

PRESIDENT'S MESSAGE

by Jeffery Marks



Growing up in the mean streets of Thalia, Pembroke Mall was the center of my universe. Back then, there was the expansive mall (Sears was the retail king), Princess Anne High School, and an IHOP. Bike was the preferred means of transportation, and no one ever heard of light rail. As my father was a lawyer, I remember his office and those of his colleagues being located

all over the city with offices spread out from Newtown Road to the Oceanfront to the Courthouse and all areas in between. Columbus Tower was then built (my friends and I were upset that they tore down our forest), and then a number of law firms located there like lady bugs setting up shop on a newly sprouted fruit tree.

Now, the area that I still refer to as Pembroke Mall is regally referred to as "Town Center" and appears to be the center of the Virginia Beach legal universe. Looking back, it is interesting to see what has become of my old stomping ground. Mature trees, a manageable intersection at Independence Blvd, and a toll road have been replaced with multi-deck parking lots, the worst intersection in the free world, and a claim to the tallest building in Virginia. But, like the legal profession, the manner and location in which we practice law and socialize is always evolving and in flux whether

we like it or not. Perhaps Del Amitri said it best with the lyrics "I can feel time pushing me forward so what does it matter what direction I'm pointed in?"

The Annual Banquet was a great success, and the Annual Legislative Update was held before another packed house full of attentive lawyers and erudite elected representatives. Although these are perennially two of the hallmark events on the VBBA calendar, we have a number of great events over the remaining half year of my tenure. In addition to our normal CLE schedule, we will have a members-only lunch with Congressman Scott Rigell in August and Mayor Will Sessoms in November. The year will then culminate with our annual Holiday Party which will be at a new venue this year. If you want to know where, then you will have to read the next newsletter.

Your Board, the Committee Chairs, and Committee Members continue to do an outstanding job promoting the VBBA, improving the profession, and providing outreach to the community. In closing, enjoy your summer and be certain to apply sunscreen liberally and frequently.

Jeffery Marks

President, Virginia Beach Bar Association

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THE ANNUAL BANQUET WAS A HUGE SUCCESS

Relive the night and see all the photos from Marcus Holman Photography. [Click here](#) to see the photos from the festivities.



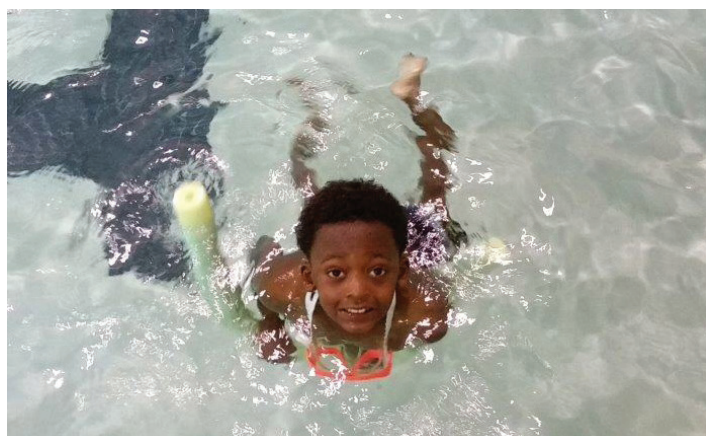
VBBA MENTORS MAKING A DIFFERENCE AT SEATACK ELEMENTARY

The VBBA gratefully acknowledges the time, money and effort invested by the mentors in the third grade class at Seatack Elementary School.

Earvin "Magic" Johnson said "All kids need is a little help, a little hope and somebody who believes in them." You provided all of the above to Seatack's third graders. According to the Log In book, Mentors volunteered an incredible 1,964 hours this year. Thank you for your time and effort.

The mentors also helped with the 2nd grade learn-to-swim program that the Virginia Beach Bar Association started this year in conjunction with the Schools, the Achievable Dream Academy and Parks & Recreation.

Please let Richard J. Cromwell know if you are aware of anyone who would like to volunteer next year.



