

JUDICIAL PLACEMENTS (Updated 4/9/09)

1. **Supreme Court of Virginia (Not Available Fall 2009)**
The Honorable Donald W. Lemons
Supreme Court of Virginia
100 North Ninth Street, 5th Floor
Richmond, VA 23219
Telephone: (804) 225-2183

2. **Court of Appeals of Virginia**
The Honorable Cleo E. Powell.
Court of Appeals of Virginia
109 North Eighth Street
Richmond, VA 23219
Telephone: (804) 786-1844

3. **Chesterfield Circuit Court**
The Honorable Michael C. Allen
Chesterfield Circuit Court
9500 Courthouse Road, P.O. Box 57
Chesterfield, VA 23832
Telephone: (804) 748-1335

4. **Richmond Circuit Court**
The Honorable Melvin R. Hughes
Richmond Circuit Court
John Marshall Courts Building
400 North Ninth Street
Richmond, VA 23219
Telephone: (804) 646-6515

The Honorable Richard Taylor
Richmond Circuit Court
John Marshall Courts Building
400 North Ninth Street
Richmond, VA 23219
Telephone: (804) 646-6505

5. **Chesterfield Juvenile and Domestic Relations District Court**
The Honorable Jerry Hendrick
P.O. Box 520
Chesterfield, VA 23832
Telephone: (804) 751-4115

6. **Henrico Juvenile and Domestic Relations District Court**
The Honorable Sharon B. Will

P.O. Box 27032
Richmond, VA 23273-7032
Telephone: (804) 501-4490

7. **Richmond Juvenile and Domestic Relations District Court**

The Honorable Ashley K. Tunner
Oliver Hill Court Building
1600 N. 17th Street, Suite C181
Richmond, VA 23219
Telephone: (804) 646-2918

8. **United States District Court**

The Honorable Henry E. Hudson
United States District Court
701 East Broad Street, Suite 6312
Richmond, VA 23219-3528
Telephone: (804) 916-2290

The Honorable Robert E. Payne
United States District Court
Eastern District of Virginia
701 East Broad Street
Richmond, VA 23219
Telephone: (804) 916-2260

The Honorable James R. Spencer (Not Available Fall 2009)
Eastern District of Virginia
701 East Broad Street
Richmond, VA 23219
Telephone: (804) 916-2250

9. **U.S. Bankruptcy Court**

The Honorable Douglas O. Tice, Jr.
U.S. Bankruptcy Court
701 East Broad Street, 5th Floor
Richmond, VA 23219-1888
Telephone: (804) 916-2460

The Honorable Kevin R. Huennkens
U.S. Bankruptcy Court
701 East Broad Street, 5th Floor
Richmond, VA 23219-1888
Telephone: (804) 916-2451

10. **United States Magistrate**
The Honorable Dennis W. Dohnal
United States Magistrate Judge
701 East Broad Street
Richmond, VA 23219
Telephone: (804) 916-2270

The Honorable M. Hannah Lauck
United States Magistrate Judge
701 East Broad Street, Suite 5212
Richmond, VA 23219-3528
Telephone: (804) 916-2890

Judicial Placements

Students in judicial placements will be assigned to work with a judge in one of the courts described in this section. The judge's demands of the student will vary from court to court. The student's duties will likely range from researching legal issues to preparing bench memoranda and drafting opinions. The judges have been requested to allow students to spend time observing and working with the court personnel that constitute an integral part of the judicial process, such as hearing or intake officers, probation officers, clerk's office personnel, and, to the extent possible, the litigants. The students will also be allowed time to observe proceedings in other courts. The judicial placements vary greatly, both procedurally and substantively, and provide a broad spectrum for an examination of the judicial process which will be the focus of the classroom component. A description of the placements follow.

Supreme Court of Virginia (Not Available Fall 2009)
100 North Ninth Street, 5th Floor
Richmond, VA 23219
(804) 225-2183 (Justice Lemons)

The Virginia Supreme Court is the court of last resort for Virginia. The majority of its jurisdiction is discretionary with panels of three justices hearing and ruling on petitions for appeal. Appeals of right include death penalty cases. Appeals from the Court of Appeals of Virginia are accepted when a constitutional matter or issue with precedential value are presented. The Supreme Court also accepts certified questions of law from the federal judicial system.

