

Today is a big day for me. I've been thinking about this day for awhile now, dreading it a little bit, reflecting on how I got here, thinking about where I'm going from here. Because today is my 50<sup>th</sup> birthday!

So, yes, today is the day I turn 50. And maybe you haven't noticed (I sure have) but 50 has been in the news a lot this year. Apparently 1968 was a big year for our country. 50 years ago in January was the beginning of the Tet Offensive, which lasted most of the year. 50 years ago on April 4<sup>th</sup> Martin Luther King, Jr., was murdered in Memphis. The Civil Rights Act passed a week later. 50 years ago a week from now Bobby Kennedy was assassinated in Los Angeles. In fact, the front page of the *Richmond Times Dispatch* from 50 years ago today has a creepy headline about that, "California Kennedy's Ultimate Test."

The front page of that same paper has a number of interesting headlines. My mom saved a copy of the newspapers on our birthdays, so I had mine framed. You can see here a story about 18-year-olds trying to get the right to vote, and this one I find most interesting: a picture of the "shapely legs and other attributes" of a female graduate of the police academy. That's a direct quote from the caption. We've come a long way, baby.

So in small part because of the constant reminders, I've been thinking a lot about turning 50: how I got here and where I'm going from here. A lot of people have helped get me here, and some of them are sitting at these tables: my colleagues at Marks & Harrison, my husband Jimmy, my mom Rose Suyes, my Aunt Ruth, my dad (who couldn't be here today) John Suyes, and others who aren't here today: my brother and sister, my friends. I could not have made it to 50 or achieved this goal without your love, your support, and most especially your confidence in my ability to do it. Thank you!

As I've thought about turning 50 and taken stock of my life to this point, I've also thought about becoming president of the women's bar. People keep asking me: what's your theme going to be, what are your goals for the year, what are you going to do? There are a few things we've been working on that I hope will come to fruition this year: first, a strategic plan much like the one some of you participated in about ten years ago. We want to take a look at the things we're doing, whether we're meeting the needs of women attorneys in the Metro Richmond area and what we can do, if anything, to do that better. So if you have opinions, and I know you do, please share them with us when we call on you!

Another thing I hope to do this year is continue the excellent programming we've had in the past few years. We're planning to add more CLE opportunities to the schedule during our luncheon programs to add value to your membership.

And, finally, if you know me at all, you know of my deep commitment to advancing the cause of justice. The Domestic Relations Pamphlet which we publish is an important resource for women and men in the Commonwealth who cannot afford a lawyer but who need to know their rights in the family law arena. We publish the DRP, as we call it, every couple of years and provide it free of charge to court clerks, shelters, and other non-profit organizations to give to their clients who have questions about everything from changing their names to filing protective orders to custody and support issues. Our annual Wine & a Worthy Cause event supports the DRP and has become such an important event that this year I have decided to make the organizer of that event the chair of a standing committee focused on that, and possibly other, fundraising events. I hope that change will enable our Public Service Committee co-chairs to get back to the important work of improving the commitment of our members to pro bono legal services.

John Whitfield, Director of Blue Ridge Legal Services, and I published an article in *Virginia Lawyer* several years back highlighting what we called the "justice gap." Taking note of Rule 6.1 of our Rules of Professional Conduct, which asks us to commit 2% of our time to pro bono work, the article pointed out that Virginia

lawyers fall well short of that goal. Two percent of our time would result in more than 900,000 hours of work for low- and no-income men, women, and children in this state. Nine hundred thousand! Can you imagine?

Unfortunately, John's survey revealed that only 2,100 Virginia lawyers give 37,000 hours of time. In other words, 10% of Virginia lawyers are doing only 4% of what's expected. And when I look around this room and see people I know are devoting lots and lots of time to pro bono, the law of averages means that other people and other organizations are doing absolutely nothing, just flagrantly violating an ethics rule and creating a huge justice gap.

The National Center for State Courts at William and Mary recently completed a review of civil filings in General District Courts across the Commonwealth using data provided by the Supreme Court. That review shows how the justice gap I just mentioned impacts real people in real cases. The NCSC's survey found that there are lawyers on both sides of the case in only 2 percent of the 500,000 civil cases handled each year in Virginia General District Courts, and neither party is represented in more than 40% of cases. In J&DR court, it's worse: both parties show up without representation more than 90% of the time.

Having an attorney makes a difference and levels the playing field: when both sides are represented, plaintiffs prevail slightly more than 20% of the time and defendants slightly less than 20%. But when only the plaintiff has an attorney present, the plaintiff wins roughly 62% of the time, and when only the defendant has a lawyer present, the defendant's win rate is roughly the same: about 62%. Drilling down a bit, the NCSC study found that tenants lose eviction cases—get kicked out of their homes—62 percent of the time when no one is there to argue on their behalf, but only 34 percent of the time with an attorney by their side. Almost half of people being evicted by our courts probably would not be evicted had they had an attorney. It's just not fair. We cannot continue to let this happen, and legal aid cannot meet all the need.

The prophet Amos was disgusted with the Israelites, their partying and frivolity. Amos, in quite a fit of anger, called on them, raged at them really, to live righteously and to "let justice run down like water." Amos knew the mighty power of water, how it could push aside boulders, run into crevices, get everywhere, lift things up. If you have been down to the James River in the past two weeks you have seen the mighty power of a whole lot of rushing water. But the rapids of the James River didn't start out that way. The Mighty James started out as a raindrop, which met up with another raindrop, and another, and another, until together the raindrops gathered some steam, rolled down someone's windshield and fell into a puddle, which became a stream, then a lake, then a powerful, dangerous, unstoppable river. You can do that. I can do that. You can update a section of the DRP. I can spend an hour at a Wills clinic. You can donate your 2% in cash. I can serve on the board of a legal aid organization. So we need volunteers and we need contributors. We need you. The Hebrew word Amos used for "run down" also means "roll away" when used in other contexts. Together you and I can form a terrible flood that runs down and rolls away the stone of injustice.

It is going to be an excellent year. We are going to do great things. I hope you will join us!

Joanna L. Suyes  
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Willow Oaks Country Club