THE 2014 - 2015 VBBA SEATACK MENTORS

APFEL, NANCY	HEYNIGER, ANNE	PETROCHEK, MIRIAM
BARBINI, KAY	HOBBS, MARGIE	PHILLIPS, ANGELA
BEASLEY, BARBARA	HOECKER, SHAWN	POLITI, PAUL
BEVERLY, JAMES	HOFFERBERT, JANE	PORTER, PATTI
BIRDSONG, HARVARD	HOLDER, DENISE	RICHARDSON, HEATHER
BOOTHE, LAURA	HOLTGREFE, SHERYL	RIXEY, LOU
BOWSER, SUE	JAMES, E.M.	ROBINSON, MICHAEL
BRAITHWAITE, SHEILA	JORDAN, SHIRLEY	ROS-PLANAS, RITA
BREIT, SUZY	JOSE', CHRISTIE	ROSS, SHARON
BRYAN, CONNIE	KAVY, BARRY	SCHAFFER, ROGER
BRYAN, LAUREN	KING, PAT	SCOTT, SHAUN
CARDON, LUCY	LACY, DONNA	SHADRICK, MARIAN
CHAPMAN, ROB	LANNETTI, KAMI	SHADRICK, TOM
CHENMAN, JANET	LARGE, MELINDA	SILVERNAIL, KYLE
CRADDOCK, GEORGE	LEE, MARGIE	SLIPOW, LARRY
CRAIG, CAROLYN	LEVINSON, PAM	SLIPOW, SHARON
CRENSHAW, CLARKE	LITZ, PAT	SORG, JAY
CROMWELL, RICH	LUCAS, STAR	SORG, NANCY
CULANDING, ALVIE	MADDRY, LARRY	SOTER, TOM
DANIELS, MARY	MARLE, LISA	STARK, ANDREW
DAVIS, TROVONA	MARLE, SIMON	STOLLE, GRAHAM
DIXON, MELANIE	MARTIN, BILL	TYRRELL, MARY
DRESCHER, JACK	MARTIN, SUSAN	UROSKIE, SUSANNAH
DREW, MARY.	MARTINGAYLE, KEVIN	WAREING, ELAINE
ELLIS, JANET	MARTINGAYLE, LIZZIE	WAYLER, MICHAELA
FALWELL, CHRISTINE	MCDOWELL, KATHY	WHITEHEAD, AARON
FORD, NANCY	MIDGETTE, WILL	WILLIAMS, FAITH
FOY, ANTHONY	MILLS, CHARLIE	WINN, PEGGY
FREDRIKSEN, SALLY	MOHR, TINA	YUE, JANET
GOLDNER, MELISSA	MUNFORD, BETH	ZOBEL, DAVE
GREEDER, RICK	O'NEIL, GREGG	

MENTAL HEALTH DOCKET REFERRAL FORM

The Honorable Gene A. Woolard, Chief Judge of the General District Court, is pleased to announce the formation of a mental health docket to be held on the 1st and 3rd Tuesday of every month at 2:30 p.m. The first docket will be held on May 5, 2015, in the Criminal Court. This is a collaborative effort of the Court, the Sheriff's Department, the Police Department's Crisis Intervention Team, the Commonwealth's Attorney's Office, the Public Defender's Office, the Virginia Beach Bar Association, the Department of Health and Human Services, the Community Corrections Program, and the VA Hospital.

Its mission is to better expedite those cases involving defendants with potential mental health issues and have them screened for competency to stand trial and/or sanity at the time of the offense, and then track those cases more closely to ensure that incompetent defendants are either timely transferred to a state hospital, restored to competency locally in the Virginia Beach Correctional Center, or returned to the regular docket if found to be competent by Dr. Keenan. This program has been successful in neighboring jurisdictions in reducing the wait times spent by incompetent defendants seeking restoration by approximately 50 percent. It will also give the judges a mechanism by which to better track defendants with known mental health issues who recurrently show up on the Court's docket.

