

2018 Annual Meeting
The West Virginia Bar Association
August 23 – 25, 2018
The Homestead

AGENDA

FRIDAY, AUGUST 24

8:00 Welcome

8:10 **W.Va.- Virginia Historical Debate**

West Virginia – Virginia Historical Debate - The Civil War provided the opportunity for what many in western Virginia had discussed and considered over a number of generations- a separate and distinct state of their own. This presentation will discuss the decades of growing grievances, the tenuous process during the “fearful experiment” of the statehood movement, the role of the Restored Government of Virginia, the legal processes involved in separation and the people who facilitated the only successful secession movement in United States history.

Speaker: Travis Henline

Travis Henline has spent a career in public history working for the National Park Service, the Colonial Williamsburg Foundation and the WV Division of Culture and History. He served as the Site Manager of WV Independence Hall during the 150th anniversary of the Civil War and WV statehood and was co-chair of the Wheeling Civil War 150 Committee.

9:20 **Addressing Lawyer Well-Being in WV**

National studies indicate lawyers and law students experience chronic stress and higher rates of depression and substance abuse than the general population. To address those issues, the American Bar Association Commission on Lawyer Assistant Programs, the National Organization of Bar Counsel, and the Association of Professional Responsibility Lawyers established a National Task Force on Lawyer Well-Being, which issued a report in August 2017, “The Path to Lawyer Well-Being: Practical Recommendations for Positive Change.”. The report makes recommendations for judges, regulators, legal employees, law schools, bar associations and lawyer professional liability carriers. As a result, in March, the Supreme Court of Appeals of West Virginia established the West Virginia Task Force on Lawyer Well-Being to make recommendations on how to address mental health and substance abuse issues in the legal profession. Justice Beth Walker chairs the task force and Mr. Albury is a member. This presentation will outline the obstacles West Virginia lawyers face to maintain their well begin and explain the work of the state task force to ensure that our profession makes every effort to ensure attorneys, clients and the public are well-served.

Speakers:

Honorable Elizabeth D. Walker

Justice Elizabeth "Beth" D. Walker was elected to the Supreme Court of Appeals of West Virginia on May 10, 2016, becoming the first Justice elected in a non-partisan race. She took office on January 1, 2017.

Justice Walker is a 1987 graduate of Hillsdale College in Hillsdale, Michigan. She earned her law degree in 1990 from The Ohio State University. Immediately after graduation, she joined the law firm of Bowles Rice McDavid Graff & Love (now Bowles Rice) in Charleston. During her twenty-two years at Bowles Rice, she concentrated her statewide practice on labor and employment law and mediation.

After moving from Charleston to Morgantown in 2011, Justice Walker became Associate General Counsel for the West Virginia United Health System (also known as West Virginia University Medicine). In that role, she advised WVU Medicine's hospitals and other affiliates regarding labor and employment matters from 2012 until she resigned in 2016 to take office.

In 2012, Justice Walker was elected a Fellow of the College of Labor and Employment Lawyers. She is a 1999 graduate of Leadership West Virginia. A lifelong Girl Scout, Justice Walker is former chairwoman and current member of the board of directors of Girl Scouts of Black Diamond Council. She has been an active community volunteer and served as chairwoman of the boards of Leadership West Virginia and Kanawha Pastoral Counseling Center.

She is married to Mike Walker and stepmother to Jennifer. They live in Charleston.

Robert Albury, Jr., The West Virginia Judicial & Lawyer Assistance Program

Robert Albury, Jr., JD, LADC is the Executive Director of the West Virginia Judicial & Lawyer Assistance Program. Robert is a former practicing attorney and licensed healthcare professional with 35 years' experience in the legal profession & behavioral healthcare. Robert is also the former Executive Director of the Tennessee Supreme Court's Lawyer Assistance Program, as well as the past Program Director for Cumberland Heights' Professionals and Extended Care treatment programs. Robert received his BS in Finance from Florida State University; his JD from the University of Miami School of Law and has been a member of The Florida Bar since 1981.

10:30

PASPA and WV's New Legislation on Sports Gambling

Discussion on the U.S. Supreme Court's recent decision striking down the Professional and Amateur Sports Protection Act of 1992 ("PASPA") and the State of West Virginia's new legislation authorizing sports gambling in the Mountain State.

Speaker: Danielle Boyd, General Counsel, WV Lottery

Danielle Boyd is the Managing General Counsel for the West Virginia Lottery, and most recently, led the initiative to legalize sports wagering in West Virginia. Prior to joining the Lottery in December 2011, Boyd was a staff attorney in the litigation division of West Virginia State Tax Department after previously completing internships for Senator Jay Rockefeller in Washington, D.C., and in the office of the Cabinet Secretary for the West Virginia Department of Revenue.

Boyd graduated from West Virginia University with a Bachelor of Arts degree in English, and completed the campaign management program at the Women's Campaign School at Yale University prior to earning her law degree from West Virginia University's College of Law.

Boyd is a native of Charleston, WV, and is active in the community.

11:30

ABA and WVBF Fellows Luncheon

SATURDAY, AUGUST 25

8:10

Blockchain Technology in West Virginia: What it means for the State and the Law.

A brief explanation of blockchain technology and why lawyers should pay attention; an overview of cryptocurrencies (starting with Bitcoin), how they work, and the legal issues they raise; a discussion of other blockchain technologies likely to disrupt existing industry in the not-too-distant future; and an overview of blockchain related legislative initiatives, including a discussion on the State of West Virginia's first in the nation pilot project using blockchain technology for absentee voting.

