

# Henrico Bar News

## February 2016

Henrico County Bar Association  
P.O. Box 70147  
Richmond, Virginia 23255



### *From the Desk of Michael Y. Feinmel, HCBA President*

On May 24, 2016, the HCBA will be sponsoring the John Garrett Memorial Golf Tournament. Carl Schwertz has written a column for this month's newsletter detailing the excitement that we hope to create with this year's tournament, in recognition that this is the 10th year that we have sponsored the tournament. A few months ago, a younger member of my office pointed to the portrait of Judge Garrett (who will always be John to those of us who knew him well) and asked who he was. I'm asking that this newsletter reprint what we wrote in 2014 about John, which is printed below.



As is often the case when you lose someone special, you read comments or you see a portrait, and you realize how little words and pictures do to represent the quality of the individual. I met John for the first time in 2000 when I interviewed with the Henrico Commonwealth Attorney's Office. I was only several months removed from the Richmond Public Defender's Office, where I had spent the majority of the first part of my career. I was just getting started in private practice, and a friend of mine had suggested that I interview with Henrico County. I was told that the office had a number of experienced attorneys who enjoyed mentoring young lawyers and that I would find the office to be a comfortable fit. In my initial interview, I remember John coming across the room, laughing, and "high fiving" me based on my response to one of the room's questions. Needless to say, I was hooked at that point. Being in a place that valued working together, teamwork, and being a part of something bigger meant so much to me, and John epitomized the Office for me. When I began working with John, I learned very quickly that no one had a more vast array of friends than John: from politicians to Hooters waitresses, everyone knew John.

John's time on the bench was well deserved, and cut far too short. Obviously, when you think back on the people who were important to you in your life, you have certain memories which are extremely vivid. I remember John, in the worst stage of his illness, sitting in a car at the soccer fields, still insisting that he would watch his son play, even though he could no longer bear the elements. But I most remember the dignity and respect that John brought to the bench. No one would confuse John with a "soft" judge, but every single person who appeared before him, be they attorney, litigant, or criminal defendant, was treated with the utmost respect. As a judge, John epitomized class - he did nothing to abuse, embarrass, or treat anyone with less than dignity. I am proud to say that trait remains with the Henrico Bench today. Each of our judges worked alongside or have memories of practicing with or before John, and, although short, his tenure as a jurist certainly impacted the manner in which our current Judges conduct court. I am certainly a better person for having known John, and to this day, I remember him fondly. Please make an effort on May 24 to come out and honor John.

Sincerely,  
Michael Y. Feinmel  
President

### **Holiday Party**

This year's annual HCBA Holiday Party was among the most successful and entertaining. Nearly 80 Henrico County attorneys and judges and their families assembled at Willow Oaks Country Club for a relaxing evening to cap off 2015. This year's edition of the Holiday Party had great energy, which was enhanced by the seasonal and soft rock music of the Flying Sulzers. The HCBA is grateful to the event's sponsor, Bizport, whose support helped make the party a success. Most importantly, thanks to all the members for a great year and for coming out for a great night of fun and entertainment. It is always enjoyable to see everyone on a personal level away from the stress of litigation and of the courthouse. Likewise, seeing some of our retired judges return makes the event more

### **Save the Date**

#### **Spring Luncheon**

Thursday, March 10, 2016  
12:00 p.m. to 1:30 p.m.  
Westwood Club

#### **Legislative Update (1 hour CLE)**

Wednesday, April 27, 2016  
4:00 p.m. to 6:00 p.m.  
Westwood Club

special.



Mike Harman, Judge Yeatts, Julie Cillo, Adair Wallerstein, Judge Wallerstein and Michelle Harman



Judge Honey, Julie Palmer and Dan Rosenthal



Elaine Yeatts and Judge Chucker

**Annual Spring Reception**  
Wednesday, May 18, 2016  
6:00 p.m. to 8:00 p.m.  
Lewis Ginter Botanical Gardens

**10th Annual John Garrett  
Memorial Golf Tournament to  
benefit Comfort Zone Camp**  
Tuesday, May 24, 2016  
1:00 p.m. Shotgun Start  
Sycamore Creek Golf Course

#### **In This Issue**

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#### **10th Annual John Garrett Memorial Golf Tournament**

Save the date! Tuesday, May 24, 2016, at Sycamore Creek Golf Club is the date and location of this year's scramble where your Association annually pays tribute to one of our own that left us too early. This year's event promises to be different than in year's past, if only that the weather should cooperate!

We plan on a great event with a new venue, an exciting alternative to the after-golf dinner, and an opportunity to enjoy quality fellowship with your peers, colleagues or clients. In that we do this for the most worthy of causes-a donation to Camp Comfort Zone in honor of the Garrett family-the more golfers we can attract, the greater our gift will be to this tremendous organization.

So, sign up to play when you see the flyer. Donate to sponsor a hole during the tournament. Give a donation toward a prize. Have a client donate a prize. Why not do all four of those things?

