

## President's Corner



**Lisa H. Rose**  
*President*

I hope this issue of the Communiqué finds all of you enjoying the summer season.

In the last Communiqué, I bragged about the projects and activities planned by the West

Virginia Bar Association during the year of my "reign." I can now report that a number of these activities have been accomplished, and each was more successful than predicted.

The West Virginia Bar Association joined with the Kanawha County Bar Association in sponsoring the annual Bench and Bar Reception in Charleston on April 8, 2009. Compliments and congratulations go to the Young Lawyers Division (particularly Jessica Alsop and Alaina Crislip) of the West Virginia Bar Association for the efforts contributed to this project by the members of that Division; we also send our thanks to Will Ballard, President of the Kanawha County Bar. A panel of eminent attorneys (Ancil Ramey, Al Emch, Anna Forbes, Jeff Wakefield, and Bob Bastress) posed questions to West Virginia's judges on the Fourth Circuit Court of Appeals, the Honorable M. Blane Michael and the Honorable Robert B. King, on the topic of practicing before the

*continued on page 3*

Elisabeth H. Rose  
*President*

Stephen R. Crislip  
*President-Elect*

Logan M. Hassig

Andrew H. Miller

Patrick D. Deem

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Chair, Business Law Div.*

Richard E. Ford, Jr.  
*Chair, Real Estate Div.*

Alaina N. Crislip  
*Chair, Young Lawyers Div.*

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# 123<sup>rd</sup> Annual Meeting

*of the*

The West Virginia 1886  
BAR ASSOCIATION

## August 20-22, 2009

### The Homestead | Hot Springs, VA

## President's Corner

*continued*

Fourth Circuit. Judges Michael and King shared their candid comments and observations in response to these questions, and the resulting presentation was erudite and lively. It was capped off by refreshments and a chance to enjoy the collegiality of the evening.

The Annual Conference of the Real Estate Division of The Bar Association was held at Glade Springs on May 8 and May 9, 2009. The Real Estate Division is active and impressively organized. There is no member of that Division who does not contribute significantly to the efforts and success of the Division. Rich Ford, Executive Council member and President of the Division, requires singling out for his hard work in spearheading yet another successful annual meeting. We also extend our appreciation to the sponsor of that meeting, First American Title Insurance Company.

Another dynamic division of The Bar Association, the Legal Nurse Consultants Division, held its Annual Medical Legal Conference on May 15, 2009, in Charleston. The program organized by this Division was timely, edifying and engaging. The incomparable Libby Bridgeman, President of the Division and a member of our Executive Council, was one of the main moving forces behind this outstanding presentation. Karen Huff, a past member of our Executive Council, is bringing national attention to the Division. She is the President-elect of the American Association of Legal Nurse Consultants. This is a significant recognition for Karen, for the LNC division, and for The Bar Association as a whole. We send our sincere congratulations to Karen for this honor.

Our immediate past President, Ronda Harvey, initiated the formation of a Judicial Reform Committee composed of representatives from

The West Virginia State Bar, The West Virginia Bar Association, The Mountain State Bar, The West Virginia Association for Justice, The Defense Trial Counsel of West Virginia, and The West Virginia Chamber of Commerce. Since its inception, this committee has worked conscientiously and diligently to achieve a consensus concerning judicial reform in West Virginia (with specific emphasis on the need

for an intermediary appellate court and campaign finance reform). Last fall, the American Bar Association announced the creation of a Presidential Commission to convene a National Summit on Fair and Impartial State Courts in Charlotte, North Carolina, in May, 2009. The Honorary Chair of the Commission is Sandra Day O'Connor, retired Associate Justice of the United States Supreme Court. John W. Fisher, II, recently retired dean of the West Virginia University College of Law and current chair of our state committee, attended this Summit with his wife Susie. John and Susie returned from the Summit with a wealth of information that will be of significant use to our committee in reaching its goals.

Our Annual Meeting will be held from August 20 to August 22, 2009, at The Homestead Resort in Hot Springs, Virginia. We have a blockbuster program planned for you (including, but hardly limited to, a presentation on the future of energy in West Virginia). Our keynote speaker will be David C. Hardesty, president emeritus of West Virginia University, faculty member at the West Virginia University College of Law and of counsel to Bowles Rice McDavid Graff & Love LLP.