Speakers:

Gray Sasser, Frost Brown Todd

As co-chair of Frost Brown Todd's Blockchain and Digital Currency team, Gray regularly advises clients on the regulatory and business issues arising when cryptographic computing intersects with U.S. securities laws. He is currently assisting several companies navigate the evolving regulatory framework impacting initial coin offerings, including representing clients in front the U.S. Securities and Exchange Commission. Gray also represents hedge funds specializing in tokenized assets. A regular commentator and frequent speaker on regulatory developments affecting the sale of tokenized assets, he was one six U.S. lawyers serving on the advisory panel for "Blockchain, Virtual Currencies and ICOs: Navigating the Legal Landscape" published last month by Wolters Kluwer. Prior to joining Frost Brown Todd LLC, Gray served as Senior Vice President for Congressional Affairs of the Export-Import Bank of the United States and continues to advise clients on cross-border transactions.

The Honorable Mac Warner, Secretary of State

On November 8, 2016, Andrew McCoy "Mac" Warner was elected to become West Virginia's 30th Secretary of State.

Secretary Warner graduated from the United States Military Academy at West Point and West Virginia University's College of Law. He has two Master of Law Degrees, one in Military Law from The Army Judge Advocate General's School and one in International Law from the University of Virginia Law School.

A decorated soldier, Secretary Warner served as the Chief of International Law for the United States Army Europe, was an instructor at the Army Judge Advocate General's School, and served on the Staff at the U.S. Army War College. He has been both a defense attorney and a chief prosecutor. He rose to the rank of Lieutenant Colonel before his retirement after 23 years in the United States Army.

West Virginia Forward

A blueprint with a host of recommendations and ideas to advance the state's economic future, West Virginia Forward began as an unprecedented collaboration among West Virginia University, the West Virginia Department of Commerce and Marshall University. Over time, this partnership has developed into a larger, statewide effort to identify West Virginia's unique assets and pair them with economic trends that will leverage growth and development opportunities to strengthen and diversify all regions of the state.

With a sharp focus on short-term and long-term objectives, and a refined vision, the partners are working alongside key stakeholders and experts across West Virginia and beyond. So far, innovative solutions and opportunities include advancing West Virginia's workforce, business climate, educational opportunities, community development, energy sector, cybersecurity, entrepreneurship and infrastructure.

Speakers: Dr. E. Gordon Gee, President, West Virginia University

Currently serving for a second time as president of West Virginia University, Dr. E. Gordon Gee has been a higher education leader for more than three decades. In 2009 *Time* magazine named him one of the top 10 university presidents in the United States. In addition to his service at West Virginia University, Gee served as president of The Ohio State University (twice), Vanderbilt University, Brown University, and the University of Colorado.

Born in Vernal, Utah, Gee graduated from the University of Utah with an honors degree in history and earned his J.D. and Ed.D. degrees from Columbia University. Before starting his career in higher education, he clerked under Chief Justice David T. Lewis of the U.S. 10th Circuit Court of Appeals and was a judicial fellow and staff assistant to the U.S. Supreme Court, where he worked for Chief Justice Warren Burger.

He has written widely on law and education, and is the co-author of 11 books, including *Law, Policy and Higher Education* published in 2012. His service on education-governance organizations and commissions is extensive – and he currently serves on the Board of Trustees of the National 4-H Council, the National Executive Board of the Boy Scouts of America and Board of Directors of the American Council on Education – the nation's largest higher education organization. He is serving as chair of the Big 12 Board of Directors Executive Committee for the 2017-18 year and is a member of Forward50, an initiative working toward student equity, success and outcomes.

Dr. Jerome Gilbert, President, Marshall University

Dr. Jerome A. "Jerry" Gilbert became the 37th president of Marshall University in January 2016.

A Mississippi native with a background in biomedical engineering, President Gilbert previously served for nearly six years as provost and executive vice president of Mississippi State University. Before that, he was the university's associate provost and associate vice president for academic affairs for six years. Earlier roles include head of the Department of Agricultural and Biological Engineering and coordinator for the biomedical engineering graduate program in the Bagley College of Engineering.

President Gilbert attained the rank of professor in 1993 after joining the Mississippi State faculty in 1988 as associate professor. From 1989-2005, he also served as adjunct clinical assistant professor of orthopaedic surgery (research) for the University of Mississippi Medical Center. He served for 10 years as a research affiliate with the Institute of Neurocognitive Science and Technology at Mississippi State, and was among the first class of Mississippi State's honors faculty in the Shackouls Honors College.

President Gilbert was a graduate assistant at Duke University and held previous academic appointments at North Carolina State University and University of North Carolina (Chapel Hill) School of Medicine.

In 2014, he was elected to the inaugural board of directors of the Association of Chief Academic Officers. A member of the College of Fellows of the American Institute for Medical and Biological Engineering, he also was inducted in the inaugural class of Fellows of the Institute of Biological Engineering, an organization for which he served as president in 2005. In 2017, he was named a Distinguished Fellow in the Bagley College of Engineering at Mississippi State.

He has a bachelor's degree in biological engineering from Mississippi State and a doctorate in biomedical engineering from Duke.

President Gilbert and his wife Leigh are the parents of three grown children, Caroline, Sallie and Peter. They have one granddaughter, Eliza.

11:30

Business Meeting