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SUPREME COURT OF VIRGINIA
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RICHMOND, VIRGINIA

IN THE

Supreme Court of Virginia

AT RICHMOND

RECORD NO. 780823

BONNIE C. CORD,

.....Appellant

v.

DUNCAN C. GIBB, JUDGE, etc.,

.....Appellee

APPENDIX

Thomas V. Monahan
Hall, Monahan, Engle,
Mahan & Mitchell
Post Office Box 844
Winchester, Virginia 22601

Counsel for Appellant

FRED R. SURFACE & ASSOC. INC., HERITAGE BUILDING, RICHMOND, VA. (804) 643-7789

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Virginia Board of Bar Examiners

The form of application, notice and court certificate required by Rule 9 for all applicants shall be, substantially, as follows:

Certificates:

Application must be filed in clerk's office 10 days before certificate is granted.

Date when motion for certificate is to be made must be inserted.

It must appear that applicant is a resident of the county or corporation in which this certificate is obtained.

Application

To the Honorable Duncan C. Gibb,

Judge of the Circuit Court of Warren County:

The undersigned, a resident of Virginia, in accordance with the provisions of Section 54-60 of the Code of Virginia of 1950, as amended, who is over the age of 18, will apply to your court

(or you) on the 2nd day of November, 1977, for a certificate to enable him to appear before the Virginia Board of Bar Examiners in February, 1978, ~~(July, 19XX)~~ for examination for license to practice law in this State.

Respectfully,

Notice

To Whom it May Concern:

Notice is hereby given that the applicant named below who desires to be licensed to practice law in this State, will on the

17th day of November, 1977, move the court to grant him a certificate that he is a person of honest demeanor, of good moral character, is over the age of eighteen years, and intends to reside in this State in accordance with the provisions of Section 54-60 of the Code of Virginia of 1950, as amended.

(Sign)

PLEASE NOTE: This application for a character and residence certificate is not to be confused with the separate application for examination required by Rule 8 or the application for re-examination required by Rule 16.

VIRGINIA: IN THE CIRCUIT COURT OF WARREN COUNTY

IN RE: APPLICATION OF BONNIE C. CORD, ESQUIRE FOR A CERTIFICATE REQUIRED IN ORDER TO TAKE THE VIRGINIA STATE BAR EXAMINATION

REPORT

WHEREAS, the Court by order dated November 3, 1977 directed that Hubert Marlow, Jr., Chairman, J. Adair Moore and David N. Crump, Jr., Esquires make investigation pursuant to Section 54-60 of the Code of Virginia of the above application, and

WHEREAS, Hubert Marlow, Jr., J. Adair Moore and David N. Crump, Jr. did make the investigation as ordered.

NOW, THEREFORE, the undersigned make the following report;

The undersigned, three attorneys, practicing before this Court, having made a thorough examination of the moral character and fitness of Bonnie C. Cord, such examination including personal interview, and discussions with former employees, the majority of the committee, the said Hubert Marlow, Jr. and David N. Crump, Jr. submit that the moral character and fitness qualify her to be a member of the Virginia State Bar and recommend to the Court that she be approved to take the Virginia State Bar Examination, the aforesaid member of the committee however feel that it should be brought to the Court's attention that in the interview with the applicant that she stated she had purchased a home with one Jeffery Blue and that she resided at the residence with him, however she is a member of the District of Columbia Bar in good standing and was highly recommended by her previous employers and the majority does not feel that this effects her moral

character and fitness to take the Virginia State Bar. The minority opinion of J. Adair Moore is that the above does effect her moral character and fitness to take the Virginia State Bar and he does not recommend to the Court that she be approved to take the Virginia State Bar.

REC. & FILED
11/17/72 JRO
EDWARD M. MATHEWS, CLERK
WARREN CO. CIRCUIT COURT

Hubert Marlow, Jr.

J. Adair Moore

David N. Crump, Jr.

Commonwealth of Virginia

JUDGES

ROBERT K. WOLTZ
COUNTY COURTHOUSE
WINCHESTER, VIRGINIA 22601
(703) 667-1580

JOSHUA L. ROBINSON
P. O. BOX 46
LURAY, VIRGINIA 22835
(703) 743-6596

DUNCAN C. GIBB
P. O. BOX 1597
FRONT ROYAL, VIRGINIA 22630
(703) 635-3550

TWENTY-SIXTH JUDICIAL CIRCUIT

CIRCUIT COURTS OF

COUNTY OF PAGE
COUNTY OF CLARKE
COUNTY OF WARREN
CITY OF WINCHESTER
COUNTY OF FREDERICK
COUNTY OF ROCKINGHAM
COUNTY OF SHENANDOAH

February 23, 1978

Mr. W. Scott Street, III
Secretary, Virginia Board of Bar Examiners
700 East Main Street, Suite 1405
Richmond, Virginia 23219

In Re: Bonnie C. Cord

Dear Mr. Street:

Miss Cord applied to this court on November 2, 1977 for a certificate pursuant to Section 54-60 so that she might be permitted to take the bar examination this month. On November 3, 1977 the court appointed a committee of three practicing attorneys pursuant to the above statute and on November 17, 1977 the majority of the committee reported in writing that she was qualified to take the bar examination. One member of the committee did not agree that she was qualified because she had purchased a home several months previously with a man, who was not her husband, and had been living with him openly.

I advised Miss Cord of the committee's report and granted her a hearing on the matter, which was held on January 19, 1978. At that time she presented a number of witnesses who testified as to her moral character and fitness. Upon consideration, this court refused to issue her the certificate and advised her and her attorney to prepare an order, a copy of which would be sent to you. To date, no order has been received although I phoned her attorney to inquire and was informed that the order had been prepared by him and forwarded to Miss Cord for approval and submission to the court. Later I was informed that the attorney had withdrawn and understood that the order would be submitted directly by Miss Cord.

In view of the lapse of time and the mandate of the Virginia Code, this is to advise you of the action of the court in refusing to issue her the certificate.

I might add that in other respects Miss Cord meets the statutory requirements to take the examination.

If you desire any further information, please advise me.

Very truly yours,

Duncan C. Gibb

cc: Miss Bonnie C. Cord
H. Dudley Payne, Jr., Esquire

DCG:msf

V I R G I N I A :

IN THE CIRCUIT COURT OF WARREN COUNTY

IN RE: APPLICATION OF BONNIE C. CORD, ESQUIRE, FOR A CHARACTER AND RESIDENCE CERTIFICATE REQUIRED IN ORDER TO TAKE THE VIRGINIA STATE BAR EXAMINATION

O R D E R

This day came Bonnie C. Cord, Applicant, in person and by counsel, H. Dudley Payne, Jr., for hearing on the application of Bonnie C. Cord, to obtain a character, age and residence certificate from the Circuit Court for Warren County, as required by Section 54-60 of the Virginia Code of 1950, as amended, in order that Applicant be permitted to take the Virginia State Bar Examination.

It appearing to the Court that Applicant did apply for the aforesaid certificate on November 2, 1977, and;

It appearing to the Court that on November 3, 1977, the Court, through Judge Elliott Marshall, did appoint a committee of three practicing attorneys, namely, Hubert H. Marlow, Jr., J. Adair Moore, and David N. Crump, Jr., Esquires, to make investigation of Applicant, as required by Section 54-60, and;

It appearing to the Court that the report of aforesaid committee was filed on November 17, 1977; that the majority of the committee, namely Hubert H. Marlow, Jr., Chairman, and David N. Crump, Jr., did recommend that Applicant be approved to take the Virginia State Bar Examination, their recommendation being based upon a thorough examination of Applicant's moral character and fitness, including personal interview, and discussions with former employers, who highly recommended Applicant, and upon the fact that she is a member of the District of Columbia Bar in good standing; that one member of the

committee, J. Adair Moore, did not recommend that she be approved to take the Virginia State Bar because she purchased a home with a male individual, not her husband, and resides at the residence with him, and;

It appearing to the court that on January 19, 1978, an in camera hearing was held before the Honorable Duncan C. Gibb, during which Applicant presented four character witnesses, namely, Dr. Mark A. H. Smith, Jr., Mrs. Mildred M. Stribling, Mr. James R. Jones, and Mrs. June Smith, who testified as to the moral character of the Applicant and her fitness to be a member of the Virginia State Bar; that seven exhibits were presented to the Court, namely, (1) membership cards of Bonnie C. Cord to show her membership in the District of Columbia Bar, (2) a letter from Mr. Warren L. Miller, a member of the Virginia Bar and a former employer and neighbor of Applicant, (3) a letter from Mr. H. J. Staas, a member of the District of Columbia Bar and a former employer of Applicant; (4) a letter from Mr. James D. Halsey, Jr., a member of the District of Columbia Bar and a former employer of the Applicant; (5) a letter from Albert E. Craig, a member of the District of Columbia Bar and a current neighbor of Applicant, (6) a memorandum of points and authorities in support of the application, and (7) a letter from Applicant's counsel to the Court, and;

It appearing to the Court, after hearing evidence, reviewing exhibits and hearing argument, that the character and residence certificate should be refused on the grounds that the living arrangement of Applicant would lower the public's opinion of the Bar as a whole, and;

It appearing to the Court that in all other respects Applicant meets the statutory requirements to take the Virginia State Bar Examination;

NOW, THEREFORE, it is ORDERED that the certificate sought by Applicant pursuant to Section 54-60 of the Code of Virginia of 1950, as amended, be, and hereby is, refused, and it is further

ORDERED that the exceptions of the Applicant to the ruling of the Court are noted, that the transcript of the aforesaid hearing and all exhibits presented herein be, and hereby are, made a part of the record, and it is further

ORDERED that the Clerk certify a copy of this Order and send same to the Secretary of the Virginia Board of Bar Examiners at the following address; Virginia Board of Bar Examiners, 700 East Main Street, Richmond, Virginia 23219.

To which actions and findings, Applicant objects and excepts.

