. Given the blessing of a Republican administration, the D.C. Court Reorganization Act was passed by Congress in 1970 and promptly signed into law by President Nixon.

The statute reorganized the courts and outlined a process for creating a mandatory bar that would function under the jurisdiction of the newly created D.C. Court of Appeals. On December 16, 1971, shortly after the D.C. Court of Appeals had assumed jurisdiction over the practice of law in the District from the U.S. District Court, the court appointed seven members to serve on a newly created organizing committee of the D.C. Bar.

George Avery, one of the original organizing committee members, recalled in a 2002 *Washington Lawyer* interview, "We had been appointed by the court to make this idea of a unified bar happen, and we sat down and figured out what needed to be done to do it."

An obvious need was to elect a slate of officers and a Board of Governors. It was decided that the purpose of the Bar's first general membership meeting would be to elect a seven-member Nominations Committee tasked with nominating candidates for Bar office, who would then run in a general election.

Shortly after the Bar came into existence on April 1, 1972, some 1,300 lawyers gathered in the main ballroom of the Mayflower Hotel to select the Bar's Nominations Committee. Eighty-seven names were forwarded for seven vacancies. By the end of the night, a successful organizing effort by a determined group of young lawyers resulted in a diverse panel — two white women, two black men, and three white men. Five of the seven members were under 40. It was a surprising exercise of democracy and a major step toward diversity.

In keeping with the goal of recruiting a diverse group of candidates for the positions of president, president-elect, secretary, and treasurer, as well as 15 members of the Board of Governors, the Nominations Committee ensured that a significant number of minority lawyers and women were on the ballot.

The inaugural slate of officers included E. Barrett Prettyman Jr. as president; Charles T. Duncan as president-elect (and, thus, in 1973–74, the first black D.C. Bar president); Peter H. Wolf as secretary; and Frederick B. Abramson as treasurer (later serving as Bar president in 1985–86).

The officers were elected on June 20, 1972, and the following day, Prettyman was sworn in. "Here we were, suddenly, with more than 15,000 members, with no office, no executive director, no means of filing anything, no way of contacting our members, [and] no place for our members to send their dues," recalled Prettyman in a 2002 *Washington Lawyer* interview.

In addition to finding office space, hiring an executive director, and taking on the administrative functions inherent in building a new organization, the officers and the Board of Governors took the steps necessary to create a vibrant and equitable Bar one that stands strong today.

Tim Wells is managing editor of Washington Lawyer. *Sarah Kellogg is a regular contributor.*

LAWYERS' CHOICE SUITES

910 17th Street NW, Suite 800 Washington, DC 20006

A SHARED OFFICE ENVIRONMENT FOR LAWYERS OVERLOOKING FARRAGUT SQUARE

ELEGANT PRIVATE WINDOWED OFFICES

New AFFORDABLE SOLO PRACTICE SUITE

Full Time Receptionists Conference Rooms Secretarial Support Internet Legal Research Westlaw Provider

Senior Lawyer Discount





Alvin M. Guttman, Esq. (202) 293-3595 www.lawofficespacedc.com

A CONVERSATION WITH ROBERT J. SPAGNOLETTI New D.C. Bar CEO

By Tim Wells

Patrice Gilbert Photography

On May 1, 2017, Robert J. Spagnoletti assumed the role of chief executive officer of the D.C. Bar following the retirement of Katherine A. Mazzaferri, who served nearly 35 years at the helm. Spagnoletti — who prefers to be called Bob — served as president of the D.C. Bar from 2008 to 2009, worked with the Bar's Board of Governors, and sat on Bar committees, bringing a considerable amount of Bar experience to his new position. Spagnoletti spent the past 10 years as a partner at Schertler & Onorato, LLP, where he represented clients in a wide range of criminal and civil cases. He also served as attorney general for the District of Columbia from 2003 to 2006, where he provided leadership to a staff of 700. Prior to serving as the District's chief legal officer, Spagnoletti spent 13 years as an assistant United States attorney for the District, heading the sex offense and domestic violence sections.

Spagnoletti is a graduate of Lafayette College in Easton, Pennsylvania, and Georgetown University Law Center.