An addition to our Annual Meeting in recent years has been the inclusion of a meeting of the West Virginia Fellows of the American Bar Foundation. The Fellows of the American Bar Foundation is an honorary organization of attorneys, judges, law faculty, and legal scholars who have been elected by their peers to become members of The Fellows. These attorneys have demonstrated outstanding achievements and dedication to the welfare of their communities and to the highest principles of the legal profession. For several years, the West Virginia Fellows have enjoyed a luncheon convocation at our Annual Meeting. Our colleague and past president Dick Ford currently serves as the leader of this organization. We are fortunate to be able to draw upon this reservoir of legal talent for various kinds of assistance, including the recruitment of high-profile speakers for our annual meeting.

The jewel in the crown of the Annual meeting is our annual presentation of the West Virginia Bar Association's Award of

## President's Corner

*continued*

Merit. The Award of Merit is bestowed annually upon a lawyer who has achieved a long and distinguished record of service to the legal profession in West Virginia. This year's recipient is Thomas E. Potter, Esquire. Few of you reading this column are strangers to Tom Potter's preeminent legal career. His legal practice, his commitments to the Bar and his community, and his dedication to family are consistent with the exemplary standards associated with the Award of Merit recipients who have preceded Tom. He is a most deserving and appropriate recipient, and we look forward to honoring him.

I hope that as many of you as possible will attend the Annual Meeting. It goes without saying that these are hard economic times and that a trip to the beautiful Homestead Resort

represents an expenditure that is perhaps more of a luxury than it would have been in other years. We promise that we will make it worth your while. You will have an opportunity to join with us in honoring Tom Potter. You will enjoy a scholarly program which includes topics of critical interest to West Virginians and obtain continuing legal education credits. You, your spouse, and your children will enjoy the recreational opportunities at The Homestead. You will savor superb cuisine and enjoy fine legal beverages. You will be treated to the hospitality always associated with The Bar Association and Pryce Haynes and his family. You can deduct the cost on your income tax return.

I look forward to seeing you in Hot Springs in August. ▀

## President-Elect Steve Crislip

*Spearheads Membership Campaign*

As a voluntary Bar, The WVBA must maintain its prominence through aggressive membership recruiting. Steve Crislip has taken on this challenge to bolster our ranks by appealing to 30 existing members asking for their help in recruiting new members from their firms and colleagues.

Members of The WVBA are its life blood. Our Bar has admirably served the legal community of West Virginia for over 120 years through the efforts of its membership. Steve points out, "Because we do not have the strictures of the mandatory bar, our organization over the years has led the fight for decent judicial salaries, for mandatory legal education as a prerequisite to the admission to practice law and for the adoption of an enforceable code of ethics for lawyers. In recent years we have convened discussions about our judiciary and the method of selecting them."

Help continue the efforts of your Bar Association by encouraging your colleagues to join and become active in the pursuits of The West Virginia Bar Association. Membership applications can be easily found on our web site: [www.wvbarassociation.org](http://www.wvbarassociation.org), or just contact the administrative office at 800.944.9822 or via email at [director@wvbarassociation.org](mailto:director@wvbarassociation.org).

Your support in recruiting new members is appreciated and will increase the value of your membership in The WVBA! ▀

## Bench & Bar Reception

*Co-hosted by the YLD*




**Alaina N. Crislip**  
*YLD Chairman*

Alaina Crislip, president of The WVBA's Young Lawyers Division had her plate full this spring. She and Will Ballard, president of the Kanawha County Bar Association worked together in planning the Annual Bench and Bar Seminar-Reception that was held at the Charleston Marriott, April 8th. Just as this event was

about to begin, she and her husband, Brooks, had their first baby, Riley Harrison Crislip, on March 30th. Riley's grandfather, Steve Crislip is our President-Elect. Judges Robert B. King and M. Blane Michael were the featured guests and panelists at this year's B&B Seminar, which

was "From the Federal Bench: Everything You Wanted to Know about the Fourth Circuit."