The student in this placement will work with The Honorable Donald W. Lemons. This placement will involve detailed analysis of legal and factual issues and the preparation of memoranda for use in the petition hearing process. It will offer an excellent opportunity to study the appellate process, including the limitations on appellate review created by inadequate trial representation. Additionally, this placement offers the opportunity to observe oral arguments and techniques and to improve analytical and writing skills.

Note: The student assigned to this placement will not be allowed to work at a law firm during the placement due to conflict of interest complications.

Prerequisite: Evidence.

No Parking Provided.

Court of Appeals of Virginia
109 North Eighth Street
Richmond, VA 23219
(804) 786-1844 (Judge Powell)

The Court of Appeals of Virginia is the intermediate appellate court for Virginia. The Court of Appeals has authority to hear appeals as a matter of right from (a) any final judgment, order, or decree of a circuit court involving domestic relations, including affirmance or annulment of a marriage, divorce, custody, spousal or child support, or control or disposition of a child; (b) final decisions from the Worker's Compensation Commission; (c) final decisions of a circuit court on appeal from a decision of an administrative agency; and (d) any interlocutory decrees or orders granting, dissolving, or denying an injunction or adjudicating the principles of a cause in any of the above-referenced cases. The Court also has authority to consider petitions for appeal from (a) final orders of conviction in criminal and traffic matters, except where a death penalty is imposed; (b) final decisions of a circuit court on an application for a concealed weapons permit; and (c) certain preliminary rulings in felony cases when requested by the Commonwealth. The Court of Appeals has original jurisdiction to issue writs of mandamus, prohibition, and habeas corpus in any case over which the Court has appellate jurisdiction as well as writs of actual innocence upon petition of a person who has been convicted of a felony upon a plea of not guilty.

All appeals are heard by a three-judge panel. Review is limited to the record of proceedings in the tribunal below and by procedural rules governing preserving issues for review on appeal. The Court of Appeals shall sit en banc when (a) there is a dissent in the panel decision and an aggrieved party requests an en banc hearing and at least two other judges of the court vote in favor of such a hearing; or (b) when a judge certifies that the panel decision is in conflict with another panel decision and two other judges concur. The court may sit en banc upon its own motion at any time, in any case in which a majority of the court determines it is appropriate to do so. When the court sits en banc there must be at least eight judges and a majority is needed to reverse a judgment, in whole or in part. Any party aggrieved by the final decision of the Court of Appeals may petition the Supreme Court of Virginia for review; further review by the Supreme Court is discretionary.

The student in this placement will work with The Honorable Cleo Powell. This placement will involve detailed analysis of legal and factual issues, with the analysis confined to an existing record. It will offer an excellent opportunity to study the appellate process, including the limitations on appellate review created by inadequate trial representation, as most commonly seen when there is a failure to develop the trial record fully or to preserve issues properly for appellate review. The majority of the student's time will be devoted to reviewing the record and writing bench briefs, although there may be an opportunity to assist with single judge opinions. The student will also have an opportunity to observe appellate arguments.

Prerequisite: Evidence.

Virginia Circuit Courts

The circuit court is the trial court with the broadest powers in Virginia. The circuit court handles all civil cases with claims of more than \$15,000. It shares authority with the general district court to hear matters involving between \$4,500 and \$15,000. The circuit court also handles family matters, including divorce, and felony cases. In addition, the circuit court hears cases appealed from the general district court, the juvenile and domestic relations district court, and administrative agencies of the Commonwealth.

There is a circuit court in each city and county in Virginia. Circuit court judges are elected by the General Assembly for 8-year terms.

Circuit Court placements offer exposure to more formal trial practice governed by rules of civil and criminal procedure. Students in these placements will deal with a broad array of pretrial and trial issues in both jury and bench trials. They will observe court, conduct legal research, and draft legal memoranda. Students may also draft some opinions. These placements offer an excellent opportunity to interact with the judge and to study the judicial process at the trial level.

Preferred Course: Evidence.

**Chesterfield Circuit Court
9500 Courthouse Road
P.O. Box 57
Chesterfield, VA 23832
(804) 717-6369 (Judge Allen)**

The Chesterfield Circuit Court has five judges who hear both civil and criminal dockets. The student in this placement will be assigned to The Honorable Cleo Elaine Powell. Preference will be given to students who have had Family Law.