Tell us where you grew up and what your family was like.

I grew up in a big Italian American family in New Jersey. My father was a schoolteacher and my mother was a stay-at-home mom. I have five brothers and sisters. We're all close in age and have stayed involved in each other's lives. I'm very grateful to have a family that is as close as it is.

When did you realize that you wanted to become a lawyer?

I had a Perry Mason view of what a lawyer does. My dad loves to argue and I was not afraid to take him on. There were a lot of opinions expressed at the dinner table, and my dad liked to press my buttons. I would argue back. Having no idea what lawyers really did, I thought that was what I wanted to do ---make people confess on the witness stand the way Perry Mason did.

Where did you go to college?

I went to Lafayette College in Easton, Pennsylvania, and then to Georgetown for law school. Back then, the law school was comprised of a single building. The classrooms, library, and professional offices were in the same place. There was no campus. But the education was first rate and I formed friendships that have lasted a lifetime.

Did you have an idea of what type of lawyer you wanted to be?

Well, I had matured a little bit from my Perry Mason days, but not much. Having been a math major as an undergraduate, I thought patent law might be a good fit. But I took a couple patent law courses and realized it was not what I wanted to spend my life doing. At the same time, my criminal law and constitutional law professors were riveting, so I was drawn to that.

What did you do upon graduation?

I got a job as an associate with Skadden Arps LLP in New York. Back then, Skadden didn't do a lot of criminal law work, but I was assigned to work on an eight-month white collar trial in the Southern District of New York in which Constance Baker Motley was the presiding judge. That was an amazing experience. It was a small defense team. I put on witnesses and was involved with the full range of the case. I fell in love with the courtroom and the action that takes place there.

Was that what led you to the Office of the U.S. Attorney?

Yes. I worked on other matters at Skadden and did a short stint with a law firm in Texas, but criminal law was what I was most interested in. I was invited to join the U.S. Attorney's Office in 1990 in Washington, and I jumped at the opportunity. Being a prosecutor was much more to my liking.

What did you like about being a prosecutor?

I liked being able to do justice. Just because somebody gets arrested doesn't mean that person could or should be prosecuted. Different cases require different remedies. Eventually, I was put in charge of the domestic violence and sex offense sections. I think prosecutors come in two varieties: people who love that kind of work and those who hate it because of the pain and suffering of the victims. Personally, I found it very gratifying to help someone who had been traumatized by a violent incident — to get them through the legal process and find support systems that would help them move forward in their lives, particularly for children. A lot of people find it difficult to work with children who have been physically and sexually abused, but I found great courage in the ability of

young victims to bounce back despite the awful things that had been done to them. To help them have their story told, to have someone be held accountable, and to get the families the services they needed was rewarding.

Did you have feelings toward the perpetrators?

You can't help but have deep feelings. A lot of the defendants had themselves been victims of violence and sexual abuse. The more you learn about the psychology behind these types of crimes, the more you can work out remedies and resolutions that deal with the entirety of what has happened while still holding accountable those who need to be held accountable. Just because a police officer walks into your office with a list of evidence doesn't mean you're getting the whole story. In fact, it's almost never the whole story. Sitting down with the defense attorney to just listen and to hear about what evidence they have to present is not something that all prosecutors do. But I think it's vital. Before you make big, life-changing, job-ending, stigmatizing, publicity-generating decisions, you need to step back and say, "Let me gather all the evidence." I have great respect for prosecutors who listen and try to develop a balanced view of a case.

How did you become attorney general for the District of Columbia?

I would not have left the Office of the U.S. Attorney had Mayor Anthony Williams not asked me to serve as corporation counsel, which was the office title back then. That proved to be quite a challenge. We had some serious administrative issues to deal with. The lawyers were grossly underpaid, had formed a union, and were amid a hotly debated negotiation; there was a lawsuit being litigated between the executive and the Council; and we were working with antiquated computers and needed to modernize our IT capabilities. In addition, we were working in a post-9/11 environment. The District was having regular run-ins with the federal government regarding street closures, bomb threats, and how to reroute traffic, and there were legislative proposals to amend the D.C. Home Rule Act that would have diminished local powers and negatively impacted city revenues. So, it was all very daunting. For those first six months, I would go home and tell my spouse, "I think I made a mistake. This is more than any one person can do."