Other panelists asking questions for Judges King and Michael were A.L. Emch, Ancil Ramey, Bob Bastress, Anna Forbes, Jeff Wakefield with Lisa Rose, our president, as moderator. Each year the B&B has grown in attendance and this one was the best attended. Good planning, good programming and getting out the word made for a great B&B. The sponsors for this year's event were:

Allen Guthrie & Thomas, PLLC; Bowles Rice McDavid Graff & Love LLP; Flaherty, Sensabaugh & Bonasso, PLLC; Huddleston Bolen LLP; Jackson Kelly PLLC; The Law Firm of Carl J. Roncaglione, Jr.; Robinson & McElwee PLLC; The Segal Law Firm; Spillman, Thomas & Battle, PLLC; Steptoe & Johnson, PLLC. The support of these sponsors helped make this event a success. 



Jessica Alsop, representing The WVBA's Young Lawyers Division, and Will Ballard, representing the Kanawha County Bar Association, presenting copies of The WVBA's published history to Judge Michael and Judge King



Cam Siegrist and Jim Kirby



Stephen Thompson and Pam Deem



The WVBA President and Panel Moderator Lisa Rose, Judge Michael and Judge King



Anna Daley and Karen Miller



WVBA Administrator Frema Wilson and Rhonda Swartz, associate Legal Assistant member of The WVBA and volunteer assistant for the Bench & Bar event.

# The Communiqué



Ned Rose and his sister, Lisa Rose, President of The WVBA



Roger Lambert and Mark Weiler



Ed Tiffey and Mike Fisher



WVBA Senior Lawyer Division Chairman, Jim St Clair, Gale and Dave Rubrecht



Al Emch and Tom McJunkin



James Kirby with Andrea and Bill King



Judge King with Nate and Janie Bowles



Jeffrey Wakefield and Christina Brumley



Al Emch, Cheryle Hall and David Baker



Allen Prunty and David Hardy



Courtney Kirtley and The WVBA President-Elect, Steve Crislip



Pryce Haynes III, Marey Casey and Courtney Kirtley



Mike Chaney, Bob Steptoe, Jr., The WVBA Past President and Keith Jones



Dawn Warfield and Terry Rodgers

# The Communiqué

## Bench & Bar Reception

*Continued*



Tom Sweeney and Jim McQueen



Charlie McElwee and The WVBA President-Elect  
Steve Crislip



Joe Beeson



Larry Taylor and Deborah McHenry



Jim Roncaglione and Tom Sweeney



Lindsay Darling and Rob Passmore



Pryce Haynes III, Anders Lindberg and Nate Tawney



Keith Jones, Beth Walker and Harry Bell



Jim Roncaglione with Rebecca and Tom Tinder



Jessica Alsop, Bob McLusky, Judge Michael, Gretchen Callas, Beth Lord



Horner Davis and Jim St Clair, Chairman of The  
WVBA Senior Lawyers Division



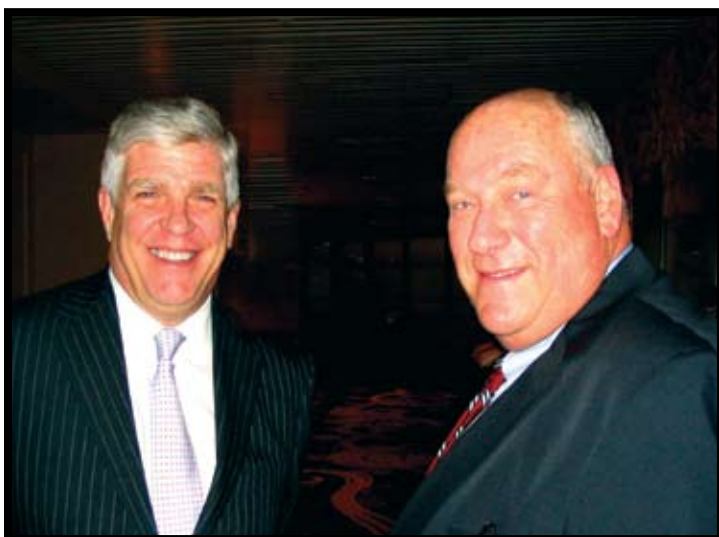
Panel participants Jeff Wakefield, Bob Bastress, Anna Forbes, Ancil Ramey and Al Emch