If you have identified a client as having a mental health issue whose competency may be in question, all you have to do to have your client added to the next mental health docket is complete the [Mental Health Docket Referral Form](#) and fax it to the Criminal Court Clerk's Office at (757) 385-1065, attention Jude Jackson. Jude will be coordinating the logistics of the mental health docket and her telephone number is (757) 385-8783. Once added to the docket, you will be expected to attend the hearing and make any appropriate motions on behalf of your client with all of the aforementioned parties present and available to give input on available services. Orders can be entered and distributed at the hearing, if appropriate. If you are a private attorney who has been court-appointed or retained to represent a defendant with a potential competency issue and have questions about the process, the Virginia Beach Bar Association's liaison to the Court is Tim Quick and he can be reached at (757) 716-3700 or tim@quicklegal.net.

APPOINTMENT OF SUBSTITUTE JUDGES FOR THE VIRGINIA BEACH DISTRICT COURTS

The Circuit Court Judges' are currently accepting submissions for the appointment as Substitute Judge for the Virginia Beach District Courts, including both the General District Court and the Juvenile and Domestic Relations District Court.

If you are interested in an appointment as a Substitute Judge, please submit a letter and/or résumé to the Honorable William R. O'Brien, Chief Judge of the Virginia Beach Circuit Court, 2425 Nimmo Parkway, Bldg. 10, 4th Floor, Virginia Beach, Virginia 23456, no later than June 30, 2015.

Please note the following prior to your submission for this appointment:

- Applicants must be a member of the Virginia State Bar in good standing with a minimum of 5 years in practice.
- Applicants must be a resident within the boundaries of the Second Judicial District, City of Virginia Beach.
- Appointees must be willing and routinely available to sit in both the General District Court and the Juvenile and Domestic Relations District Court.
- Substitute Judges are appointed to serve for a term of six years.
- Prior to an appointment as a Substitute Judge, appointees must submit fingerprints to be used for the conduct of a national criminal records search and a Virginia criminal history records search.

All submissions received on or before June 30, 2015, will be given consideration for appointment.



PENDER & COWARD

ATTORNEYS AND COUNSELLORS AT LAW

IS PLEASED TO ANNOUNCE THE ADDITION OF
ROBERT L. SAMUEL

Mr. Samuel has joined Pender & Coward as a shareholder, bringing more than 35 years of litigation experience to the firm. He represents individuals and corporations in the areas of Personal Injury Law and Workers' Compensation. He is a Virginia Super Lawyer and has also been recognized as one of the Best Lawyers in America for personal injury litigation.



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CHESAPEAKE
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SUFFOLK
(757) 502-7345



WELCOME ALEX H. BELL



BISCHOFF MARTINGAYLE

A REPUTATION FOR RESULTS

The law firm of Bischoff Martingayle P.C. is proud to welcome attorney **Alex H. Bell** to the team. Bell will practice civil and commercial litigation as well as workers' compensation.

The lawyers at Bischoff Martingayle, P.C. welcome referrals, co-counsel relationships, and local counsel affiliations involving litigation in state and federal courts.

(757) 233.9991 | www.bischoffmartingayle.com
3704 Pacific Avenue, Suite 300 | Virginia Beach, VA 23451
34 Market Street | Onancock, VA 23417

ANNOUNCEMENTS

The law firm of Inman & Strickler, PLC is pleased to announce that Lindsey A. Flaherty has joined the firm. Ms. Flaherty has been practicing in Hampton Roads for the last six years, initially serving as a law clerk for the circuit court judges in Norfolk. Subsequently she has been representing clients in all courts throughout Hampton Roads. She will be practicing in the areas of general civil and criminal litigation, family law and workers compensation. Ms. Flaherty is a member of the Norfolk-Portsmouth Bar Association, the Colonial Place Riverview Civic League and the Downtown Circle of the Children's Hospital of the Kings Daughters.