Then, little by little, we began to make progress. I discovered that there were a lot of extremely talented people in the office. We went through a major reorganization and got the collective bargaining issues squared away. After about 18 months, we could step back and say, "Okay, we have a workable structure." It was at that point that we changed the name to Office of the Attorney General for the District of Columbia to better reflect the work we were engaged in.

From there, you went into private practice. Was it difficult to transition from having been a prosecutor to taking a seat at the defense table?

No. My practice generally involved clients in the white collar world who, for the first time in their lives, found themselves faced with a criminal investigation. As a defense lawyer, people come to you at their lowest moment. They're people who have pretty much walked the straight and narrow their entire lives and have had solid achievements and successful careers. And now they find themselves in a situation where they feel like they have no control. Typically, they are facing a multitude of problems. It's not just the fact that there's a criminal investigation and possibly a prosecution — there are repercussions that involve your family or your job and there might be embarrassing publicity or immigration consequences. So, you must manage more than the criminal side of it, you must manage all the pieces that the client needs to work through. You have to be a little bit of a therapist and let the client know, "Hey, we're going to get through this."

Personally and professionally, I've found it gratifying to help a client in dire straits navigate the process. Sometimes that involves accepting personal responsibility for your actions, and as a defense lawyer, you need to keep expectations realistic. But almost always what seems so mortifying at the darkest moments is not as catastrophic as it might feel. At the end of the day, we're all human. We all make mistakes — and we find ways to overcome those mistakes.



What motivated you to take on the role of CEO of the D.C. Bar?

I know the Bar well from having served as president for the 2008–2009 term, from having worked with the Board of Governors, and from having sat on Bar committees. The Bar has always been extremely well managed and has an excellent staff. I'm coming in knowing that I will not have to rebuild an organization or reorganize a dysfunctional operation. I'm inheriting a smooth-running professional association with a tremendous amount of talent that will provide an opportunity to build upon the work of those who have preceded me.

At present, the Bar has a lot of exciting new initiatives underway. We have a brand-new building under construction that will provide us with a permanent headquarters that is being built to our specifications. In addition, we are putting a new leadership team in place, including new chief judges at the D.C. Court of Appeals and D.C. Superior Court, and a new disciplinary counsel. It's an exciting time. I made the decision to come to the Bar because it brings me back to what I love most, which is public service.

How do you envision the primary mission of the Bar?

We have a statutory mission that is amplified by the bylaws that inform what we need to do regarding the administration of justice and the maintenance of the lawyer discipline system. Secondly, we have a strategic plan that speaks to what the members want and expect from us. One thing members want is more engagement, not just to network with each other, but to provide thought leadership in a rapidly changing professional environment. We have an incredible membership base here. Our members range from U.S. Supreme Court justices to law clerks and law students, from partners at prestigious international law firms to solo practitioners, from federal and local government employees to public interest lawyers. When it comes to thought leadership, we have incredible resources that we can leverage, and I intend to be reaching out to the membership and soliciting their talents, their views, their wisdom.

In your new role, what are some of your priorities?

Change can be unnerving, and, as I mentioned, the Bar is going through a period of tremendous change. Priority number one is to keep the core functions of the Bar working smoothly, whether that's providing legal services to the community, fulfilling our role in the administration of justice, or providing services to the membership. Second, we need to fill some high-level vacancies so that we have our full leadership team in place. Third, we are installing a new association management system that will be critically important to our communication to the membership and to members' ability to communicate with each other. Fourth, we need to ensure that the construction of the new headquarters building stays on time and on budget, and then relocate to our new headquarters. Fifth, we want to implement our vision and programs while maintaining increased transparency, responsiveness, and inclusion.

Right now, there is a lot happening — and it's all good. At the end of the day, I want our members to feel that they are obtaining value from their association with the D.C. Bar and the dues they pay. I want them to feel that they are supported and that they are welcome to become involved and engaged. I want the D.C. Bar to be regarded as a positive force for good within the profession and within the community.

Tim Wells is managing editor of Washington Lawyer.