Jeff Brown and Tom Hurney



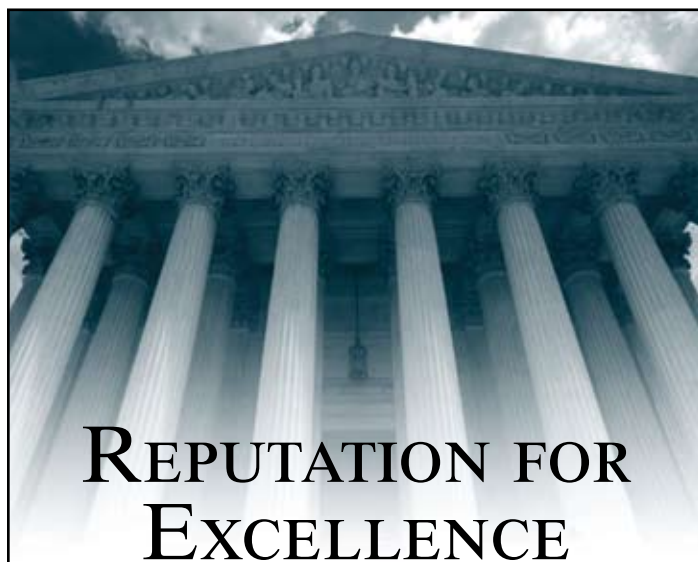
Steve Chambers and Jim Thomas



Ned Rose and Steve Crislip, The WVBA President-Elect



Peter Raupp, Rachel Fender-Moore and Joseph Leonoro



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## 8<sup>th</sup> Annual Real Estate Conference

*Glade Springs, WV*

Rich Ford, president of the Real Estate Lawyers Division, with the help of his committee, developed a most appealing agenda for our real estate attorneys. In addition to two worthwhile presentations from Margo McDonnell, Senior Vice President and Regional Marketing Manager for First American Exchange Company and Kevin Eichner, State Agency Counsel, the agenda featured John Fisher, Steve Prunty and Chuck Stump.

This conference, just as our other annual events, has continued to grow and offers good intellectual and social opportunities

for our real estate attorneys. As is the tradition, First American Title Insurance Company is the exclusive sponsor of this outstanding event.

Next year the rotation for this conference will take it to Stonewall Resort on May 1, 2010. The date for the conference is also the date for the Kentucky Derby, which will be featured following the seminars during the cocktail reception. Mark your calendar and don't miss a great day of learning followed by a Derby Party. ▣



The WVBA President Lisa Rose and WVBA Real Estate Law Division President Rich Ford flank the First American Title Insurance Company representatives: Laura Wareheim, V. Pres. and State Manager of WV; Margo McDonnell, Sr. V. Pres./Regional Sales Manager, First American Exchange Company; Kevin Eichner, State Agency Counsel; Scott Ruley, Agency Representative



On the first tee: Andy and Sherry Miller with Julie and Pryce Haynes



Rob and Shelley Tebay



One on the first tee: Fabio Crichigno; Rick Pill, Past Pres. The WVBA; Jim Brown; Logan Hassig, The WVBA Executive Council

# The Communiqué



Bruce Toney and Tom Klein



Sherry Miller, Pryce Haynes and Lisa Rose, President of The WVBA



Fabio and Sarah Crichigno with John Fisher and Rick Pill, Past President of The WVBA



Philip J. Trippel



Pat Deem, The WVBA Executive Council and Lisa Rose, President of The WVBA visiting during seminar break.



Margo McDonnell, Sr. V. President/Regional Sales Manager, First American Exchange Company; Fabio Crichigno, Rich Ford and Jim St. Clair



Rob File chatting with Gerald Fogg



Sherry Miller and Chuck Stump



Jim Brown, Pryce Haynes, Logan Hassig



John Dorsey and Andy Miller, The WVBA Executive Council



Rebecca Bentley with her son, Isaac Adkins



Susie Fisher and Shelley Tebay



Clyde Smith and Harold Brewster

## LNC Spring Conference a huge success

*Charleston, WV*

Libby Bridgeman, BSN, RN, LNCC, president of the LNC Division, with the help of Carol Hart, RN, conference chairwoman, masterfully organized and hosted another outstanding conference. The quality of speakers and suitability of their topics were extraordinary.