ENTER this____day of_____, 1978.

_____
Judge

MR. PAYNE: IF YOUR HONOR PLEASE, DID YOU RECEIVE THE LETTER YESTERDAY?

THE COURT: YES, I DID. FIRST OF ALL I'D LIKE TO STATE THAT YOU MENTIONED THAT I SUGGESTED HOW SHE SHOULD PROCEED. I DON'T KNOW WHETHER THE WORD SUGGESTION IS CORRECT, I MUST HAVE MUMBLED WHETHER THAT, BUT I REMEMBER TALKING WITH HER AND I DON'T BELIEVE THERE'S ANY PRECEDENCE OF THIS, HAVE A SEAT THERE, PLEASE.

MR. PAYNE: THAT'S RIGHT.

THE COURT: HOW WE SHOULD PROCEED, BUT I HAVE LEARNED, THE FEW YEARS THAT I HAVE BEEN ON THE BENCH, THAT YOU MAKE A RECORD AND AT THAT TIME I FIGURED WE WERE NOT SURE WHAT WENT TO THE SECRETARY OF THE BAR EXAMINER'S BOARD IF THE APPROVAL WAS NOT GRANTED, OR EVEN IF IT WAS GRANTED, WHETHER THE REPORT OF THE COMMITTEE GOT BEFORE THE BOARD.

SO, IT WAS MY SUGGESTION TO HER, IF SHE WOULD LIKE TO HAVE A HEARING, WHY THAT WOULD BE FINE, OF COURSE, I REALISE THAT I COULD HAVE ACTED ON RECOMMENDATIONS WITHOUT FURTHER...

MR. PAYNE: YES, SIR.

THE COURT: ...TO DO, BUT I THOUGHT IF SHE WANTED TO MAKE A RECORD, WHY THE PROCEDURE WOULD BE TO HAVE A HEARING.

MR. PAYNE: YES, SIR.

THE COURT: SO, THAT WAS THE REASON I SUGGESTED THAT. IF YOU ALL DON'T WANT TO FOLLOW THAT, THAT'S ENTIRELY UP TO YOU. IF YOU WOULD JUST LIKE TO

PENGAD CO., BAYONNE, N.J. 07003 · FORM 2051

1 ARGUE IT ON WHAT WE HAVE HERE, WELL, WHATEVER PROCEDURE YOU
2 WISH TO FOLLOW.
3 MR. PAYNE: IF YOUR HONOR
4 PLEASE, I REALIZE THE ACTUAL WORD SUGGESTION IN THAT LETTER
5 IS NOT EXACTLY CORRECT. AS I UNDERSTAND IT FROM MS. CORD,
6 THERE WAS A SUGGESTION MADE WE CAN HAVE A HEARING, THAT
7 SORT OF REMARK. WITH THAT YOUR HONOR, MADE IT VERY CLEAR AT
8 THAT POINT, THAT HE WAS NOT, YOU WERE NOT TELLING HER HOW
9 TO PROCEED; IT WAS JUST THAT WE FELT, NUMBER ONE, YOUR HONOR
10 HAD SUGGESTED, I BELIEVE NOW THAT THERE WAS A REQUEST
11 BY MS. CORD THAT WE COULD HAVE A HEARING IN CAMERA, AT LEAST
12 IN CHAMBERS, SO THAT IT WOULD NOT BE A PUBLIC MATTER.
13 ACCORDINGLY I WOULD ASK...
14 THE COURT: MR. DOWNING,
15 WOULD YOU MIND...
16 MR. DOWNING: NO,
17 PROBLEM YOUR HONOR.
18 THE COURT: ...GOING OUT.
19 MR. PAYNE: SECONDLY, SINCE
20 THERE IS A SUGGESTION, AT LEAST, PERHAPS EVEN AN ACCUSATION
21 WITHIN THE REPORT THAT'S ALREADY BEEN MADE TO THE COURT
22 THAT SHE IS NOT FIT. WE WOULD BRING TO PROCEED BY PUTTING ON
23 EVIDENCE, WHICH WE HOPE, AND AS I MAINTAINED IN THE LETTER,
24 I SUPPOSE YOU CAN CALL THIS AN OPENING STATEMENT, WILL SHOW
25 YOUR HONOR, THAT SHE IS IN FACT OF GOOD MORAL CHARACTER,

1 AND THAT'S HOW WE WOULD WISH TO PROCEED.
2 THE COURT: ANY WAY THAT
3 YOU WISH, BECAUSE AS I SAY I DON'T KNOW THAT THERE'S ANY
4 PRECEDENT FOR YOU.
5 MR. PAYNE: NO, SIR. IF I
6 MAY MENTION I TALKED TO SCOTT STREET, AS I MENTIONED IN THE
7 LETTER, AND HE CONCURRED WITH ME, THAT THERE IS NO STATUTORY
8 PROCEDURE FOR APPEAL, IF YOUR HONOR SHOULD RULE AGAINST
9 MS. CORD. HE AGREES FURTHER, YOU KNOW, WE MAY SIMPLY END UP DOWN
10 IN THE VIRGINIA SUPREME COURT. SO, FOR THAT PURPOSE WE
11 WOULD WANT TO MAKE SOMETHING OF THE RECORD HERE, IN CASE
12 YOUR HONOR SHOULD RULE AGAINST US.
13 THE COURT: ALL RIGHT.
14 MR. PAYNE: I ASK TO
15 CALL WITNESSES. CAN YOU GET DOCTOR SMITH, PLEASE. WHAT
16 WOULD YOUR HONOR WANT TO USE AS A WITNESS STAND?
17 THE COURT: ANY ONE OF
18 THESE CHAIRS WHICH IS CONVIENENT FOR YOU.
19 MARTIN H. SMITH, JR., HAVING BEEN FIRST DULY SWORN BY THE
20 CLERK, WAS EXAMINED AND TESTIFIED AS FOLLOWS:
21 THE COURT: HOW ARE YOU,
22 SIR?
23 MR. SMITH: FINE, THANK YOU.
24
25

MARTIN H. SMITH, JR., HAVING BEEN FIRST DULY SWORN BY THE CLERK, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

1 DIRECT EXAMINATION
2 BY MR. PAYNE:

3 Q. DOCTOR, STATE YOUR NAME AND YOUR OCCUPATION PLEASE?
4 A. MARTIN H. SMITH, JR., ORTHOPEDIC SURGEON.
5 Q. IN WHAT LOCATION?
6 A. FRONT ROYAL, VIRGINIA.
7 Q. WHAT IS YOUR ADDRESS?
8 A. LINDEN, VIRGINIA.
9 Q. HOW LONG HAVE YOU LIVED IN THAT COMMUNITY?
10 A. WE HAVE BEEN THERE, LET'S SEE, JUST SHY OF TWO YEARS NOW.
11 Q. WHAT IS YOUR AGE?
12 A. 41.
13 Q. ARE YOU A MEMBER OF ANY PARTICULAR CIVIC ORGANIZATIONS
14 IN THIS AREA, GROUPS THAT YOU BELONG TO?
15 A. NOT CIVIC ORGANIZATIONS, NO.
16 Q. OKAY, HOW ABOUT YOUR RESPONSIBILITIES WITHIN THE
17 HOSPITAL ITSELF, WOULD HAVE BEEN YOUR POSITIONS
18 WITHIN THE HOSPITAL?
19 A. I AM A MEMBER OF THE HOSPITAL MEDICAL STAFF, FORMER CHIEF OF
20 STAFF OF THE HOSPITAL.
21 Q. YOU KNOW BONNIE CORD, DO YOU NOT?
22 A. YES, I DO.
23 Q. SHE IS THE LADY SEATED TO MY LEFT?
24 A. YES.
25 Q. WHEN DID YOU FIRST MEET HER?

1 A. APPROXIMATELY TWO OR THREE MONTHS AGO.
2 Q. HOW DID YOU MEET HER?
3 A. IT WAS A SOCIAL OCCASION, MY WIFE AND I HAD INVITED HER
4 TO A GATHERING IN HONOR OF A COUPLE AND, UNFORTUNATELY,
5 THEY DIDN'T, BONNIE DIDN'T GET THE INVITATION, AND
6 SUBSEQUENTLY FOUND IT, AND INVITED MY WIFE AND I TO HER
7 HOME.
8 Q. DID YOU GO OVER THERE FOR, STRICTLY A SOCIAL OCCASION ONCE
9 YOU GOT THERE?
10 A. STRICTLY A SOCIAL OCCASION.
11 Q. HOW LONG WOULD YOU BE ABLE TO SAY YOU STAYED THERE?
12 DO YOU REMEMBER?
13 A. COUPLE OF HOURS.
14 Q. HOW MANY OTHER TIMES HAVE YOU SEEN HER?
15 A. I EXPECT FOUR OR FIVE OTHER OCCASIONS.
16 Q. WOULD THOSE BE VISITS IN HER HOME, YOURS, JUST EXCHANGE
17 IN VISITS?
18 A. COMBINATION, AROUND THE COMMUNITY, TRAIL RIDING, HORSE
19 RACES, PERSONAL OCCASIONS, ESSENTIALLY, YES.
20 Q. CAN YOU EXPLAIN TO HIS HONOR WHERE YOU LIVE IN RELATION
21 TO HER?
22 A. ABOUT, ON THE ROAD, ABOUT A QUARTER OF A MILE WHERE OUR
23 PROPERTY WOULD MEET AT THE TOP OF THE MOUNTAIN.
24 THE COURT: SO, YOU'RE
25 NEXT DOOR NEIGHBORS?