WHEN IT COMES TO FINANCIAL STABILITY, IT HELPS TO BE LED BY ONE OF THE WORLD'S MOST SUCCESSFUL BUSINESSMEN.

AND ARGUABLY THE WORLD'S MOST SUCCESSFUL BUSINESSGECKO.

Since you're a member of the DC Bar, GEICO could help you save on car insurance, too. In fact, when you get a quote, be sure to mention you're a member of the DC Bar and you could get a special discount.

Simply go to gcico.com/bar/dcbar, call 1-800-368-2734 or contact your local GEICO agent for a fast, no-obligation insurance quote.



Some discounts, coverages, payment plans and features are not available in all states or all GE(CO companies. GEICO contracts with various membership entities and other organizations, but these entities do not underwrite the offered insurance products. Discount amount varies in some states. One group discount applicable per policy. Coverage is individual. In New York a premium reduction may be available. GEICO may not be involved in a formal relationship with each organization; however, you still may qualify for a special discount based on your membership, employment or affiliation with those organizations. BEICO is a registered service mark of Government Employees Insurance Company, Washington, D.C. 20076; a Berkshire Harhaway Inc. subsidiary. GEICO Gecko image © 1999-2016. © 2016 GEICO

ATTORNEY BRIEFS

Courtesy of Hunton & Williams LLP



Michael S. Levine has been promoted to partner at Hunton & Williams LLP.



Amy Yeung has joined comScore, Inc. as deputy general counsel.



Brian Egan has joined Steptoe & Johnson LLP as partner and will focus on economic sanctions, export controls, international dispute resolution, and public international law.

HONORS & **APPOINTMENTS**

James M. Burns was recognized as a top author in JD Supra's Readers' Choice Awards 2017 on the topic of antitrust and trade regulation... Stuart W. Davidson, a partner at Willig, Williams & Davidson, has been chosen to serve as an advisory board member for Our Generation Speaks... Aron C. Beezley, a partner at Bradley Arant Boult Cummings LLP, has been elected to join the Fellows of the American Bar Foundation... John Thorpe Richards Jr. and his wife, Jordan Richards, were presented the Courage in Leadership Award by the Tuberous Sclerosis Alliance... Blank Rome LLP associate Peter Tsoflias presented his third annual Peter I. Tsoflias Most Outstanding Member Award to Katelyn Tuoni at Widener University Delaware Law School, recognizing the Transactional Law Honor Society member for her work and scholarship... Lauren Degnan has been named as one of the recipients of the 2017 Women Worth Watching in STEM Award by the Profiles in Diversity Journal... The Duke University School of Law has awarded the 2017 Charles S. Murphy Award for Achievement in Civic Service to Judge Mary Ellen Coster Williams... Ahmed J. Davis, a principal in Fish & Richardson's Washington, D.C., office, has been selected as a Fellow of the Litigation Counsel of America for his effectiveness and accomplishments in litigation and ethical reputation.

COMPANY CHANGES

Radu Costinescu, an energy transactions lawyer formerly with Norton Rose Fulbright LLP, and Carl Edman, an energy regulatory practitioner and Skadden Arps LLP alumnus, have started Costinescu Edman LLP, a boutique energy law firm located at 1701 Pennsylvania Avenue NW, suite 300, in Washington, D.C.

ON THE MOVE

Michael Gaba, Mark Joachim, and Jennifer Jones have joined Polsinelli PC as shareholders... Steven Barringer has joined Greenberg Traurig LLP as shareholder... Michael P. Goldman, Michael D. Klaus, and Kerry L. McGrath have been named partner at Hunton & Williams LLP... Lawrence "Larry" Roberts has joined Kilpatrick Townsend & Stockton LLP as counsel on the firm's Native American affairs team... Peter Gray has joined Crowell & Moring LLP as partner, and John D. Conner Jr. has joined as senior counsel, both in the firm's environment and natural resources group... Monty Cooper has been named counsel at Sedgwick LLP... Edward "Teddy" Eynon has joined Dickinson Wright PLLC as member... Timothy Muris has joined Sidley Austin LLP as senior counsel in the firm's antitrust/competition practice... William P. Barry has joined Miller & Chevalier, Chartered, as a member in the firm's litigation department... Caitlin E. Gritt has been named partner at Bisceglie & Walsh... Jason Hadges has joined Hogan Lovells as partner in the firm's government regulatory practice group... Kendal Tyre and Keri McWilliams will co-lead Nixon Peabody LLP's franchise practice team... Caroline Krass has joined Gibson Dunn LLP as partner and cochair of its new national security practice group.