#### **Remembering Judge John A. Garrett**

Each year, the Bar Association takes time to remember the late



James Olmstead, Stan Wellman and Jay Wilson from Bizport



Judge Hammond and Sharon Ten



Doug Pittman and Kathryn Jones

Honorable John A. Garrett, a judge of the Henrico County General District Court, who we lost in December of 2004. Our members should look to the memory of Judge Garrett as an example for their own practice. His career was a model of how to conduct oneself with professionalism and compassion in the practice of law.

Judge Garrett attended Virginia Military Institute, where he played rugby and earned a Bachelor of Arts in Economics. He graduated from VMI in 1978 and went on to earn his juris doctor from the T.C. Williams School of Law at the University of Richmond in 1981. Perhaps even more impressive, during this time he also served as a lieutenant in the United States Army Reserve up through to his honorable discharge in 1996.

Judge Garrett served as Commonwealth's Attorney to Louisa County before coming to Henrico as a Deputy Commonwealth Attorney in 1994. He served in that position until he was appointed to the bench in 2002. On the bench, Judge Garrett had a reputation for patience, fairness and respect for all those who appeared before him. Despite being diagnosed with a serious illness, he bravely continued to serve the citizens of Henrico until his passing in 2004.

Each year, our Bar Association sponsors a charity golf tournament for our members in Judge Garrett's memory. All proceeds go to the Comfort Zone Camp, a charity selected by Judge Garrett's wife Lynn. It is an organization that provided support to the Garrett children during such a difficult time. We hope that you will join us for a wonderful remembrance of Judge Garrett and support this worthy cause.



Greg Hough and David Stock



The Hon. John A. Garrett



Casey Ariaail, Brody Reid and Brad Goodwin

For more pictures from the Holiday Party, please visit our website at [www.henicobar.org](http://www.henicobar.org).

## Bench-Bar CLE

On Thursday, January 28, 2016, the Henrico County Bar Association held its annual Bench-Bar Conference, "The Art of Persuasion: Dos and Don'ts from Those Who've Seen It All," in the Henrico County Board of Supervisors' Board Room. This year's program was a panel consisting of a judge from each of the three Henrico County courts and an attorney who practices regularly in each of those courts. The attorneys and judges provided advice for persuasive practice in each of the three courts. Linda Hobgood, Director of the Speech Center at the University of Richmond, moderated the panel discussion.

The Hon. Denis F. Soden and Nicole Fox McCabe provided practice tips for trials in Juvenile and Domestic Relations District Court. Judge Soden and Ms. McCabe explained it is more persuasive to suggest a plan of action that acknowledges and resolves a weakness in your case, rather than arguing the Guardian ad litem's bias or submitting the issue to the judge. Ms. McCabe advised attendees that a Guardian ad litem's recommendation is subject to change based on the evidence presented at trial. Judge Soden reminded attorneys of the importance of being selective with their objections and explained that he takes into consideration the letters written by juveniles in his court.

The Hon. B. Craig Dunkum and Carl R. Schwertz gave the audience helpful advice for persuasion in General District Court. Judge Dunkum remarked that his view from behind the bench has been different than he expected. As a judge, he wants to know what an attorney really thinks about his or her case and that if the attorney is direct about his or her

## Clerk's Corner

Effective May 1, 2016, the Henrico Circuit Court will no longer be holding **CIVIL DOCKET CALLS**. All civil cases are to be set through Administrative Assistant Elsie Holmes, at (804) 501-4709. The Clerk's Office will direct inquiries in regard to any cases involving pro se parties to Ms. Holmes. Any matters which require a hearing are to be set and conducted on a per case basis. The Domestic Relations Docket Call will continue as usual.

## Nominations for Board of Directors

The Association is seeking candidates for Board of Directors positions to become available this spring. If you are interested in serving or would like to know more details, please contact Julie Palmer at 804-762-8027 or [jpalmer@hccw.com](mailto:jpalmer@hccw.com) by March 14, 2016.

## Members on the Move

**Harman Claytor Corrigan & Wellman** welcome three new attorneys. **George A. Somerville**, joins the firm as senior counsel and will concentrate his practice in Appellate Litigation. **Jeffrey P. Miller** and **Elizabeth O. Papoulakos**, join the firm as associates and will concentrate their practice in general civil litigation, including motor vehicle, premises and products liability.

view it helps gain credibility with him. He reminded attorneys that the most important aspect of a hearing is the credibility of the attorney and his or her witnesses. Mr. Schwartz advised the audience it is much more persuasive to offer the judge a benefit to siding with your client rather than focusing on how losing would be a detriment to your client.

The Hon. John Marshall and M. Scott Bucci advised the audience on persuasion in Circuit Court. Judge Marshall explained the importance of addressing the unhelpful aspects of a case law that you cite in your arguments. Mr. Bucci reminded attorneys of the importance of pretrial motions and briefs even in the instance the court rules against you because it gives you another opportunity to educate the judge on an issue important to the final outcome. Mr. Bucci also pointed out that discussing the weaknesses of your case gives you the opportunity to couch them and helps you gain credibility with the judge and jury. All of the judges remarked on the importance of using objections selectively in trials with pro se parties and advised attorneys to keep in mind that many of these parties just want the opportunity to be heard.