1 A. CORRECT.
2 Q. CAN YOU DESCRIBE HER HOUSE, FIRST OF ALL BY WHAT ROAD
3 IT IS ON, AND THEN WHAT YOU CAN OR CANNOT SEE FROM
4 THE ROAD ITSELF.
5 A. UNLESS YOU KNEW IT WAS THERE, YOU COULDN'T SEE IT, AND
6 EVEN WHEN YOU KNOW IT'S THERE SOMETIMES, YOU CAN'T SEE
7 IT, PARTICULARLY IN THE SUMMER TIME, BUT IT'S ON ROUTE 638,
8 SIT'S HIGH UP ON A HILL, IS REMOTE FROM VIEW, NOT
9 NECESSARILY REMOTE FROM ACCESS FROM ROUTE 638 ABOUT A
10 HALF MILE UP FROM THE POST OFFICE IN LINDEN.
11 Q. HAVE YOU HAD OCCASION TO ATTEND OTHER FUNCTIONS WHERE
12 SHE WAS, OR YOU HAD GUESTS OVER AT YOUR HOUSE, WHICH SHE ATTENDED?
13 A. YES, SIR.
14 Q. DO YOU KNOW A FAIR NUMBER OF PEOPLE IN YOUR COMMUNITY?
15 A. FAIR NUMBER.
16 Q. WOULD YOU BE ABLE TO SAY ROUGHLY HOW MANY PEOPLE YOU
17 MIGHT KNOW IN THE COMMUNITIES OF LINDEN, MARKHAM ON UP
18 TO FRONT ROYAL? ROUGHLY HOW MANY PEOPLE YOU WOULD KNOW.
19 A. OH, MERCY, 100, 150, AND 200 MAYBE.
20 Q. HAVE YOU HAD OCCASION TO COME TO KNOW OTHER PEOPLE WHO
21 KNOW BONNIE?
22 A. YES, IN DEED.
23 Q. WOULD YOU HAVE AN OCCASION TO HAVE FORMED AN OPINION
24 AS TO HER CHARACTER?
25 A. IF I MAY I WOULD LIKE TO ANSWER THAT BY SAYING WELL

1 BEFORE BONNIE HAD MOVED INTO OUR COMMUNITY, SHE WAS IN
2 MARKHAM AND A NUMBER OF OUR FRIENDS AND DISTANT RELATIVES
3 OF MARKHAM WERE, WE KNEW, I KNEW OF BONNIE CORD BEFORE
4 MEETING HER BY A NUMBER OF MONTHS, AND I MIGHT SAY THAT
5 EVERYONE I KNOW SPOKE FAVORABLY AND HIGHLY OF HER.
6 Q. HAVE YOU EVER HEARD ANYTHING DERROGATORY ABOUT HER?
7 A. NEVER.
8 Q. ARE YOU AWARE OF HER LIVING ARRANGEMENT?
9 A. I THINK SO.
10 Q. HAS HER LIVING ARRANGEMENT EVER BEEN THE SUBJECT OF
11 DISCUSSION WITHIN YOUR HEARING?
12 A. NO, NOT THAT I'M AWARE OF.
13 Q. HAS EVERYONE YOU'VE TALKED TO OR HEARD DISCUSSED BONNIE
14 CORD, SPOKEN OF HER AS YOU DO?
15 A. EVERYONE, VIRTUALLY EVERYONE.
16 Q. WOULD YOU HAVE AN OPINION AS TO WHETHER OR NOT SHE'D BE
17 FIT TO BE A MEMBER OF THIS BAR?
18 A. I SEE NO REASON WHY NOT.
19 Q. WOULD YOU RECOMMEND HER, IN FACT, TO BE ALLOWED TO TAKE
20 THE BAR EXAMINATION?
21 A. I CERTAINLY WOULD.
22 MR. PAYNE: YOUR HONOR,
23 I HAVE NO FURTHER QUESTIONS OF THIS WITNESS.
24 THE COURT: ALL RIGHT.
25 THANK YOU DOCTOR SMITH.

1 A. THANK YOU.
2 (WHEREUPON, COUNSEL CONFERRED INAUDIBLY.)
3 MR. PAYNE: COULD YOU ASK
4 MS. STRIBLING TO COME IN WHY YOU'RE OUT THERE?
5 DOCTOR SMITH: CERTAINLY
6 WILL.
7 MILDRED MAKAY STRIBLING, HAVING BEEN FIRST DULY SWORN BY
8 THE CLERK, WAS EXAMINED AND TESTIFIED AS FOLLOWS:
9 DIRECT EXAMINATION
BY MR. PAYNE:
10
11 Q. MS. STRIBLING, STATE YOUR NAME PLEASE?
12 A. MILDRED MAKAY STRIBLING.
13 Q. AND YOUR ADDRESS?
14 A. POST OFFICE BOX 116, MARKHAM, VIRGINIA.
15 Q. HOW LONG HAVE YOU LIVED IN THAT AREA?
16 A. I'VE ACTUALLY LIVED THERE SINCE MAY THE 6TH, AND I HAVE
17 BEEN IN THERE AND OUT OF THE AREA FOR 35 YEARS.
18 Q. WHY IS THAT?
19 A. MY HUSBAND'S FAMILY'S THERE, HE WAS BORN AND RAISED
20 THERE AND WE INHERITED THE HOME PLACE.
21 Q. WHAT IS YOUR HUSBAND'S OCCUPATION?
22 A. HE WAS THE, AN ENGINEER, HE WAS WITH THE FOREST SERVICE;
23 HE RETIRED IN MAY, WE WERE IN ROANOKE THEN, AND WE MOVED
24 UP HERE, AND NOW HE'S TRYING TO FARM.
25 Q. WHAT IS YOUR OCCUPATION?

1 A. I JUST STARTED WORKING IN REAL ESTATE, AS A REAL ESTATE
2 AGENT FOR VIRGINIA INVESTMENT PROPERTIES IN WARRENTON.
3 Q. DO YOU HAVE CHILDREN?
4 A. I HAVE THREE CHILDREN. THEY ARE GROWN, AND MY OLDEST
5 BOY IS IN, LIVING IN MARKHAM, HE'S MARRIED AND HAS TWO
6 CHILDREN, AND I HAVE A DAUGHTER IN NORTH CAROLINA THAT'S
7 MARRIED AND HAS A CHILD, AND A DAUGHTER IN PORTLAND,
8 OREGON THAT'S MARRIED AND HAS A CHILD, ALL GRANDSONS.
9 Q. I KNOW I SHOULDN'T ASK YOU THIS MRS. STRIBLING, BUT WHAT IS
10 YOUR AGE?
11 A. I'M 54.
12 Q. ARE YOU A MEMBER OF ANY CHURCHES OR OTHER ORGANIZATIONS
13 WITHIN YOUR COMMUNITY?
14 A. I BELONG TO THE EPISCOPAL CHURCH, AND, OR OTHER ORGANIZATIONS?
15 Q. YES.
16 A. LET'S SEE, I BELONG TO THE BLUE RIDGE GARDEN CLUB.
17 Q. DO YOU REGULARLY ATTEND YOUR CHURCH?
18 A. YES.
19 Q. DO YOU KNOW BONNIE CORD?
20 A. YES.
21 Q. HOW LONG HAVE YOU KNOWN BONNIE?
22 A. OH, I WOULD SAY SINCE '74 I BELIEVE, OF AUGUST '74, I
23 BELIEVE I FIRST MET HER.
24 Q. HAVE YOU HAD OCCASION TO SEE HER FREQUENTLY?
25 A. OH, YES.

1 Q. WOULD YOU BE ABLE TO TELL THE JUDGE ROUGHLY HOW MANY TIMES
2 YOU HAVE SEEN HER, AND HOW OFTEN, WHAT TYPES OF CONTACT
3 YOU HAVE HAD WITH HER.
4 A. WELL, WHEN WE WERE LIVING IN ROANOKE, AND WE WOULD COME
5 UP ON WEEKENDS TO SEE ABOUT THE FARM, AND JEFF BLUE WAS
6 RENTING ONE OF OUR HOUSES AND BONNIE IS A FRIEND OF
7 JEFF'S, AND WE'D COME UP ON WEEKENDS TO RIDE, AND SHE HAD
8 A HORSE THERE, I GUESS IT WASN'T HER HORSE, BUT THEY HAD
9 HORSES THERE AND WERE RIDING A LOT OVER AT THE BARN,
10 WHICH IS RIGHT THERE AT OUR PLACE.
11 EVERYTHING WAS ALL THERE TOGETHER, AND WE SAW THEM EVERY
12 WEEKEND WE CAME UP PRACTICALLY, AND WE WOULD BE THERE FOR
13 BREAKFAST AND FOR COFFEE OR FOR A MEAL AND HE WOULD BE
14 OVER...WE STAYED AT THE CABIN AND WE'RE STILL STAYING
15 AT THE CABIN, AND SO, WE VISITED BACK AND SO FORTH, MEALS,
16 AND JUST TO SEE EACH OTHER.
17 Q. THERE CAME A TIME WHEN BONNIE ACTUALLY MOVED INTO THE
18 COMMUNITY AS FULL TIME RESIDENT, OR INTO LINDEN, ANYWAY?
19 A. WELL, NOT, NOT THEY, JEFF RENTED OUR HOUSE IN MARKHAM
20 UNTIL JULY OF THIS YEAR AND WHEN HE MOVED FROM THERE
21 JEFF AND BONNIE, AS I UNDERSTAND IT, THEY BOUGHT
22 THE HOUSE TOGETHER IN LINDEN.
23 Q. HAVE YOU A OCCASION TO VISIT IN THEIR HOME?
24 A. OH, YES.
25 Q. IN THE HOME IN LINDEN?