By Tracy Schorn

AUTHOR! AUTHOR!

Allan Topol's new political thriller Washington Power Play was recently released... John M. Vine, an attorney at Covington & Burling LLP who was diagnosed with Parkinson's disease in 2004, has written the book A Parkinson's Primer: An Indispensable Guide to Parkinson's Disease for Patients and Their Families... Jade Wu has written Flash Points: Lessons Learned and Not Learned in Malawi, Kosovo, Iraq, and Afghanistan, published by SUNY Press.

D.C. Bar members in good standing are welcome to submit announcements for this column. Email submissions to attorneybriefs@dcbar.org.

50 WASHINGTON LAWYER · JULY 2017 · DCRAR.org





D.C Bar members save up to 34%* with UPS



The D.C. Bar is proud to bring you valuable discounts on the products and services you need. Make the most out of your membership and take advantage of competitive rates available on shipping services. And, with the UPS one-driver advantage and more than 60,000 drop off points, there's no need to sort your air and ground shipments. Plus, UPS delivers to more ZIP codes and U.S. businesses by 10:30 a.m. than FedEx. See how logistics can work for you.

Your D.C. Bar Sample Discounts

UPS Service	Member Discount
UPS Next Day Air®	Up to 34%*
UPS 2nd Day Air A.M.®	Up to 30%*
UPS Ground	Up to 18%*
UPS Worldwide Express®	Up to 32%*
UPS Freight [®]	At Least 75%*

To save on your UPS shipments, simply:

Call: 1-800-MEMBERS (1-800-636-2377) M-F 8 a.m.-6 p.m. EST

Visit: savewithups.com/dcbar

DEBAR

*See savewithups.com/dcbar for specific services and discounts. All discounts apply to the effective UPS Daily Rates at the time of shipment and shall be applied on a weekly basis, unless otherwise specified.

ASK THE ETHICS EXPERTS

The Appearance of Impropriety

By Erika Stillabower



I currently represent a client who was distraught to discover that the lawyer who represented her in her divorce five years ago currently represents her ex-husband in a dispute with his business partner. She thinks that the lawyer's representation of her adversary is disloyal, and I have to agree that it creates at least the appearance of impropriety. Has the lawyer violated any ethical duties by representing my client's ex-husband?

The good news is that you are correctly recalling Canon 9 of the D.C. Code of Professional Responsibility, which called upon lawyers to avoid "even the appearance of impropriety." The bad news is that the Code was superseded by the D.C. Rules of Professional Conduct on January 1, 1991. With the adoption of the D.C. Rules, the concept of "the appearance of impropriety" was removed from the conflicts rules (though vestiges do remain in Rule 1.11, which applies to lawyers leaving government positions).

In accordance with the D.C. Rules, the lawyer's representation of your client's ex-husband would be evaluated under Rule 1.9, the conflicts rule related to former clients. Rule 1.9 prohibits a lawyer from representing a person in a

matter that is the same as or substantially related to a matter in which the lawyer previously represented a client when the interests of the person are "materially adverse" to those of the former client. Seemingly unrelated matters may sometimes be deemed substantially related (see Rule 1.9, Comments [2] and [3] and D.C. Legal Ethics Opinion 343) because of the Rule 1.6-protected information a lawyer gains in the initial representation. However, a lawyer may proceed with such a representation if she has the informed consent of her client.

Here, in the absence of a substantial relationship between the two matters, the lawyer's representation of the ex-husband would satisfy his ethical obligations under Rule 1.9, and your client would therefore have no ethical grounds to object to the lawyer's new representation.

D.C. Bar Legal Ethics counsel Hope C. Todd, Saul Jay Singer, and Erika Stillabower are available for inquiries at ethics@dcbar.org.