**Richmond Circuit Court
John Marshall Courts Building
400 North Ninth Street
Richmond, VA 23219
(804) 646-6515 (Judge Hughes)
(804) 646-8072 (Judge Taylor)**

The Circuit Court for the City of Richmond has seven judges who hear both civil and criminal cases effective July 1, 2008. Students will be assigned to either The Honorable Melvin R. Hughes or The Honorable Richard D. Taylor, Jr.

Virginia Juvenile and Domestic Relations District Courts

The Virginia Juvenile and Domestic Relations District Court has jurisdiction over all matters involving custody, support, and control of children, except to the extent that custody and support are contested in a divorce proceeding pending in Circuit Court; juvenile delinquency proceedings; juvenile transfer proceedings; misdemeanor trials of adults in cases where the victim is a child or a family member; and preliminary hearings for adults charged with felonies where the victim is a child or family member. Decisions of the Juvenile and Domestic Relations District Court are subject to de novo appeal to the Circuit Court.

The Juvenile and Domestic Relations District Court system is, in many respects, a microcosm of the judicial process. It includes intake officers who conduct the initial review of all petitions filed in the court and have the authority to resolve many disputes and delinquency charges informally. The court also has its own probation officers who prepare extensive pre-sentence reports in criminal cases and family history reports in cases involving custody and support. As a result, the Juvenile and Domestic Relations District Court frequently has a much more thorough understanding of the background of the litigants who appear before it than do other courts and can be much more creative in its sentencing options for youthful and adult offenders.

Students assigned to the Juvenile & Domestic Relations District Courts will be exposed to a wide variety of criminal and domestic relations issues and to a fully integrated court system. Students will do research and prepare memoranda of law for the judge on a variety of issues.

Preferred Course: Evidence.

**Chesterfield Juvenile and Domestic Relations District Court
P.O. Box 520
Chesterfield, VA 23832
(804) 751-4115 (Judge Hendrick, Jr.)**

The student in this placement will be assigned to work with The Honorable Jerry Hendrick, Jr.

**Henrico Juvenile and Domestic Relations District Court
P.O. Box 27032
Richmond, VA 23273-7032
(804) 501-4490 (Judge Will) or 4688 (Clerk's Office)**

The student in this placement will be assigned to work with The Honorable Sharon B. Will.

**Richmond Juvenile and Domestic Relations District Court
Oliver Hill Court Building**

**1600 North 17th Street
Suite C181
Richmond, VA 23219
(804) 646-2718 (Judge Tunner)**

The student in this placement will be assigned to work with The Honorable Ashley K. Tunner.

Note: Drug court is Thursday afternoon.

Parking Provided.

**United States District Court
Eastern District of Virginia
Lewis F. Powell, Jr. Courthouse Building
701 East Broad Street
Richmond, VA 23219
(804) 916-2290 (Judge Hudson)
(804) 916-2260 (Judge Payne)
(804) 916-2250 (Judge Spencer) (Not Available Fall 2009)**

United States District Courts have general civil jurisdiction over all matters involving federal questions and diversity jurisdiction where the amount in controversy exceeds \$75,000. Appeals from the District Court go to the Fourth Circuit Court of Appeals and are decided on the record of proceedings before the District Court.

Trial practice in federal court is formal. The federal rules of civil and criminal procedure are more extensive than their state counterparts and federal practitioners also must abide by a separate set of "local" rules governing the United States District Courts for the Eastern District of Virginia. Admissibility of evidence at trial is governed by the Federal Rules of Evidence; there is no state counterpart.

Students assigned to the District Court placements will work with The Honorable Henry E. Hudson, The Honorable Robert E. Payne, or The Honorable James R. Spencer. They will gain a broad exposure to all aspects of civil and criminal trial practice. Student responsibilities will include legal research; preparing bench memoranda, draft opinions, and orders; and observing court.

Note: Students working with the federal district court will be required to complete a waiver of fees form and form AO-79 (background information).

Prerequisite: Evidence.

No Parking Provided.