The law firm of Inman & Strickler PLC is pleased to announce that Thomas E. Snyder has joined the firm. A Hampton Roads native, Tom has been practicing law in this area for over 35 years and will continue his focus on acquiring, selling and financing businesses and commercial real estate, including real estate development, commercial leases, various business contracts, capital formations, franchising, and financing for lenders and borrowers. Tom is a founding member, current Board Member, and former President of the Hampton Roads Association for Commercial Real Estate, an organization dedicated to supporting the interest of developers, owners and operators of commercial real estate. He currently serves on the President's Council of that organization. Tom has also served as Secretary and member of the Board of Directors of Ohef Sholom Temple, as a member of the Virginia Venture Capital Forum and as a member of the Board of Directors of Virginia Beach Vision.



Barbara Fuller, Shannon Hadeed and Rita Ros-Planas are pleased and proud to announce that, commencing 3/2/15, they have joined their law practices to create Fuller, Hadeed & Ros-Planas, PLLC, Attorneys at Law, at Reflections IV, 2901 South Lynnhaven Road, Suite 180, Virginia Beach, Virginia 23452; (757) 631-0631.



Their practice areas include: All aspects of family law, criminal law, traffic law, personal injury, federal practice (both civil and criminal), immigration, business law, tax law, and Qualified Domestic Relations Orders. We will be serving the Hispanic community in all of the above with two fully bilingual attorneys.

Counselors,

Effective July 1, 2015, the Virginia Beach Juvenile & Domestic Relations District Court will be posting the ADULT docket on the court's website. Website: vb.gov.com, Departments - Courts, Juvenile and Domestic Relations Court, Daily Docket. The Adult docket will be posted at 4:00 PM on the business day prior to court date.

SHORT CIRCUITS

Practice tips from the Circuit Court

By: Amy H. Jones
Staff Attorney

SELECT LEGISLATIVE CHANGES EFFECTIVE JULY 1

§ 20-60.3 HAS BEEN AMENDED

Unfortunately, after a number of years without change, § 20-60.3 has some new provisions added effective July 1. Subsection 5 has provisions added to give notice of the right to petition for child support for a disabled child over the age of 18, even if no support was previously requested. The only additional requirement is that the disability existed before the child reached the age of 18. Please update your decrees and orders accordingly!

CHANGES TO ADOPTION LAWS

New subsection D has been added to § 63.2-1232, concerning acceptance of consent for parental placement adoptions. It allows the juvenile and domestic relations court to waive the requirement of a home study, as well as counseling of the prospective adoptive parents, when the adoptive parents have had continuous custody of the child for at least five years.

NEW STATUTE OF LIMITATIONS FOR SOME FORMS OF INTERNET DEFAMATION

Section 8.01-247.1, which sets forth the statute of limitations for defamation, will now have a new discovery-based provision for internet defamation. If the defamation is anonymously posted or posted using a false name, the limitations period will be tolled until the plaintiff discovers, or reasonably should have discovered, the identity of the poster.

AMENDMENTS TO § 20-97 AND § 20-106

Both of these sections have been amended to change references from “commencement of the suit” to “the filing of the suit.” New subsection C has been added to § 20-106 to allow parties to proceed by affidavit based upon a § 20-121.02 motion (to change from fault to no-fault grounds). Since the Virginia Beach Circuit Court has already been operating on that basis, the amendment will not change the court’s procedures. Finally, § 20-106 will now allow affidavits from more than one corroborating witness. The corroborating witness(es) will be permitted to corroborate that either party had the intent to remain permanently separated, rather than being limited to the intent of the moving party.

Some of these amendments will require changes to the court’s affidavit/uncontested divorce questions. Be sure to check the Uncontested Divorce Procedures Manual for the updated version, which hopefully will be posted a couple of weeks before July 1.

AFFIDAVITS NOW EXPRESSLY PERMITTED IN SUPPORT OR OPPOSITION TO A TEMPORARY INJUNCTION

Section 8.01-628 previously referred to the use of an affidavit only in support of an injunction, and then only by reference in its title or headline. Since affidavits were only mentioned in the title, their use was not technically included in the code section. The body of § 8.01-628 now has been amended to permit the use of affidavits, and permitting them in opposition to a temporary injunction has been added.