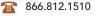
To access D.C. Bar Legal Ethics Opinions, visit dcbar.org/ bar-resources.

The road to retirement is a journey.





Contact an ABA Retirement Funds Program Regional Representative today.



www.abaretirement.com

joinus@abaretirement.com

Pick your herd wisely.



Whether you are just starting out, or nearing the end of your career, the road to a successful

retirement takes long-term planning. Pick a provider that has been helping law professionals prepare for retirement for over 50 years. The **ABA Retirement Funds Program** is that

provider. Find out today how we can help lead you on your journey to retirement.



The ABA Retirement Funds Program is available through The D.C. Bar. as a member benefit. Please read the Program Annual Disclosure Document (April 2016) carefully before investing, This Disclosure Document contains important information about the Program and investment options. For email inquiries, contact us at: joinus@abaretirement.com. Securities offered through Voya Financial Partners, LLC (Member SIPC).

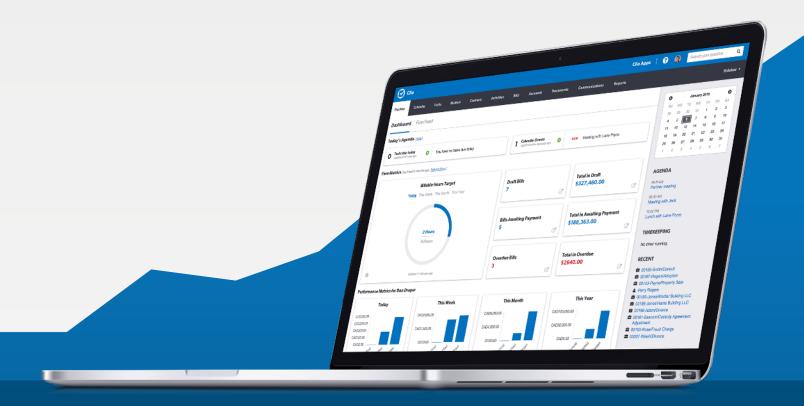
Voya Financial Partners is a member of the Voya family of companies ("Voya"). Voya and the ABA Retirement funds are separate, unaffiliated entities, and not responsible for one another's products and services.

CN1029-19104-1117 - 2015

Grow your practice.

Clio® helps lawyers get back to doing what they do best. Clio's tools make short work of time tracking, billing, reporting and so much more. When you let Clio track the ins and outs of your business, you'll have more time to focus on the things which matter, like practicing law.

Do what you do best. Let Clio do the rest.



We're the most comprehensive, yet easy-to-use cloud-based law practice management software. Join tens of thousands of legal professionals who trust Clio to manage and grow their firms.

Start your free trial today at clio.com

Clio® and the Clio Checkmark Logo[™] are Trademarks or registered Trademarks of Themis Solutions Inc. ©2015 Themis Solutions Inc. All rights reserved.



Disciplinary Actions Taken by the District of Columbia Court of Appeals

Original Matters

In re Tolly A. Kennon III. Bar No. 466643. April 13, 2017. The D.C. Court of Appeals reinstated Kennon.

In re Antoine I. Mann. Bar No. 433378. April 13, 2017. The D.C. Court of Appeals reinstated Mann.

In re David H. Safavian. Bar No. 448540, April 13, 2017. The D.C. Court of Appeals reinstated Safavian.

In re Toan Q. Thai. Bar No. 439343. April 13, 2017. The D.C. Court of Appeals disbarred Thai, and as a condition of reinstatement, Thai is required to refund his legal fees to three clients, with interest at the legal rate. Thai repeatedly violated numerous Rules of Professional Conduct over a period of years. Violations included failing to safeguard clients' funds and entrusted funds; intentional misappropriation; neglect of clients' cases; failure to communicate with clients; failure to follow clients' reasonable instructions; failure to return unearned fees; unauthorized practice of law; failure to respond to Disciplinary Counsel's inquiries; and criminal misconduct that reflects adversely on Thai's honesty, trustworthiness, and fitness. Rules 1.1(a), 1.1(b), 1.2(a), 1.3(a), 1.3(b)(1), 1.3(c), 1.4(a), 1.4(b), 1.5(b), 1.15(a), 1.16(d), 1.19(a), 3.3(a), 5.5(a), 8.1(b), 8.4(b), 8.4 (c), and 8.4(d).