**United States Bankruptcy Court
701 East Broad Street, 5th Floor
Richmond, VA 23219
(804) 916-2451 (Judge Huennekens)
(804) 916-2460 (Judge Tice)**

United States Bankruptcy Courts were established by Congress in 1978. Although they are Article I judges, bankruptcy judges may, in certain instances, have jurisdiction over a broad range of proceedings in a personal or business bankruptcy case. Bankruptcy judges are appointed for 14 year terms by the Court of Appeals. Appeals from the Bankruptcy Court are to the United States District Court.

The Federal Rules of Bankruptcy Procedure as well as the Federal Rules of Civil Procedure are used in Bankruptcy Court. Part of the court practice centers around the approval of debtor reorganization plans. Motion practice occurs daily. Trial issues concerning exemptions, fraudulent conveyances, and preferences under state and federal law, creditor's complaints to except a debt from discharge or to deny a discharge in bankruptcy, and objections by parties to a bankruptcy reorganization plan constitute the bulk of trial matters.

Students in this placement have a unique opportunity to develop expertise in a specialized area of the law while gaining important experience applicable for judicial clerkships and litigation practice. The Bankruptcy Court provides excellent practical training in such varied subject areas as civil procedure, secured transactions, corporate law, torts, and constitutional law.

Students will also have the opportunity to develop their legal research and writing skills. Depending on the requirements of the individual judge, students may help draft opinions as well as prepare internal memoranda.

Student will also have an opportunity to attend pre-trial conferences, participate in the discussion of opinions with the judge and his law clerk, attend creditors meetings with the United States Trustee, and observe the court's Administrative Services section.

Students in this placement will work with The Honorable Kevin R. Huennekens or The Honorable Douglas O. Tice, Jr.

Prerequisite: Evidence.

Preferred Courses:

Bankruptcy, Creditor's Rights, Corporations, and Debtor Reorganization.

Note: To observe proceedings, students need to be available on Wednesdays.

No Parking Provided.

**United States Magistrate
United States District Court Clerk's Office
701 East Broad Street
Richmond, VA 23219-3528
(804) 916-2270 (Judge Dohnal)
(804) 916-2890 (Judge Lauck)**

United States magistrate judges are statutory judges whose duties are authorized by 28 U.S.C. § 636. The magistrate judges are integral to the operation of every aspect of the criminal and civil docket management of the United States district courts. The day to day

duties of the magistrate judges include conducting preliminary criminal proceedings such as initial appearances and probable cause and detention hearings; reviewing and authorizing federal search and arrest warrants; presiding over misdemeanor trials; and entering sentences for petty offenses. On the civil side, the magistrate judges are authorized to hear and determine any pretrial matter except dispositive motions. The district court, however, often refers dispositive motions for a hearing and a report and recommendation. Cases may also be referred for full pre-trial management. Given the reputations of the United States magistrate judges in this district, parties frequently consent to the magistrate judges' jurisdiction. The judges maintain a heavy trial docket.

In matters referred by the District Court, the magistrate judges conducts necessary hearings and issues a report and recommended disposition. If a party objects to a magistrate judges' recommendation, the District Court conducts a de novo review of the record before the magistrate judges and may conduct additional hearings before ruling on the recommendation. If no objection is filed, the magistrate judges' recommendation is usually adopted without review. In cases decided by the magistrate judges where the parties have consented to magistrate jurisdiction, the magistrate judges' decisions are final judgments from which a direct appeal may be taken.

The student in this placement will work with The Honorable Dennis W. Dohnal or the Honorable M. Hannah Lauck. These placements will be similar in many aspects to the Circuit Court and Federal District Court placements. The placement with Judge Dohnal is likely, however, to offer a student more exposure to administrative appeals from adverse decisions of executive agencies, particularly the Social Security Administration. The placement with Judge Lauck will offer the student more exposure to habeas corpus cases and prisoner litigation as well as the many fascinating (and troubling) issues surrounding adequate representation in criminal cases and pro se representation. A good deal of the work done by the magistrate judges also includes presiding over civil settlement conferences that are either referred by the district court or are requested by the parties. Students will have an opportunity to observe and participate in all aspects of the operations of the magistrate court, including extensive research and writing.

Preferred Courses for both United States Magistrate Judges: In addition to the first-year classes, criminal procedure, administrative law, evidence, or federal jurisdiction would be helpful.

No Parking Provided.