HOW TO FIND OUT ABOUT THESE AND OTHER CHANGES

Obviously, this is not even the tip of the iceberg for new legislation and amendments that will become effective July 1. If you want to find out more, one good resource is the bill subject index at <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sbj+SBJ>.

WHAT'S NEW AT WAHAB



LAW DAY – MAY 1, 2015

Judge Stephen Mahan speaking to the Virginia Beach Court Docents and students from Virginia Beach Vo-Tech Center and Kellam High School about this year's Law Day theme: Magna Carta, Symbol of Freedom Under Law. This celebration, which also included activities in the law library, arose as a partnership between the law library and Virginia Beach courts.

BOOKS / TREATISES

- Enforcement of Judgments and Liens in Virginia, Third Edition
- Magna Carta, Muse & Mentor, Randy J. Holland, 2014

VIRGINIA CLES

- 19th Annual Advanced Real Estate Seminar, 2015
- 45th Annual Criminal Law Seminar, 2015
- An Employment Law Guide: Employee Rights and Employer Responsibilities in Virginia, 2014
- Drafting Special Needs Trusts and Medicaid Planning, 2015
- Everything a Bankruptcy Attorney Should Know, 2015
- Hanging a Shingle: How to Start a Successful Law Practice, 2015
- Insurance Law in Virginia, 2015
- Rocket Docket: Trying Cases in the Eastern District of Virginia, 2014
- Trial of Capital Murder Cases in Virginia, 2015
- Virginia Criminal Practice Forms, 2015
- Virginia Employment Practices and Forms, 2015

WESTLAW CLASSIC

Thomson Reuters is currently phasing out Westlaw Classic and access to it will end in September. Beginning in June, customers accessing Westlaw Classic will receive a pop-up message notifying them of the transition; in September, customers will automatically be directed to WestlawNext.

The Wahab Law Library staff will be happy to provide guidance and one-on-one tutorials with WestlawNext.

TECH CORNER

Looking for an interesting legal podcast? Here are three that have received rave reviews:

- [Lawyer-2-Lawyer](#) - legal news and topics.
- [Digital Detectives](#) – practical information on computer forensics, electronic discovery, information security and much more.
- [Bloomberg Law](#) – discussions with prominent attorneys and legal scholars, examining all aspects of the legal profession.

These podcasts are also available on iTunes.

2015 SENTENCING GUIDELINES CHANGES

- The 2015 Worksheets are now available on the Commission's Website at www.vcsc.virginia.gov (click Worksheets on the side menu)
- To learn more about the 2015 changes, click Training on the side menu or text VCSC to 56512 on your mobile device (standard message and data rates apply)
- To register for a seminar or order a guidelines manual, click on Training > Download Registration Form.
- Check out the Commission's new mobile site. Text MAIN to 56512 to view the information available on this mobile sentencing guidelines reference tool. Look for additional functions to be added in the coming months.

HOW TO FIND US:

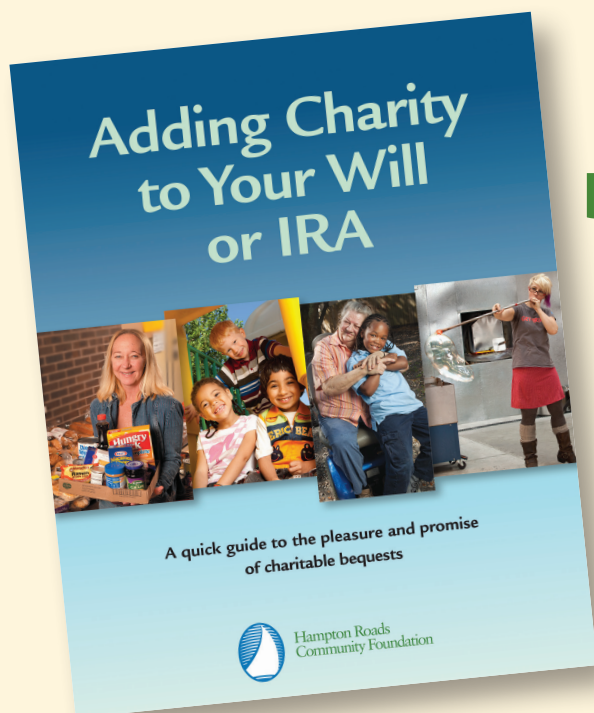
The Wahab Public Law Library is located within the Virginia Beach Judicial Center in Building 10B. Take the elevator down to the ground floor; the library entrance will be on the left.