1 A. (RESPONDING IN THE AFFIRMATIVE.)
2 Q. WOULD YOU BE ABLE TO TELL HIS HONOR ROUGHLY HOW MANY TIMES
3 YOU HAVE DONE THAT?
4 A. OH, GOODNESS, I REALLY DON'T HAVE ANY IDEA, BUT QUITE
5 FREQUENTLY. I REMEMBER THE FIRST TIME WHEN WE WENT I WAS
6 BABYSITTING FOR MY GRANDCHILDREN AND JEFF CAME BY AND SAID
7 WOULD YOU LIKE TO SEE THE HOUSE, AND WE WENT OUT AND
8 LOOKED THROUGH THE HOUSE...
9 Q. DID YOU TAKE THE GRANDCHILDREN WITH YOU?
10 A. OH, YES.
11 Q. THE GRANDCHILDREN'S AGES ARE WHAT?
12 A. TWO AND FOUR, FOUR AND A HALF, AND THEN THEY WERE BUILDING
13 A BARN AND RAN OUT OF FENCE THERE, AND MY HUSBAND IS AN
14 ENGINEER AND HE HELPED WITH THE LAYOUT OF IT, AND SO WE WERE
15 UP QUITE FREQUENTLY THEN, AND BUSY BACKWARDS AND FORTH.
16 Q. THAT INCLUDED VISITING IN THEIR HOME?
17 A. OH, YES, YES. WE HAD LUNCH TOGETHER, THIS TYPE
18 OF THING AND THEN..
19 Q. YOU'RE FRIENDS RIGHT?
20 A. OH YEAH.
21 Q. HAVE YOU HAD OCCASION TO DISCUSS BONNIE WITH OTHER
22 MEMBERS OF THE COMMUNITY AND HEARD HER NAME COME UP IN
23 VARIOUS CONVERSATIONS YOU HAVE HAD WITH OTHER PEOPLE?
24 A. WHY I GUESS IT WAS DISCUSSED. I MEAN JUST CASUALLY
25 BECAUSE SHE'S AN ACCEPTED MEMBER OF OUR COMMUNITY.

1 HERE, AND BOTH OF THEM ARE VERY WELL LIKED AND
2 WE'VE HAD...
3 Q. BY THE COMMUNITY GENERALLY?
4 A. OH, YES. WE'VE HAD PARTIES WHERE WE'VE HAD, IN FACT, WHEN
5 THEY WERE MOVING TO LINDEN, WE HAD A PARTY AT THE CABIN
6 FOR ABOUT 45 PEOPLE FROM, IN THE COMMUNITY THAT...
7 Q. THAT WAS IN HER HONOR, WAS IT NOT, OR THEIR HONOR?
8 A. RIGHT, (RESPONDING IN THE AFFIRMATIVE.)
9 Q. WHAT WAS THE...
10 A. AT THE CABIN.
11 Q. WHAT WAS THE OCCASION FOR THAT?
12 A. IT WAS IN THEIR HONOR, BECAUSE THEY WERE LEAVING AND WE
13 WANTED TO HAVE SOMETHING FOR THEM BEFORE THEY LEFT, AND
14 SO WE HAD THE PEOPLE IN THE NEIGHBORHOOD THAT CAME,
15 AND AS I SAID, IT WAS ABOUT 45 OF US, I THINK THERE, AND...
16 Q. IS IT SAFE TO SAY THAT BONNIE CORD IN YOUR COMMUNITY
17 WAS EXTREMELY WELL LIKED?
18 A. OH, YES.
19 Q. WOULD IT BE SAFE TO SAY THAT IN YOUR COMMUNITY BEFORE SHE
20 MOVED OUT ANYWAY, WAS SHE THOUGHT TO BE OF HIGH CHARACTER
21 WITHIN THE COMMUNITY?
22 A. YES.
23 Q. WAS SHE COMPLETELY ACCEPTED IN YOUR COMMUNITY?
24 A. I CERTAINLY BELIEVE SO.
25 Q. DID YOU HAVE RELUCTANCE AT ALL TO ALLOW YOUR GRANDCHILDREN

1 TO GO TO HER HOME?
2 A. NO.
3 Q. HAS SHE ALWAYS CONDUCTED HERSELF WITH PROPRIETY?
4 A. YES, IN DEED.
5 Q. WOULD YOU HAVE AN OPINION AS TO HER MORAL CHARACTER?
6 A. I CERTAINLY THINK, THOUGH, AND I THINK EVERYBODY ELSE
7 DOES THINKS OF BONNIE AS A LADY.
8 Q. SHE'S ALWAYS CONDUCTED HERSELF IN THAT MATTER?
9 A. YES.
10 Q. AS YOU KNOW, SHE HAS APPLIED TO TAKE THE BAR EXAMINATION
11 WITH EVENTUAL PLANSTO PRACTICE IN THIS AREA, WOULD YOU
12 LIKE TO SEE HER AS A MEMBER OF THE BAR IN THIS AREA?
13 A. I CERTAINLY WOULD.
14 MR. PAYNE: I'D HAVE NO
15 FURTHER QUESTIONS, YOUR HONOR.
16 THE COURT: THANK YOU
17 MRS. STRIBLING.
18 MR. PAYNE: MRS. STRIBLING
19 WOULD YOU GET MR. JONES, PLEASE?
20 MS. STRIBLING: YES.
21 (WHEREUPON, THE WITNESS WAS EXCUSED.)
22 JAMES ARNOLD JONES, HAVING BEEN FIRST DULY SWORN BY THE
23 CLERK, WAS EXAMINED AND TESTIFIED AS FOLLOWS:
24
25

1 DIRECT EXAMINATION
2 BY MR. PAYNE:
3 Q. MR. JONES, STATE YOUR FULL NAME PLEASE, AND YOUR OCCUPATION.
4 A. JAMES ARNOLD JONES, FARMER.
5 Q. HOW LONG HAVE YOU BEEN A FARMER, MR. JONES?
6 A. FOR 45 YEARS?
7 Q. HOW OLD ARE YOU SIR?
8 A. 68 AND A HALF.
9 Q. WHERE DO YOU LIVE?
10 A. MARKHAM.
11 Q. HAVE YOU LIVED THERE ALL YOUR LIFE?
12 A. YES.
13 Q. WOULD THAT BE RIGHT IN MARKHAM PROPER?
14 A. (RESPONDING IN THE AFFIRMATIVE.)
15 Q. DO YOU HAVE ANY FAMILY, SIR?
16 A. I HAVE THREE CHILDREN AND EIGHT GRANDCHILDREN.
17 Q. HAVE THEY HAD OCCASION TO GO BACK AND VISIT YOU FROM
18 TIME TO TIME?
19 A. YES, THEY DO.
20 Q. HOW OLD ARE YOUR GRANDCHILDREN?
21 A. WELL, FROM 12 TO ABOUT 3, MAYBE 14.
22 Q. MR. JONES, YOU'RE ACTIVE AND HAVE BEEN ACTIVE IN CERTAIN
23 ORGANIZATIONS, A CHURCH, A RURITAN CLUB IN THAT AREA?
24 A. YEAH.
25 Q. DID YOU HOLD ANY POSITIONS WITH THE RURITAN CLUB?

1 A. I WAS PRESIDENT.
2 Q. WAS THAT THE LEEDS RURITAN CLUB?
3 A. LEEDS RURITAN.
4 Q. ARE YOU A MEMBER OF A CHURCH THERE IN MARKHAM?
5 A. YES.
6 Q. WHAT CHURCH IS THAT?
7 A. MARKHAM BABTIST CHURCH, AND I'M A STEWARD AND CHAIRMAN OF THE
8 BOARD,
9 Q. I TAKE IT THAT IN ORDER TO GET TO THAT POSITION YOU HAVE
10 TO REGULARLY ATTEND THAT CHURCH?
11 A. WELL, ATTEND QUITE REGULARLY, YES.
12 Q. WHEN DID YOU FIRST MEET BONNIE CORD?
13 A. THREE YEARS AGO.
14 Q. HOW DID YOU HAPPEN TO FIRST MEET HER?
15 A. I WAS OVER AT JEFF'S AND HE FINALLY CAME AND HE
16 INTRODUCED ME TO HER?
17 Q. DO YOU KNOW THIS GENTLEMEN JEFF BLUE?
18 A. I KNOW HIM VERY WELL.
19 Q. HOW WELL DO YOU KNOW HIM, AND HOW DO YOU KNOW HIM?
20 A. WELL, HE MOVED IN THE MARKHAM COMMUNITY, AND HE LIVED
21 RIGHT ACROSS THE ROAD THERE AT STRIBLING'S HOUSE. I'D
22 LOST MY WIFE AND HE SORT OF STEPPED INTO THE PICTURE AND,
23 AND I VISIT WITH HIM QUITE A LOT AND HE VISITS WITH
24 ME QUITE A LOT.
25 Q. WHEN YOU SAY QUITE A LOT...

1 A. THREE OR FOUR TIMES A WEEK.
2 Q. CAN YOU TELL THE JUDGE...
3 A. BACK ACROSS TO EAT, BREAKFAST AND DINNER, THINGS LIKE
4 THAT.
5 Q. YOU ALL WERE GOOD FRIENDS AND YOU FORMED THAT FRIENDSHIP
6 THEN?
7 A. I'LL SAY WE WAS.
8 Q. THEN, HOW OFTEN DURING, SAY THAT PERIOD OF THREE YEARS
9 AGO, TWO YEARS AGO, DID YOU SEE BONNIE?
10 A. I SAW BONNIE QUITE OFTEN, AND, SEVERAL WEEKENDS AND THINGS.
11 Q. DID YOU HAVE OCCASION TO VISIT THEM WHERE JEFF WAS LIVING
12 WHEN SHE WOULD COME UP?
13 A. YES, I DID, SEVERAL TIMES.
14 Q. HOW ABOUT SINCE THEY MOVED TO LINDEN, HOW OFTEN HAVE YOU
15 SEEN THEM SINCE THEN?
16 A. I SEE THEM QUITE OFTEN AND THE REASON I SEE THEM, I
17 RENTED THE PASTURE UP THERE FROM JEFF'S AND BONNIE'S, PUT
18 SOME COWS UP THERE DURING THIS DROUGHT, AND I WAS UP ABOUT
19 THREE OR FOUR TIMES A WEEK CHECKING THE COWS, IT'S CALVES,
20 AND THEN JEFF PUT UP A, JEFF AND BONNIE PUT UP A BOARD
21 FENCE, AND I LAYED THE LINE OF FENCE OFF FOR THEM.
22 Q. YOU WENT UP THERE FREQUENTLY IN ORDER TO DO THE...
23 A. YES. I WAS UP THERE EARLY IN THE MORNING AND LATE AT
24 NIGHT, AND THEN IT WAS IN THE DAY WHEN I RENTED THE
25 PASTURE THAT I WAS BUSH HOGGING, SO I CARRIED A COLORED FELLOW