Linda Hobgood, Nicole McCabe, Judge Sodden, Carl Schwartz, Judge Dunkum, Scott Bucci and Judge Marshall



Members of the Bar learn the art of persuasion.

For more pictures from the Bench-Bar CLE, please visit our website at [www.henricobar.org](http://www.henricobar.org).

## Member Spotlight

**Harman Claytor Corrigan & Wellman** is pleased to announce that **Dannel C. Duddy** and **John A. Merrick** have been named partners. Duddy concentrates his practice in construction and products liability litigation. Merrick concentrates his practice in products and premises liability, consumer, contract and construction law.

**Paul C. Galanides** is proud to announce the formation of his new firm, **Law Office of Paul C. Galanides, P.C.** His practice is devoted to criminal and traffic law including appellate work.

If you have recently changed jobs or been promoted, please share your news with the Henrico Bar. We would like to post your announcement in our newsletter and update your member profile. Announcements can be emailed to Mary Lou Wellman at [admin@henricobar.org](mailto:admin@henricobar.org). Please include your name, firm or employer's name, new title and areas of concentration.

## Welcome New Members

Katherine M. Coleman  
Stacey T. Davenport  
Dawn B. DeBoer  
J. Alexis Fisher-Rizk  
John Gilbody  
Sheryl L. Herndon  
Michael Sean Lavery  
John D. McChesney  
Jeffrey P. Miller  
Martin Mooradian  
Ashley E. Mullen  
Christy Noe  
Briyanna Scott  
Gina O. Sultan

## Officers and Directors

**President**  
Michael Y. Feinmel

**President-Elect**  
Julie S. Palmer

**Vice President**  
James W. Hopper



Full Name: Heidi S. Barshinger

Employer and Position: Henrico Circuit Court Clerk

College: Duke University

Law School: Tulane University Law School

Years in Practice: 29 years

Hobbies and Interests: Our childrens' sporting events (basketball, soccer, tennis & track), Duke basketball (not so much this year...), and our church mission trips and Sunday School classes.

Favorite Movie: Van Helsing

Favorite Book: Game of Thrones by George Martin

Favorite Pro and College Sports Team: New York Giants football and Duke University basketball

One Thing You Might Not Know About Me: Our family is involved in local & international mission work. We've been to South Africa, Haiti and Romania on mission trips. We have also had several pastors and youth from Romania, Brazil and Germany stay with us during their visits to the United States.

Best Thing About Practicing Law in Henrico: The camaraderie among the Henrico bar members. The attorneys are always willing to help each other and share their knowledge and experiences. Additionally, the deputies and court clerks are always helpful when you have a question or need assistance.

Funniest Experience as an Attorney: When I was a prosecutor, it never ceased to amaze me how some defendants would steal multiple times from the same store on different dates, wearing the same clothing. It made identifications a lot easier!

Advice to Young Attorneys: Always be prepared for court (never wing it) and don't be afraid to ask the more experienced attorneys for their advice.

**Secretary**

Brian J. Schneider

**Treasurer**

Natalie T. McClearn

**Immediate Past-President**

Carl R. Schwertz

**Directors**

Julie M. Cillo

D. Brooks Hundley

Matthew R. Morris

Andrew R. Newby

Ryan C. Young

**Administrator**

Mary Lou Wellman



Full Name: Nupur Sidhu Bal

Employer and Position: Shareholder, DeFazio Bal, P.C.

College: Emory University (Atlanta, Georgia)

Law School: Tulane University School of Law (New Orleans, LA)

Years in Practice: 11 years

Hobbies and Interests: Wine Tasting, Snorkeling, Traveling

Favorite Movie: Gone with the Wind

Favorite Book: Crime and Punishment by Brothers Karamazov

Favorite Pro and College Sports Team: Washington Redskins

One Thing You Might Not Know About Me: We love to vacation and often. This past year found us in India, Thailand, Mexico, and Hawaii. We cannot wait to see where 2016 takes us.

Best Thing About Practicing Law in Henrico: The people! I really enjoy working with my colleagues on the bar and bench in Henrico. It is a fantastic group of dynamic people who give back and engage in the practice of law professionally, ethically and with a sense of pride.

Funniest Experience as an Attorney: When I was in law school participating in a moot court competition, the retired appellate judge who was sitting on the bench told me that he loved my pantsuit but that as a woman in the south, I should stick to wearing skirt suits.

Advice to Young Attorneys: Balance is important. I wholeheartedly believe that the key is to develop creative solutions as one balances the responsibilities and joys of fulfilling many roles. One must immerse themselves in a support network, let go of guilt, establish boundaries, get organized, be flexible, set priorities, and keep things in perspective.