Our hours of operation are Monday through Friday from 8:30am-4:30pm.

Wahab Public Law Library
Court Support Bldg. 10B (Ground Floor)
757-385-4419

Visit us on the web at

www.vbgov.com/dept/library/law



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Hampton Roads
Community Foundation

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Hook Law Center Continues To Build Its Elder Law Brand.

Few would disagree that when it comes to Elder Law, the top brand in the region is the Hook Law Center. Founded by nationally recognized attorney Andy Hook, the Center represents hundreds of seniors and their families, as well as the disabled.

Andy Hook's 39 years of practicing law is the driving force behind the firm. He is an active member of the Elder Law Alliance, the Special Needs Alliance, ACTEC, and other national organizations where he is a frequent guest speaker.

In addition to Andy Hook, the firm's team of legal professionals includes Attorney Shannon Laymon-Pecoraro, Attorney Jessica Hayes, and Attorney Beth Boehmcke. A professional support staff adds another 50+ years of combined experience in elder law.

The Hook Law Center focuses on estate and tax planning, planning for long-term care, retirement and investment advice, trust and estate administration, the unique situations associated with special needs, and personal injury consulting.

Learn more about the Hook Law Center at HookLawCenter.com.

HOOK
LAW CENTER

295 Bendix Rd., Suite 170 | Virginia Beach, VA 23452
5806 Harbour View Blvd., Suite 203 | Suffolk, VA 23435
Phone | 757.399.7506
HookLawCenter.com



Andy Hook



Shannon Laymon-Pecoraro



Jessica Hayes



Beth Boehmcke

VBBA NEWS

NEW MEMBERS

*Virginia Beach Bar Association
Welcomes New Members*

ALEX BELL

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Kass Law Firm, PLLC
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BENJAMIN KAVANAGH

Colonial Law Group
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Counsel to JES
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Wittenbrook
3998 Water Oak Road APT 406
Virginia Beach, Virginia 23452

ALEXANDRA WOOD

Hallauer Law Firm
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Virginia Beach, VA 23464

MICHAEL WOODWORTH

GEICO Staff Counsel
192 Ballard Ct., #310
Virginia Beach, VA 23462

CLASSIFIED ADS

Office space available to share Class A in Town Center Virginia Beach, Two Columbus Center. Please contact 757-624-1800 or cwbest@bestlex.com. All inquiries confidential.

Share Prime Law Office Suite and Amenities (Virginia Beach)

Share a 2,566 SF suite and amenities with two attorneys. (Can accommodate one attorney and staff.) Desirable location near the Virginia Beach – Norfolk border with easy access to 264 expressway. Six offices in suite (two available) plus reception area, conference room, and kitchen. Share network with internet access, multi-function machine, and telephone system. Located at 5041 Corporate Woods Drive, Suite 185, Virginia Beach, VA 23462. Please respond by email or phone to David Horne (dhorne@disabilitylawva.com; (757) 490-6271) and/or Matt Kraft (matt@mattkraftlaw.com; (757) 390-3340).