1 UP THERE, ON A TRACTOR AND A BUSH HOG, AND IT TOOK ABOUT
2 TEN DAYS TO BUSH HOG THE PROPERTY.
3 Q. AGAIN, MR. JONES, WERE YOU OUT THERE IN THE EARLY IN
4 THE MORNING, LATE AT NIGHT?
5 A. YES.
6 Q. DID YOU HAVE OCCASION TO GO INSIDE THE HOME THAT IS SHARED
7 BY MR. BLUE AND MS. CORD?
8 A. YES, WE WOULD GO AND DRINK COFFEE AND..
9 Q. WITH BOTH OF THEM?
10 A. MORNING AND NIGHT TOO.
11 Q. HAD THERE BEEN OCCASIONS WHEN MS. CORD MIGHT EVEN HELP
12 YOU FIND A PONY OR A HORSE FOR YOUR GRANDCHILDREN?
13 A. WELL, WHEN THEY LIVED DOWN THERE ON STRIBLING'S PROPERTY,
14 I HAD A PONY AND MY HORSE, AND THE KIDS, GRANDCHILDREN
15 AND ALL COME UP THERE AND VISIT ME AND THE NEXT THING I KNEW,
16 THEY HAD SWORMED OVER TO GET BONNIE TO GO GET YOUR
17 PONY AND HORSE UP, AND SHE RETACTED THE HORSE AND THE
18 PONY AND SORT OF LOOKED OUT FOR THE KIDS.
19 Q. WOULD YOU HAVE ANY RELUCTANCE AT ALL, MR. JONES, TO ALLOW
20 YOUR GRANDCHILDREN TO VISIT IN THEIR HOME?
21 A. NO, NO NONE WHATSOEVER.
22 Q. HAVE THEY VISITED IN HER HOME?
23 A. THEY VISITED IN THE HOME AT MARKHAM AND LINDEN TOO, ALL
24 OF THEM.
25 Q. HAVE YOU HAD OCCASION TO EVER HEAR BONNIE'S NAME BROUGHT

1 UP IN THE COMMUNITY, OR HEAR PEOPLE TALK ABOUT BONNIE CORD?
2 A. YEAH, I NEVER HEARD ANYTHING OTHER THAN NICE THINGS ABOUT
3 HER. SHE CERTAINLY WAS ACCEPTED IN THE COMMUNITY. SHE
4 WAS INVITED OVER TO EVERGREEN'S HOUSE FOR A PARTY, SHE
5 WAS INVITED TO MY HOUSE FOR A PARTY, SHE WAS INVITED
6 TO THE, MRS. STRIBLING'S SON'S PARTY AND JIMMY GREEN'S,
7 SHOEMAKERS.
8 Q. YOU MEAN TO SAY SHE IS INVITED, THAT SHEWAS INVITED WITH
9 JEFF BLUE ALSO?
10 A. YEAH, DEFINITELY.
11 Q. SO, THE INVITATIONS ARE EXTENDED TO BOTH?
12 A. RIGHT.
13 Q. YOU USED THE WORD ONCE TO ME THAT SHE AND JEFF BOTH HAD
14 BEEN ACCEPTED WHOLE-HEARTEDLY IN THE COMMUNITY, WOULD
15 THAT STILL BE THE WAY YOU'D PUT IT?
16 A. I AGREE, YEAH I WOULD.
17 Q. HAVE YOU, IN YOUR OWN MIND AT LEAST, MADE UP AN OPINION AS TO
18 THE CHARACTER OF BONNIE CORD? WHAT IS THAT OPINION?
19 A. IT CAN BE, WELL, IT'S 'A' NUMBER ONE.
20 Q. ALL RIGHT, DO YOU KNOW THAT SHE WANTS TO TAKE THE BAR
21 EXAMINE, AND EVENTUALLY PRACTICE IN THIS AREA, WOULD
22 YOU LIKE TO HAVE HER AS A MEMBER OF THE BAR IN THIS AREA?
23 A. CERTAINLY WOULD.
24 MR. PAYNE: I HAVE NO FURTHER
25 QUESTIONS OF MR. JONES, SIR.

1 THE COURT: THANK YOU.
2 MR. PAYNE: MR. JONES,
3 CAN YOU GET MS. SMITH TO COME IN PLEASE?
4 MR. JONES: I CERTAINLY
5 WILL.
6 JUNE SMITH, HAVING BEEN FIRST DULY SWORN BY THE CLERK,
7 WAS EXAMINED AND TESTIFIED AS FOLLOWS:
8 DIRECT EXAMINATION
9 BY MR. PAYNE:
10 Q. MS. SMITH, JUST FOR THE RECORD, WOULD YOU STATE YOUR
11 NAME PLEASE AND WHERE YOU LIVE?
12 A. JUNE SMITH, LINDEN.
13 Q. HOW LONG HAVE YOU LIVED IN LINDEN?
14 A. ALMOST TWO YEARS.
15 Q. ARE YOU A MEMBER OF ANY PARTICULAR ORGANIZATIONS WITHIN
16 YOUR COMMUNITY OR UP HERE IN FRONT ROYAL?
17 A. WELL, I'M ON THE BOARD OF DIRECTOR'S OF WAYSIDE, A FOUNDA-
18 TION FOR THE ARTS, WHICH IS IN MIDDLETOWN.
19 Q. ARE YOU A MEMBER OF A CHURCH?
20 A. YES, LEEDS PARISH IN MARKHAM.
21 Q. DO YOU REGULARLY ATTEND THERE?
22 A. YES.
23 Q. YOU ARE THE WIFE...
24 A. MOST OF THE TIME.
25 Q. ...OF DOCTOR MARK SMITH WHO WAS THE FIRST WITNESS HERE?

1 A. YES.
2 Q. DO YOU HAVE CHILDREN?
3 A. YES.
4 Q. WOULD YOU STATE THEIR NAMES AND THEIR AGES PLEASE?
5 A. ANDREW WHO IS EIGHT, AND THOMAS WHO IS FIVE.
6 Q. YOU KNOW BONNIE CORD?
7 A. YES.
8 Q. HOW LONG HAVE YOU KNOWN HER?
9 A. SINCE, ABOUT THE END OF OCTOBER, THIS PAST OCTOBER.
10 Q. HOW FREQUENTLY AND HOW WOULD YOU HAVE SEEN HER SINCE
11 OCTOBER?
12 A. WE WERE JUST, YOU KNOW, WE'VE DONE A LOT OF FUN THINGS
13 TOGETHER, SKATING, PICKING UP OUR...MY NEW HORSE AND,
14 YOU KNOW, JUST...
15 Q. HAVE THERE BEEN OCCASIONS WHERE SHE VISITED IN YOUR
16 HOME?
17 A. YES.
18 Q. SHE AND JEFF?
19 A. YES.
20 Q. HAVE THERE BEEN OCCASIONS WHERE YOU ALL WOULD VISIT IN
21 THEIR HOME?
22 A. YES, (RESPONDING IN THE AFFIRMATIVE.)
23 Q. HAVE YOU HAD YOUR CHILDREN IN HER HOME, OR AT THE
24 PROPERTY, ANY WAY?
25 A. I WASN'T, MARK HAS. I WASN'T WITH THEM ON THAT PARTICULAR

1 TIME.
2 Q. HAS HE HAD THEM UP THERE SEVERAL TIMES, DO YOU KNOW?
3 A. I THINK IT WAS JUST ONE TIME AFTER WE PICKED UP MY HORSE.
4 Q. DO YOU HAVE ANY RELUCTANCE AT ALL MS. SMITH TO ALLOWING
5 YOUR CHILDREN TO VISIT IN HER HOME?
6 A. NO.
7 Q. HAVE YOU HAD OCCASION TO HEAR BONNIE'S NAME COME UP IN
8 CONVERSATION WITH OTHER FRIENDS?
9 A. NOT RECENTLY, BUT BEFORE THEY MOVED FROM MARKHAM TO LINDEN,
10 THERE WHEN I THOUGHT THAT MARK ALWAYS SAID, THAT THEY
11 WERE SO SORRY THAT WE WERE LEAVING, I MEAN THEY WERE
12 LEAVING MARKHAM, AND IT WAS OUR GAIN AND THEIR LOSS,
13 YOU KNOW, THAT WAS THE GENERAL FRIENDS AREN'T ALWAYS.
14 Q. ALL OF THE REMARKS, THAT'S REMAINED SO?
15 A. YES, OH YEAH.
16 Q. EVERYTHING YOU'VE EVER HEARD ABOUT BONNIE CORD WAS
17 FAVORABLE?
18 A. YES.
19 Q. WOULD YOU HAVE AN OPINION AS TO HER CHARACTER?
20 A. I THINK SHE'S A GREAT GAL. VERY MUCH A LADY AND VERY
21 NICE PERSON TO HAVE AROUND. I'M LOOKING FORWARD TO A NICE
22 FRIENDSHIP DEVELOPING OVER THE, YOU KNOW, YEARS I HOPE TO
23 COME.
24 Q. AS YOU MAY KNOW SHE WOULD LIKE, FIRST OF ALL, TO TAKE THE
25 VIRGINIA STATE BAR EXAMINATION, AND SECONDLY TO