Sponsors for this event were Bailey & Wyant P.L.L.C.; Forensic Psychiatry, PLLC and Bobby A. Miller II, MD; Seif & Associates, Inc.; Steptoe & Johnson PLLC; West Virginia Mutual Insurance Company. The generosity of these sponsors is greatly appreciated. The LNC Division of The WVBA was established in 2003, and,

as a result, the associate members of the LNC Division became the first LNCs in the nation to join a statewide bar association. The LNC Division promotes the professional advancement of Registered Nurses practicing in a consulting capacity within the legal arena by providing access to membership in The WVBA and by providing a forum for networking with other members of the Bar. Our LNC Division has consistently performed at the highest level of excellence, reflecting its seriousness of purpose and dedication to exemplifying the goals and aspirations of The WVBA and in striving to fulfill the mission of the LNC Division. ■



Libby Bridgeman and Carol Hart with Mark Robinson, Member of Flaherty, Sensabaugh & Bonasso, and Cheryl Payton, MSN, APRN, BC, Risk Manager of WV Mutual Ins. Co., both of whom presented “Medical Legal Case Analysis: Cauda Equina Syndrome”

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Laura Wareheim *Vice-President and State Manager of West Virginia*



Libby Bridgeman presenting Daniel Shelford, BSN, RN, CEN, EMT-P, Risk Manager for Summersville Memorial Hospital, a copy of The WVBA's history in for his presentation "One Hospital's Management of the Disruptive Physician"



Libby Bridgeman, President of the LNC Division, thanks Paul Smith, Vice President and General Counsel for Cabell Huntington Hospital, for his presentation "From Identity Theft to Never Events: Legal and Regulatory Developments in Healthcare Liability"



The WVBA President, Lisa Rose, welcomes attendees to LNC Spring Conference



Carol Hart, Conference Chair, presenting Mary Lou Lewis, M.D., with a copy of The WVBA's history in appreciation for Dr. Lewis's presentation on medical ethics



LNC Division President, Libby Bridgeman, thanking Eric Persily, M.D., Chief of Anesthesiology for CAMC, for his presentation "Anesthesia and Risk Management: Closed Claims Review"



Carol Hart, LNC Spring Conference Chairwoman, opens the Conference

## In The Un-Comfort Zone: The Main Ingredient

*with Robert Wilson*

In 1907, during a major league baseball game, second base was stolen 13 times by the winning team. The catcher for the losing team, Branch Rickey, was unable to pick off even a single runner. That record stands to this day. It also spelled the end of Rickey's career as a baseball player after just two short seasons. With nothing else to do, he went to college and law school.

Six years later, he returned to major league baseball. This time as a manager – and what a manager he turned out to be. He created the modern baseball farm system which enables major league teams to nurture and develop future stars through their minor league teams. He was the first to establish a permanent spring training facility in Florida. He changed the way statistical analysis is used in baseball by proving that on-base percentage is more important than batting average. Branch Rickey is best known, however, for breaking the color barrier by bringing African-American Jackie Robinson into the major leagues. It earned him a spot in the Baseball Hall of Fame.

Rickey offers this as his recipe for success, “Success is where preparation meets opportunity.” A simple formula that reminds me of the old joke: “How do you get to Carnegie Hall?” The answer: “Practice. Practice. Practice.” Obviously, you can't take advantage of an opportunity if you don't have the skills. It's a good recipe for success, but it doesn't reveal the secret main ingredient.

A funny old song from Frank Sinatra gets us little closer to the answer. Do you remember these lyrics from High Hopes ?

***Just what makes that little old ant  
Think he'll move that rubber tree plant  
Anyone knows an ant, can't  
Move a rubber tree plant!***

I love that song because a stanza later we learn the ant CAN: “Oops there goes another rubber tree plant.” Is having “high hopes” the secret ingredient? No, but it gets us closer to it. You see, the ant succeeds because he doesn't know that

he can fail. Think about some of the people you know who are successful. What is it that makes them big achievers? What traits do you associate with them?