PRIME LAW OFFICE SPACE -- VIRGINIA BEACH
Available immediately to rent furnished or unfurnished. Much desired location near Virginia Beach oceanfront. Easy access to 264 expressway. Ample free parking. Three offices within a suite (will rent individually), reception area, conference room, and kitchenette. Rent negotiable. Located at 1064 Laskin Road in Virginia Beach. For additional information, or to see property, please respond by email to: davidpearline@msn.com or phone (757)428-2276

OFFICE SHARING VIRGINIA BEACH

Single office and paralegal space available in Corporate Landing, plus shared use of large conference room, kitchen, bathrooms and copy area. Nicely decorated Class A space currently occupied by four other solo attorneys. Perfect for solo practitioner looking to avoid start-up costs. VOIP Phone system in place, fax, internet, and copier/scanner can be included. Cost dependent on needs. Call Tim Quick at (757) 716-3700 or e-mail at tim@quicklegal.net if interested.

VIRGINIA BEACH BAR ASSOCIATION'S COMMITTEES, CHAIRS AND LIAISONS

COMMITTEE	CHAIR	LIAISON
Awards	Jon Thornton	Jonathan Thornton
Circuit Court	Steven Pfeiffer	Jeff Marks
Golf Tournament	Pat Connolly	Kevin Duffan
General District Court	Kathryn Byler	Peggy Kellam
Legal Studies	Edwin Booth	Kevin Duffan
Mentoring	Anthony Gantous	Brandon Zeigler
Young Lawyers	Graham Stolle	Brandon Zeigler
Pro-Bono Seatack	Richard Cromwell	Brandon Zeigler
Pro-Bono CLASS	Christy Wood	Jeff Marks
J&DR Court	Paul Powers	Peggy Kellam
Membership	Chris Jacobs	Chris Boynton
PPC	Jon Thornton	Jeff Marks

NEWSLETTER ADVERTISING RATES*

SIZE.....	COST PER ISSUE
Full Page	\$265.00
½ Page.....	\$135.00
1/3 Page (horizontal or vertical).....	\$100.00
1/6 Page	\$60.00
Classified Ad (6 lines)	\$35.00

* The VBBA offers a 10% discount on half-year advertisements (2 issues) and a 20% discount on annual advertisements (4 issues). Classified ads and notices are free to members. Contact Brandon Zeigler, bzeigler@pzlaw.com.

OFFICERS

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JONATHAN L. STONE, DIRECTOR

498-7700; jstone@norrisstclair.com

JONATHAN L. THORNTON, IMMEDIATE PAST PRESIDENT

625-7777; jon@piercelandthornton.com

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JEAN KEARY

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Virginia Beach, Virginia 23456
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Fax: 757-385-2156
Email: vbba@verizon.net

NEXT DEADLINE: AUGUST 30, 2015

VIRGINIA BEACH GENERAL DISTRICT COURT 2015 FINAL CALENDAR

■ HOLIDAY, NO COURT, CLERK'S OFFICE CLOSED

★ NO COURT CLERK'S OFFICE OPEN

SMALL CLAIMS COURT DATES- CIVIL ONLY

CONFLICT CASES

UPDATED 11/03/2014

JANUARY						
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NOVEMBER						
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8	9	10	■	12	13	14
15	16	17	18	19	20	21
22	23	24	★	■	■	28
29	30					

DECEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	★	12
13	14	15	16	17	18	19
20	21	22	23	■	■	26
27	28	29	30	★		

★ ★ ★ On August 24, 25, 26, 27, 28, November 25, and December 11 the arraignments will be held at 10:00 a.m.

On all other dates the arraignments will be held at 2:00 p.m. in Traffic D



**His Experience
with a Scalpel
Gives Him the Edge
In The Court Room.**



Stephen M. Smith, Esq.

Out of thousands of trial lawyers in the United States, Stephen M. Smith was one of the select few invited to be trained in the Neuro-Anatomical Dissection of the Human Brain and Spinal Cord at Marquette University College of Health Sciences. This advanced medical training, coupled with his 40 years of national and international complex medical litigation experience, provides his clients with an advantage in the court room.

If you or a loved one has suffered an injury and are experiencing difficulties, please contact us for a complimentary evaluation so you can learn about your legal options.



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