1 EVENTUALLY PRACTICE HERE, WOULD YOU LIKE TO SEE HER AS
2 A MEMBER OF THIS BAR?
3 A. VERY MUCH.
4 Q. WOULD YOU LIKE TO SEE HER REMAIN A NEIGHBOR OF YOURS?
5 A. YES, I'D LIKE TO...VERY MUCH SO. I'D LIKE TO SEE HER
6 IN FRONT ROYAL PRACTICING LAW.
7 MR. PAYNE: I HAVE NO
8 FURTHER QUESTIONS, YOUR HONOR.
9 THE COURT: THANK YOU.
10 MS. SMITH: THANK YOU
11 JUDGE GIBB.
12 (WHEREUPON, THE WITNESS WAS EXCUSED.)
13 MR. PAYNE: YOUR HONOR,
14 IN MY LETTER OF YESTERDAY, I MENTIONED THAT I WOULD
15 HAVE CERTAIN EXHIBITS AND LETTERS WRITTEN TO THE COURT
16 ON BEHALF OF MS. CORD. FIRST OF ALL I WOULD OFFER
17 AS APPLICANT'S EXHIBIT #1, THE MEMBERSHIP CARDS OF
18 MS. CORD, SHOWING THAT SHE'S A MEMBER OF THE DISTRICT
19 OF COLUMBIA BAR.
20 SECONDLY, AS APPLICANT'S EXHIBIT #2, THAT IS A LETTER
21 FROM HER FORMER EMPLOYER AND NEIGHBOR OF MS. CORD'S.
22 NUMBER THREE FROM ANOTHER EMPLOYER, A LETTER FROM
23 MR. STAAS. ANOTHER LETTER FROM AN EMPLOYER MR. HALSEY,
24 THE OTHER SENIOR MEMBER OF THAT FIRM. THE LAST LETTER
25 WOULD BE A LETTER FROM A MR. CRAIG, WHO IS A NEIGHBOR

1 BE MADE A PART OF THE RECORD ALSO.
2 AS YOUR HONOR KNOWS, THERE IS A TIME PROBLEM HERE
3 WITH WHATEVER YOUR HONOR WOULD RULE. SHE MUST HAVE HER
4 CERTIFICATE DOWN TO THE VIRGINIA BOARD OF BAR EXAMINERS
5 BY FEBRUARY 10. JUDGE, WHAT WE'RE ACTUALLY ASKING FOR
6 HERE, AND THIS COURT BADLY WANTS TO PRACTICE LAW IN THIS
7 COMMUNITY, SOMETHING THAT SHE, SHE VERY, VERY MUCH WANTS.
8 SHE IS A MEMBER OF THE D.C. BAR NOW, BUT EVENTUALLY WOULD
9 LIKE TO COME OUT HERE.
10 I WOULD ASK YOUR HONOR TO APPLY NOT ONLY THE LAW
11 AS CITED IN THE MEMORANDUM, BUT I WOULD SANCT THE
12 EQUITIES OF THIS SITUATION IN THAT THE ONLY THING THAT
13 COULD EVEN REMOTELY BE SUGGESTED THAT WOULD REFLECT ANY
14 BAD CHARACTER ON HER PART, WAS THE ONE AND A HALF SENTENCE
15 ACCUSATION THAT WAS MADE BY MR. MOORE IN HIS REPORT
16 TO THE COURT.
17 THE COURT: SHOULDN'T
18 WE GET IT STRAIGHT, AS I UNDERSTAND IT, SHE ADMITTED TO
19 MR. MOORE AND THE OTHER MEMBERS OF THE COMMITTEE. NOW
20 YOU HAVE USED THE WORD ACCUSATION ALL THROUGH AS THOUGH THAT
21 WAS NOT TRUE, BUT IT IS MY UNDERSTANDING THAT SHE HAS
22 ADMITTED TO LIVING WITH MR. BLUE FOR X PERIOD OF TIME.
23 I DON'T KNOW WHAT PERIOD OF TIME.
24 MR. PAYNE: YES, SIR.
25 IF THEY'VE BOUGHT THE PROPERTY WHEN MR. MOORE REPRESENTED

1 THEM BACK IN JULY. THEY ACTUALLY CLOSED, I BELIEVE
2 SELLING DATE WAS JULY 17TH OR JULY 19TH SOMEWHERE ALONG
3 THAT LINE, AND WE HAVE, AS A MATTER OF FACT THROUGH THE
4 WITNESSES HAVE SHOWN THAT WE ARE CONCEEDING THE FACT
5 THAT THEY SHARE THE SAME RESIDENCE.
6 THE COURT: WELL I JUST
7 THOUGHT WE OUGHT TO HAVE THE RECORD STRAIGHT OF THEIR
8 ENCLOSURE.
9 MR. PAYNE: YES, SIR.
10 THE COURT: IN THE
11 MEMORANDUM YOU DID USE THE WORD ACCUSATION, AND AS THOUGH
12 IT MIGHT NOT BE.
13 MR. PAYNE: NO, SIR. FOR
14 THE PURPOSES OF RECORD, WE CERTAINLY, I WOULDN'T WANT ANY
15 CONFUSION ON THAT. WE CERTAINLY ARE WILLING TO STIPULATE
16 INTO EVIDENCE THAT MS. CORD, THE APPLICANT, BEFORE YOU
17 AND MR. BLUE DO SHARE THE SAME RESIDENCE, THERE IS NO QUESTION
18 ABOUT THAT.
19 WHERE I SAY IT'S AN ACCUSATION, WHERE I DO THINK
20 IT IS AN ACCUSATION IS ON THAT BASIS ALONE, ON THE STATE-
21 MENTS SUPPLIED BY MS. CORD TO MR. MOORE. HE COMES TO THE
22 CONCLUSION BASED SOLELY ON THAT; THAT SHE IS NOT FIT
23 TO TAKE THE BAR AND HE DOES NOT RECOMMEND HER TO TAKE THE
24 BAR EXAMINATION. AS YOUR HONOR KNOWS THE CHAIRMAN OF THAT
25 COMMITTEE AND THE OTHER MEMBER OF THAT COMMITTEE,

TR. 27

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THE COURT: I'M CONCERNED IN THAT TO ME A LAWYER SHOULD BE ABOVE REPROACH, ABOVE GOSSIP, ABOVE ANY TINGE OR TAINT, MAYBE MY STANDARDS ARE HIGHER OR MY HOPES ARE HIGHER THAN SOME OTHERS, BUT I DO PUT THE LEGAL PROFESSION ON A PLANE ABOVE OTHERS. I FEEL THAT UNLESS WE DO, WE ARE GOING TO COMPLETELY DISCREDIT THE LEGAL PROFESSION, WE ARE GOING TO ELIMINATE IT'S EFFECTIVENESS . . .

TR. 34

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THE COURT: MY CONCERN IS AGAIN, AND NOT THAT SHE WOULDN'T BE A EXCELLANT MEMBER OF THE COMMUNITY, NOT THAT SHE'S NOT SOCIALLY ACCEPTED, BUT IS SHE A PERSON THAT SHOULD BE PERMITTED TO BE A MEMBER OF THE BAR OF THIS COMMONWEALTH.

* * * * *

TR. 35

THE COURT: ALL RIGHT, SO THAT I'M GOING TO RULE RIGHTLY OR WRONGLY THAT I DON'T THINK THAT SHE SHOULD, THAT I WILL NOT EXECUTE THE CERTIFICATE.

MR. PAYNE: FOR THE REASON AS STATED BY YOUR HONOR?

THE COURT: YES, I WILL GIVE YOU AN OPPORTUNITY TO PRESENT IT TO THE BORAD. IN TIME, AND OF COURSE, IF YOU WANT TO GO FURTHER OR ANYWHERE ELSE IT WILL GIVE YOU AN OPPORTUNITY TO . . .

* * * * *

TR. 37

THE COURT: YES, MAYBE

I PUT ATTORNEYS ON TOO HIGH A PEDESTAL, BUT I DON'T THINK WE CAN DO ANYTHING BUT HOPE TO KEEP THEM THERE, AND IT'S, YOU KNOW WHAT THE APPEARANCE IS TO THE PUBLIC.

* * * * *

TR. 39

JAMES ARNOLD JONES, HAVING BEEN PREVIOUSLY SWORN BY THE CLERK, WAS RECALLED AS A WITNESS, AND WAS EXAMINED AND TESTIFIED AS FOLLOWS:

DIRECT EXAMINATION
BY MR. PAYNE:

Q. MR. JONES, IS THERE A PERIOD OF TIME THAT YOU HAVE KNOWN BONNIE CORD AND JEFF BLUE, HAVE YOU BEEN AWARE OF THE FACTS SINCE JULY OF 1977, THAT THEY SHARE THE SAME RESIDENCE?

A. YEAH.

Q. HAS THAT FACT BEEN THE OBJECT OF ANY DISCUSSION WITHIN THE COMMUNITY WHICH WOULD REFLECT BADLY ON MS. CORD?

A. NONE, WHATSOEVER. I NEVER HEARD ANYONE SAY.

Q. IS EVERYONE IN THE COMMUNITY, SO FAR AS YOU ARE, AWARE OF THE FACT THAT THEY DO IN FACT SHARE THE SAME

1 RESIDENCE?
2 A. RUN THAT BY ME AGAIN.
3 Q. I'M SORRY, SIR. EVERYONE THAT YOU KNOW OF, KNOWS THAT
4 THEY SHARE THE SAME RESIDENCE?
5 A. RIGHT.
6 Q. EVERYONE THAT YOU KNOW OF, AND WE WILL BE TALKING ABOUT
7 50, 75 PEOPLE THAT KNOW THEM.
8 A. YES.
9 Q. EVERYONE APPROVES OF MS. CORD AND THINKS SHE'S OF THE
10 HIGHEST MORAL CHARACTER?
11 A. THAT WAS...
12 (WHEREUPON, COUNSEL CONFERRED INAUDIBLY.)
13 MR. PAYNE: THE COURT'S
14 INDULGENCE, YOUR HONOR?
15 THE COURT: YES, SIR.
16 (WHEREUPON, COUNSEL CONFERRED INAUDIBLY.)
17 Q. MR. JONES, LET'S JUST ASSUME FOR A MINUTE IF YOU WILL,
18 THAT MS. CORD ACTUALLY WAS ADMITTED TO THE VIRGINIA
19 STATE BAR, OKAY, AND THAT SHE PRACTICED IN THIS COMMUNITY,
20 FRONT ROYAL, MARSHALL, MARKHAM, LINDEN COMMUNITY, DO YOU
21 FEEL, FROM YOUR KNOWLEDGE OF THESE OTHER INDIVIDUALS
22 AND WITHIN YOUR OWN PERSONAL OPINION, THAT THE BAR,
23 IN OTHER WORDS, ALL THE LAWYERS UP HERE, WOULD BE LOWERED
24 IN ANY FASHION BY HAVING HER AS A MEMBER OF THE BAR?
25 A. DEFINITELY, NOT.