When I ask this question of my audiences I frequently hear the following ingredients: Courage, Perseverance, Enthusiasm, Discipline, Confidence, Decisiveness, Self-reliance, Responsibility, Focus, Ambition, and Optimism. All of these are certainly traits of successful people, but which one is the overriding characteristic? Which one is the main ingredient? None of the above.

That's right – none! Yes, they are all important, but there is one ingredient that makes the cake, and that is simply your belief that you will succeed. It's called Self-Efficacy. Your belief in your ability to achieve what you seek is the biggest part of actually getting there. The best part is that self-efficacy is a trait that can be acquired at any age.

We acquire a sense self-efficacy in four ways. The first way is cumulative. With each success we achieve we add a new layer of confidence in ourselves. The second way is through observation. When we see someone similar to ourselves succeed, we realize that we can too. The third way is controlled by our attitude. A positive attitude enhances our belief in our abilities whereas a negative one destroys it. The fourth way is from the encouragement of others who believe in our ability to succeed. This is where you as an effective manager can help your people succeed. Tell them that you believe they can meet their goals and you will help them believe it too.

Robert Evans Wilson, Jr. is a motivational speaker and humorist. He works with companies that want to be more competitive and with people who want to think like innovators. For more information on Robert's programs please visit: [www.jumpstartyourmeeting.com](http://www.jumpstartyourmeeting.com). ■

## In Remembrance

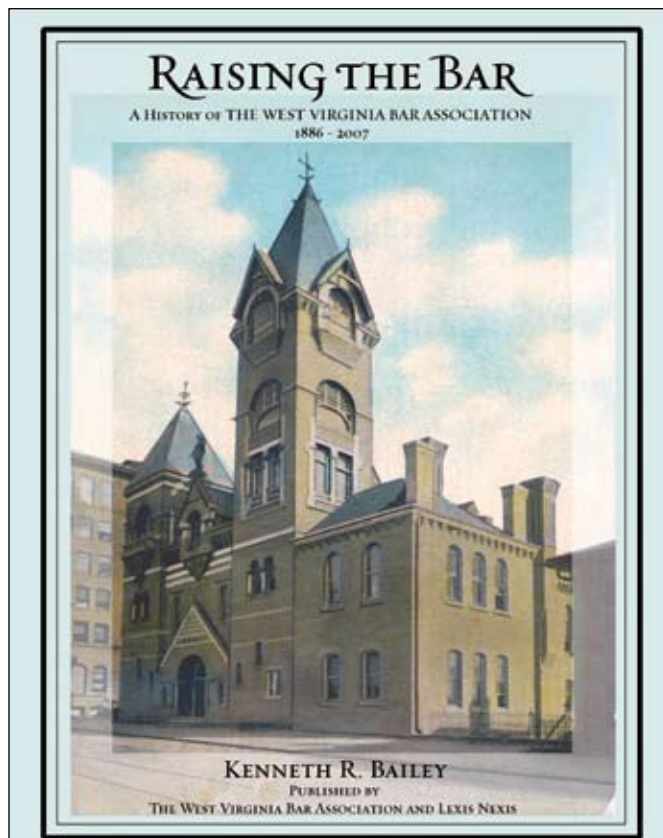
01/10/09	Judge C. Berkley Lilly	Beckley, WV
01/13/09	Suzanne W. Daugherty	Fort Collins, CO
01/18/09	Paul S. Hudgins	Williamsburg, WV
02/14/09	John W. Swisher	Charleston, WV
02/15/09	John Charles Solomon	Morgantown, WV
03/13/09	Benjamin L. Glasscock	Morgantown, WV
03/15/09	William Henry File, Jr.	Beckley, WV
03/15/09	George William Grove, Jr.	Charleston, WV
03/20/09	Justice Joseph P. Albright	Charleston, WV
04/08/09	John O. Kizer II	Charleston, WV
06/03/09	William Henry Sanders II	Princeton, WV
06/12/09	Horner A. Walkup	Alexandria, VA

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## Huff Elected President *of AALNC*

Karen Huff has been chosen as the next President of the American Association of Legal Nurse Consultants (AALNC). She is currently serving a one year term as President Elect, and will move into the role of President during the association's annual meeting in 2010.