Reciprocal Matters

In re Sanford B. Jaffe. Bar No. 358433. June 6, 2017. In a reciprocal matter from Maryland, the D.C. Court of

Appeals imposed identical reciprocal discipline and indefinitely suspended Jaffe, nunc pro tunc to March 7, 2017, with reinstatement conditioned on a showing of fitness. Jaffe may file for reinstatement after five years or after he is reinstated to the practice of law in Maryland, whichever occurs first.

Interim Suspensions Issued by the District of Columbia Court of Appeals

In re Mark H. Allenbaugh. Bar No. 471455. April 14, 2017. Allenbaugh was suspended on an interim basis based upon discipline imposed in Maryland.

In re Sharon Styles Anderson. Bar No. 412158. April 14, 2017. Anderson was suspended on an interim basis based upon discipline imposed in Virginia.

In re Wayne R. Hartke. Bar No. 200378. April 14, 2017. Hartke was suspended on an interim basis based upon discipline imposed in Virginia.

In re Randy McRae. Bar No. 430494. April 26, 2017. McRae was suspended on an interim basis based upon discipline imposed in the United States District Court for the District of Maryland.

In re Kevin Roy. Bar No. 976218. April 14, 2017. Roy was suspended on an interim basis based upon discipline imposed in Maryland.

In re Elena M. Tilly. Bar No. 502996. April 14, 2017. Tilly was suspended on an interim basis based upon discipline imposed in Maryland.

Informal Admonitions Issued by the Office of Disciplinary Counsel

In re John David Hughes. Bar No. 392234. April 20, 2017. Disciplinary Counsel issued Hughes an informal admonition. While representing a client in an immigration matter, Hughes provided a retainer agreement that included provisions violating Rules 1.5(a) and 1.16(d), and later, upon termination of the representation, provided a release that violated Rules 1.8(g)(2) and 1.16(d).

Disciplinary Actions Taken by the Board on Professional Responsibility

Original Matters

In re Timothy J. Battle. Bar No. 306092. April 21, 2017. The Board on Professional Responsibility issued Battle a Board reprimand. While representing a client in a disciplinary matter, Battle revealed a former client's secrets in a brief. Rule 1.6(a)(1).

In re Timothy D. Naegele. Bar No. 161448. April 26, 2017. In a reciprocal matter from California, the Board on Professional Responsibility recommends that the D.C. Court of Appeals impose substantially different reciprocal discipline and order Disciplinary Counsel to issue an informal admonition to Naegele. Naegele was disbarred in California by default. The California Hearing Department found that, based on the facts it deemed admitted, Naegele charged an unconscionable fee of \$735,481.25. A Los Angeles County Bar Association **Dispute Resolution Services arbitra**

tion — which Naegele chose not to participate in — determined that Naegele had only earned \$8,500. Based on the totality of the California record, the Board on Professional Responsibility could not determine the amount of the fee that had been unearned and, accordingly, determined that a lower sanction was warranted for the unconscionable fee charged in California.

In re Aroon R. Padharia. Bar No. 470038. April 7, 2017. The Board on Professional Responsibility recommends that the D.C. Court of Appeals suspend Padharia for six months with reinstatement conditioned upon fitness. While working on 30 separate Petitions for Review filed with the United States Court of Appeals for the Fourth Circuit in immigration matters, Padharia failed to follow the Fourth Circuit's orders regarding briefing schedules, interfered with the administration of justice, and failed to timely respond to Disciplinary Counsel's inquiries. Rules 3.4(c), 8.1(b), and 8.4(d).

The Office of Disciplinary Counsel compiled the foregoing summaries of disciplinary actions. Informal Admonitions issued by Disciplinary Counsel and Reports and Recommendations issued by the Board on Professional Responsibility are posted at www.dcattorneydiscipline.org. Most Board recommendations as to discipline are not final until considered by the Court. Court opinions are printed in the Atlantic Reporter and also are available online for decisions issued since August 1998. To obtain a copy of a recent slip opinion, visit www.dccourts.gov/ internet/opinionlocator.jsf.