1 Q. WOULD IT REMAIN ON A HIGH LEVEL WITH YOU?
2 A. IT WOULD SURE BE, YEAH.
3 MR. PAYNE: I HAVE NOTHING
4 FURTHER OF THIS GENTLEMEN, SIR.
5 (WHEREUPON, THE WITNESS WAS EXCUSED.)
6 MILDREN MAKAY STRIBLING, HAVING BEEN PREVIOUSLY SWORN BY
7 THE CLERK, WAS RECALLED AS A WITNESS, WAS EXAMINED AND
8 TESTIFIED AS FOLLOWS:
9 DIRECT EXAMINATION
10 BY MR. PAYNE:
11 Q. MRS.STRIBLING, JUST FOR THE RECORD, STATE YOUR NAME
12 AGAIN PLEASE.
13 A. MILRED STRIBLING.
14 Q. MRS.STRIBLING, IN SO FAR AS YOU KNOW, ALL THE PEOPLE
15 IN THE COMMUNITY WHO KNOW BONNIE CORD, ARE AWARE
16 OF THE FACT THAT SHE IS LIVING IN THE SAME HOUSEWITH JEFF
17 BLUE?
18 A. I THINK SO.
19 Q. YOU KNEW THAT, DID YOU NOT?
20 A. (RESPONDING IN THE AFFIRMATIVE.)
21 Q. AND YOU KNEW THAT FROM ALL OF YOUR VISITS THERE, DID
22 YOU NOT?
23 A. IT'S A LARGE HOUSE. FIVE BEDROOM HOUSE.
24 Q. DO YOU KNOW, AS SO FAR AS YOU KNOW, RIGHT NOW SHE IS STILL
25 LIVING IN THAT SAME HOUSE WITH MR. BLUE?

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1 A. YES.
2 Q. WOULD YOU THINK ANY LESS OF THE LEGAL PROFESSION IF SHE
3 WERE TO BE MADE A MEMBER OF THE BAR, A MEMBER OF THAT
4 PROFESSION?
5 A. NO.
6 Q. WOULD YOU SEE IT ANY WAY AS BRINGING DOWN THE PROFESSION,
7 LOWERING IT'S CHARACTER?
8 A. NO.
9 MR. PAYNE: NOTHING
10 FURTHER, SIR.
11 THE COURT: THANK YOU.
12 MR. PAYNE: MRS. STRIBLING
13 DO YOU WANT TO GET JUNE, PLEASE.
14 JUNE SMITH, HAVING BEEN PREVIOUSLY SWORN BY THE CLERK,
15 WAS RECALLED AS A WITNESS, WAS EXAMINED AND TESTIFIED AS
16 FOLLOWS:
17 DIRECT EXAMINATION
18 BY MR. PAYNE:
19 Q. MS. SMITH, JUST ONCE MORE FOR THE RECORD, WOULD YOU
20 STATE YOUR NAME?
21 A. JUNE SMITH.
22 Q. YOU ARE AWARE OF THE FACT, ARE YOU NOT, THAT BONNIE CORD
23 AND JEFF BLUE SHARE THE SAME RESIDENCE?
24 A. YES.
25 Q. WOULD YOU THINK THAT THE LEGAL PROFESSION, AS A PROFESSION,

1 WOULD BE LOWERED, OR WOULD YOU THINK ANY LESS OF THE
2 LEGAL PROFESSION, IF SHE WERE TO BECOME A MEMBER OF THE
3 BAR?
4 A. NO, I WOULDN'T. I THINK, YOU KNOW, I THINK THAT, YOU
5 KNOW, JEFF'S AND BONNIE'S LIVING IS THEIR OWN BUSINESS,
6 AND I DON'T THINK IT WOULD EFFECT...
7 Q. DOES IT IN ANY WAY...
8 A. ...ANYTHING ABOUT LAW OR THE LEGAL PROFESSION.
9 Q. DOES IT IN ANY WAY OR AFFRONT ANYONE IN THE COMMUNITY
10 THAT YOU KNOW OF?
11 A. NOT THAT I HAVE EVER BEEN AWARE OF. I...
12 Q. THAT'S FROM,AS COMING FROM A FULL TIME RESIDENT WITHIN
13 THE COMMUNITY?
14 A. YES, COMING ESPECIALLY FROM ALL THE FOLKS OVER AT MARKHAM
15 WITH WHOM WE GO TO CHURCH.
16 Q. HOW ABOUT THE POST-MISTRESS?
17 A. MS. WHITE? NO, WENDY, YOU MEAN.
18 Q. OKAY, I WAS THINKING OF A MS...THE COURT'S INDULGENCE FOR
19 JUST A MINUTE. HOW ABOUT CAROLINE GREEN.
20 A. NO...
21 Q. TELL HIS HONOR WHO CAROLINE GREEN IS?
22 A. CAROLINE GREEN IS A LONG TIME RESIDENT OF MARKHAM.
23 SHE'STHEMOTHER OFPERHAPS, ONE OF MY VERY CLOSEST FRIENDS,
24 WHO ALSO LIVES IN MARKHAM, AND SHE AND HER DAUGHTER AND
25 SON, AND REALLY ACTUALLY EVERYONE ELSE I'VE EVER MET

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1 AT MARKHAM, WHO HAVE KNOWN JEFF AND BONNIE, HAVE JUST HAD
2 NOTHING BUT PRAISE FOR THEM, HAVE NEVER REALLY, TO
3 MY KNOWLEDGE, NOT THAT I CAN REMEMBER EVEN DISCUSSED
4 THEIR LIVING ARRANGEMENT, AND THIS HASN'T BEEN...
5 Q. WOULD YOU CHARACTERIZE HER AS AN OLD TIME MARKHAM
6 COMMUNITY RESIDENT WHO'S A PRETTY CONSERVATIVE PERSON?
7 A. OH, I WOULD SAY SO. SHE, SHE'S SEVENTY-THREE OF FOUR,
8 AND SHE'S, YOU KNOW, SHE DIDN'T GROW UP IN MARKHAM, BUT
9 SHE'S LIVED THERE FOR YEARS AND YEARS AND YEARS, AND
10 HER HUSBAND WAS A FARMER THERE, HE'S NO LONGER LIVING,
11 AND I THINK SHE'S A VERY, HOW SHOULD I SAY IT, I THINK
12 SHE'S A VERY PROGRESSIVE LADY, IF THAT, BUT SHE KEEPS
13 UP WITH THE TIMES, SHE HAS, YOU KNOW, CHILDREN WHO ARE
14 IN THEIR 30'S.
15 Q. DO YOU KNOW OF ANYONE, BEING YOUR COMMUNITY, AND THIS
16 IS INCLUDING YOU AND YOUR HUSBAND, WHO WOULD THINK ANY
17 LESS OF THE LEGAL PROFESSION IF BONNIE CORD WERE ADMITTED
18 TO THAT PROFESSION?
19 A. I CERTAINLY CAN'T. I MEAN, I THINK FOR THE MOST
20 PART, YOU KNOW, BONNIE'S SITUATION WOULDN'T BE COMMON
21 KNOWLEDGE, I MEAN WOULD BE, IT IS CERTAINLY IN OUR
22 LITTLE COMMUNITY...
23 Q. IT'S COMMON KNOWLEDGE, IS IT NOT?
24 A. OH, I GUESS, I CERTAINLY SAY SO, BUT AS FAR AS, YOU KNOW,
25 FRONT ROYAL, ALL OF FRONT ROYAL'S CONCERNED, OR WARREN

1 COUNTY, OR WHEREVER, I DON'T THINK IT WOULD NECESSARILY
2 BE SOMETHING THAT WOULD COME UP OR BE DISCUSSED AS A ROUTINE THING.
3 I WOULDN'T THINK...
4 Q. AS FAR AS, LET ME ASK YOU THIS. HOW LONG HAS YOUR
5 HUSBAND BEEN A PHYSICIAN?
6 A. SINCE, 1963.
7 Q. THE PROFESSION OF WHICH HE IS A MEMBER, HAS IT'S OWN
8 CODE OF ETHICS, DOES IT NOT?
9 A. RIGHT.
10 Q. YOU ARE AWARE OF THAT CODE...
11 A. WELL, IT'S NOT REALLY A...
12 Q. ...TO SOME EXTENT.
13 A. (RESPONDING IN THE AFFIRMATIVE.)
14 Q. I'M NOT TALKING ABOUT THE...
15 A. HYPOCRATIC OATH...
16 Q. ...HYPOCRATIC OATH, BUT I'M TALKING ABOUT THE PROFESSION
17 ITSELF. DO YOU KNOW OF WHETHER OR NOT THERE ARE ANY
18 GUIDELINES, ETHICS OF THAT PROFESSION?
19 A. YES, I DON'T KNOW IF THEY'RE FORMALLY SPELLED OUT
20 ANYWHERE, BUT FOR THEM WE NOTICE THAT IT'S NOT ETHICAL
21 TO ADVERTISE, WOULD BE ONE, THAT COMES TO MIND QUICK.
22 Q. THIS COMMUNITY, WITHIN WHICH IT IS COMMON KNOWLEDGE
23 THAT THEY SHARE THE SAME RESIDENCE WITH, HAVE YOU EVER
24 HEARD ANYTHING DERROGATORY ABOUT BONNIE CORD IN THAT
25 COMMUNITY?