Huff, an associate member of The WVBA since 2002, previously served as the founding President of the LNC Division of The WVBA and the Southern WV Chapter of AALNC. She has also held positions on the American Legal Nurse Consultant Certification Board and the American Board of Nursing Specialties. In 2007 she was elected to the AALNC Board of Directors where she served a 2 year term as a Director at Large. This is a huge accomplishment for Karen and The WVBA extends its congratulations and is proud to have Karen among its ranks!

With a membership of 3,500 across the country, AALNC is the leading organization dedicated to the professional advancement of legal nurse consultants. As President, Huff will lead the Board of Directors in setting goals for the organization, and implementing the strategic plan. The role also includes many unique opportunities to represent AALNC at annual meetings for DRI, AAJ, and many national nursing organizations.

One of the organization's key initiatives is the Attorney Awareness Program which seeks to raise awareness of the value of legal nurse consultants in the legal community. Several initiatives are underway to collaborate with legal organizations at the national level, and grassroots efforts are also being supported.

Of particular importance to the grassroots initiative is the example set by The WVBA. The WVBA's Executive Council is to be commended for its vision in creating a special associate membership division for LNCs. As the first state bar association to create an LNC Division, The WVBA continues to spark interest across the country as LNCs in other states strive for similar success. ■

## WVBA Web Site Notice

Have you visited The WVBA's web site lately? If not, you should do so. You will find many informative matters, such as meeting and event dates and agendas.

Did you know that you can earn CLE credits on line through The WVBA? High quality and very reasonably priced CLE is at your finger tips.

Check it out at  
[www.wvbarassociation.org](http://www.wvbarassociation.org)



## 2009 Event Schedule

*July - December 2009*

**July 29, 2009**

8:30 am - 4:30 pm

**After Bar Exam Party**

*Embassy Suites Athletic Club-Charleston, WV*

**August 20-22, 2009**

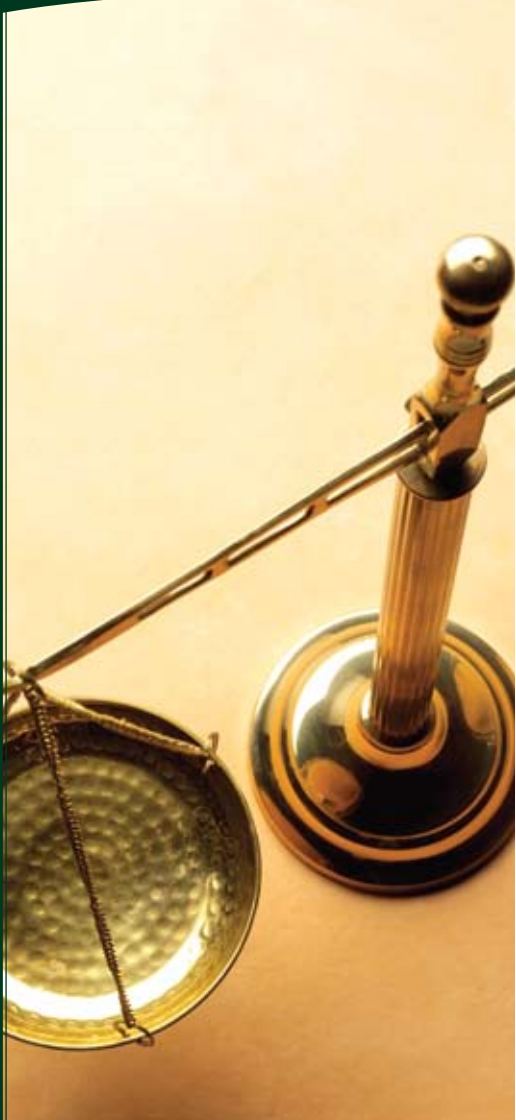
**123<sup>rd</sup> Annual Meeting**

*The Homestead-Hot Springs, VA*

**Fall of 2009**

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**Robert Burch, CHST**



# 123<sup>rd</sup> Annual Meeting *of the*

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**BARASSOCIATION**

*The Homestead Resort*

Hot Springs, VA

**August 20-22, 2009**

For more information on the 123rd Annual Meeting,  
or other events and WVBA information,  
please visit our website:

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The West Virginia 1886  
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