THE D.C. BAR HAS RE-ENVISIONED SECTIONS WITH EXPANDED MEMBER BENEFITS!



For **ONE** low price of \$79 you'll receive total enhanced member benefits valued at over \$425



TWO FREE on-demand **CLE*** courses plus **FREE** online access to your Community** events



Access to up to **THREE** practice specific communities

Don't miss this opportunity to make connections with a community that will enhance your career and professional development.

JOIN NOW FOR ONLY \$79! www.dcbar.org/communities

Benefits Begin July 1.

* Restrictions may apply.

** Free online access to your Community events plus free access to most pre-registered live events (space may be limited). Fees will apply to Premium events.

LAST WORD

FAREWELL TO A **VISIONARY LEADER**

Cynthia D. Hill, chief programs officer of the D.C. Bar, has retired after nearly 27 years of service, during which time Hill helped build, expand, and turn the Bar's programs into some of the most innovative in the country.

We salute her vision of a Bar truly in service of its members, and her dedication and hard work to make that vision a reality.





66 For more than two decades, the D.C. Bar has been incredibly fortunate to have Cynthia leading its Programs Division. Thanks to her leadership, vision, and razor-sharp legal mind, the D.C. Bar has developed some of the nation's best programs designed to educate lawyers, assist them in their legal practice, and create opportunities for substantive connections with their colleagues. As the person tasked with finding her replacement, I can honestly say that she is truly irreplaceable!

ROBERT J. SPAGNOLETTI D.C. Bar Chief Executive Officer

Photos: Tracy Schorn and Jeffery Leon



1101 K Street, NW





Approximately 52,375 SF for Sublease

Features:

- Class A office building built in 2006
- Bright windowed space with K Street, 11th Street and 12th Street views
- Efficient office intensive space with built-in furniture in most offices
- Parking in the building

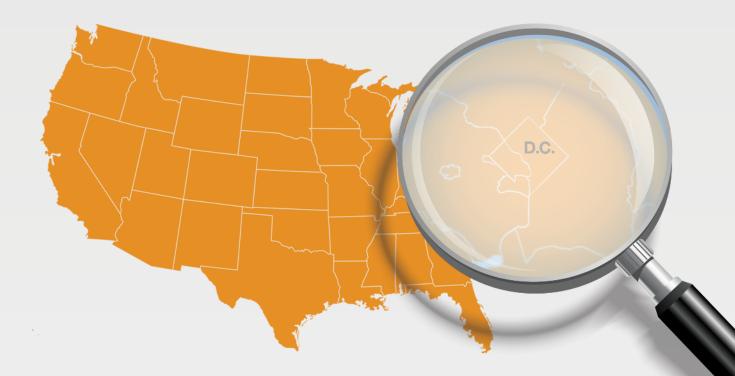
Partial 1st Floor:	7,284 SF
Entire 2nd Floor:	27,495 SF
Partial 3rd Floor:	17,596 SF
Rent:	Negotiable
Term Through:	5/31/2021 (longer term available through the Landlord)
Availability:	Flexible

For more information, please contact:

Nicole Miller 202.624.8542 nmiller@savills-studley.com **Demetri Koutrouvelis** 202.624.8509 dkoutrouvelis@savills-studley.com

Rick Rome 202.624.8518 rrome@savills-studley.com

Big Just Got Bigger.



Last year, the D.C. Bar upgraded its Fastcase benefit to Active and Judicial members by expanding its free legal research library from the DC-only library to nationwide.

Today, the D.C. Bar is excited to announce that this benefit now includes practical, integrated content that is not available to other Fastcase users. This D.C. Bar members-only content includes local court rules, forms, and other substantive legal content – all in one place. Whether you work in a large firm, government agency, solo practice, and anything in between, the D.C. Bar legal research benefit powered by Fastcase can help you save time and money.

To learn how to access this new content, visit www.dcbar.org/fastcase.

If you are an Inactive member of the D.C. Bar and want to take advantage of the D.C. Bar's Fastcase benefit, please contact the D.C. Bar Member Service Center at 202-626-3475 to initiate upgrading your member status.





www.dcbar.org/fastcase