1 A. No, I have not.
2 Q. Is it safe to say you know it was a good 100 to 150 people
3 between Linden, Markham and Front Royal?
4 A. Oh, definitely yes, including Front Royal, considering
5 when in Markham, I wouldn't, say I know 150 people.
6 Q. Fifty people.
7 A. I'm not sure whether there are that many there.
8 Q. Would there be 50 people you would know in that community?
9 A. All told, certainly. I think it would be considering husbands
10 and wives.
11 Q. Fifty people...do you think those people would, generally
12 speaking, be aware of Bonnie Cord and her living arrangement?
13 Thirty of those people would they be?
14 A. I don't know, probably that.
15 Q. You don't that, that's fine.
16 A. It's just, it's just not been discussed.
17 MR. PAYNE: I have no
18 further questions, sir.
19 THE COURT: Thank you.
20 MR. PAYNE: Your Honor,
21 we would have no further evidence.
22 THE COURT: All right.
23 MR. PAYNE: I appreciate the
24 Court granting us leave to put that on. Your
25 Honor, should we reiterate our request?

EXHIBIT # 2

LAW OFFICES
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CABLE ADDRESS
"FARRAGUTSQ"

December 28, 1977

The Honorable Duncan C. Gibb
Circuit Court, Warren County
Front Royal, Virginia 22630

Dear Judge Gibb:

This letter is written on behalf of Ms. Bonnie Cord, who is an applicant for the Virginia State Bar examination.

I have been a member of the Virginia State Bar since June, 1969, and formerly was an Assistant United States Attorney for the District of Columbia from 1969 to 1974. Presently, I am a partner in the law firm of Stein, Halpert & Miller.

I have known Ms. Cord for approximately four years both professionally, when she was a law clerk for this firm, and as a neighbor. During that time, I have never observed her behave in any manner which could be deemed to be immoral. Her demeanor and character have always been beyond reproach and she has an excellent reputation among her peers for integrity and judgment. Based upon my personal observations, knowledge in the community and reputation, I consider Ms. Cord to be an individual possessed of the highest moral character. Accordingly, I urge that she be allowed to take the Virginia State Bar examination.

Sincerely,

Warren L. Miller

WLM:lh

EXHIBIT # 3

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WM. D. JOHNSTON III
L. ALLEN WOOD, JR.
(VA. BAR ONLY)
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TELEPHONE (616) 458-7535

January 6, 1978

Hon. Duncan C. Gibb
Warren County Circuit Court
Front Royal, Virginia 22630

Dear Judge Gibb:

I wish to add my own personal comment and endorsement of Bonnie Cord to that provided by the letter of my partner James D. Halsey, Jr. to you of even date.

During her employment by our firm, Bonnie worked with me on some rather extensive projects, during the course of which she and I worked jointly with outside experts in relation to various technological matters and with other members of the firm in detailed legal research and related activities. As a result, I have had occassion to observe her under the most trying and demanding profess circumstances and as well in social activities.

I can say without reservation that I am not aware of any facts that would cast doubt on her high moral character, and indeed my total impression of her is that she is of the highest moral character both professionally and personally.

I believe that Bonnie Cord would be a considerable asset to the Bar of the Commonwealth of Virginia, and fully endorse her application and encourage her acceptance.

Respectfully submitted,

H. J. Staas

HJS:sts

EXHIBIT # 4

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TELEPHONE (616) 458-7535

January 6, 1978

Hon. Duncan C. Gibb
Warren County Circuit Court
Front Royal, Virginia 22630

Re: Application of Bonnie Cord
for Admission to Practice
Before Commonwealth of Virginia

Dear Judge Gibb:

By this letter I would like to advise Your Honor that Bonnie Cord was employed by this firm during the period November, 1975 - December, 1976. During this time she was engaged in a wide variety of legal activities and her work was always of the highest quality. Both my partner and I were particularly impressed with her professional attitude towards the practice of law. Additionally, I would like to say that Bonnie, during the thirteen months that she was associated with this firm, always demonstrated the highest possible morals, both professionally and personally. It can be said without reservation that the undersigned is not aware of any facts that would cast doubt about her high moral character.

I do believe Bonnie Cord would be an asset to the Bar of the Commonwealth of Virginia, and without reservation I submit this letter on her behalf.

Respectfully submitted,

James D. Halsey, Jr.

JDH:sts

EXHIBIT # 5

Albert E. Craig
R.F.D. Box 13-A
Linden, Virginia 22642

November 18, 1977

Judge, Circuit Court of Warren County
Front Royal, Virginia 22630

Dear Your Honor:

I am writing this letter to the court in support of the application of Bonnie C. Cord to be permitted to take the Virginia State Bar Examination.

My wife and I have lived in Linden, Virginia for twenty years. Approximately five months ago Bonnie moved directly across Route 638 from us, purchasing the Mills property. Shortly thereafter we made Bonnie's acquaintance and since that time have exchanged visits with one another, both at our home and at hers. We have therefore had occasion to spend time with Bonnie socially. Bonnie and I have discussed various legal problems and I have found her to be very knowledgable in the field of law.

It has come to my attention that Bonnie has applied to your court for a Certificate of Character and Residence in order to be permitted to take the Virginia State Bar Examination. I understand that there is to be a hearing to determine whether Bonnie will be permitted to practice law in the State of Virginia. I will be out of the state at the time of this hearing and will thus be unable to appear personally on her behalf. I wish to submit this letter to the court to state that in my opinion Bonnie is of very high character. She will be an asset to the community and a valuable addition to the Virginia State Bar. I strongly recommend that she be permitted to sit for the Virginia State Bar Examination.

Sincerely yours,

Albert E. Craig

ASSIGNMENTS OF ERROR

Petitioner, Bonnie C. Cord, herewith assigns the following errors:

1. The statute requiring a certificate of good moral character or honest demeanor is, to the extent of that requirement, invalid because vague and indefinate and because of its failure to establish sufficient standards for the exercise by the judge or court of the discretion granted.

2. As applied by the court in this instance, the decision of the court denies a certificate of good moral character or honest demeanor upon invalid standards.

3. The evidence does not support the refusal of the Judge of the Circuit Court of Warren County to give to your Petitioner the requested certificate of good moral character or honest demeanor.

4. The denial of a certificate of good moral character or honest demeanor to your Petitioner in this instance denies to your Petitioner due process and equal protection under the state and federal constitutions.

5. The denial of a certificate, resulting in the denial of the right of Petitioner to practice her profession on the sole ground stated, constitutes an invasion of the privacy of your Petitioner and violates her rights under the 1st, 4th, 5th, 9th, and 14th Amendments to the United States Constitution.

"APPENDIX A"

AFFIDAVIT

I would like to submit the following statement in order to communicate to the court how deeply I believe that my living arrangement, far from being frivolous or potentially demeaning to the Virginia Bar, is rather an indication of my integrity in that it is a result of the great seriousness with which I view the giving of my word generally and the marriage vows in particular.

A brief description of my marital background may help to explain my views. At twenty-four years old, I married a man whom I had known for some time, for whom I cared deeply,and to whom I intended to stay married for the rest of my life. Before my marriage I had never resided with a male who was not a member of my immediate family, and did not consider doing so prior to my marriage. Shortly after my husband and I were married, it became apparent that there were some serious problems in our relationship , which could not have been foreseen before we had lived together. I did not contemplate divorce, being certain that the problems could be worked out, in

view of our strong feelings for each other. In an effort to make the relationship the lasting one which we had intended and vowed that it would be, my husband and I sought counseling from our minister, doctors, psychologists, and a psychiatrist. After three years of unsuccessful efforts, we were divorced. The divorce was one of the most trying experiences of my life.

Thereafter, I attended law school, joined the District of Columbia Bar and began to practice law. During those years, I maintained my own apartment in the District of Columbia, living alone.

About four years ago, I became acquainted with, and gradually grew to care deeply for, the man with whom I now reside. We contemplated marrying; however, even though we were committed to each other emotionally, I felt that it would be wiser to live with each other for a while before committing ourselves spiritually and legally to a life-time relationship, which we both consider marriage to be. In view of my previous marital experience, I am keenly

aware that caring alone is not sufficient to ensure an enduring relationship. At thirty-three years old, I feel that it is possible to make a wise and reasoned decision as to the soundness of the relationship between two people, given an opportunity to observe the relationship in other than hypothetical terms. This opportunity is available today, in light of society's changed attitude towards persons living with each other before marriage. Accordingly, about ten months ago, my friend and I bought a farm in Virginia, where we now live.

Six months ago, being a resident of Virginia and wishing to practice law in Virginia, I applied to take the Virginia Bar Examination. The application was refused solely because I am not married to the man with whom I reside. Hence I am now in the position of being pressured by the Virginia courts into prematurely committing myself to marriage or dissolving a developing relationship, in order that I may practice my profession and earn my living in the state in which I live. I fully expect that I will eventually marry the man with whom I now reside, but feel strongly that the decision to marry should be based upon considerations

other than whether I wish to work in Virginia. I feel equally strongly that it is inequitable to be prevented from working in Virginia because of my sincere efforts to develop an enduring marital relationship. Far from feeling that my living arrangement is improper behavior in derogation of marriage, I believe that it is a highly moral way of proceeding in these circumstances and an indication of the ultimate seriousness with which I view the marriage vows. I believe also that the community understands and respects this seriousness and the resultant behavior.

Bonnie C. Cord

I, Mary Geneen Fyson, a notary public, in and for District of Columbia, state that Bonnie C. Cord this day appeared before me and, being duly sworn, stated that the facts set forth above are true.

MY COMMISSION EXPIRES OCTOBER 31, 1981