

## Grandparent's Day is the First Sunday After Labor Day

By Edrie Pfeiffer

You may not know this but there is an annual day designated as a special day to celebrate Grandparents. This day came about because a West Virginia housewife, Marian Lucille Herndon McQuade, initiated a campaign to set aside a special day just for Grandparents. She obtained support from civic, business, church, and political leaders, and then from Senator Jennings who introduced a Grandparents Day resolution in the United States Senate in 1973. The first Grandparents Day was proclaimed in 1973 in West Virginia by Governor Arch Moore.

After the first resolution languished in United States Senate, Mrs. McQuade and her team turned to the media to garner support. They also began contacting governors, senators, congressmen in every state as well as sending letters to churches, businesses, and numerous national organizations interested in senior citizens. In 1978, the United States Congress passed legislation proclaiming the first Sunday after Labor Day as National Grandparents Day. The proclamation was signed by President Jimmy Carter. (September was chosen for the holiday, to signify the "autumn years" of life.)

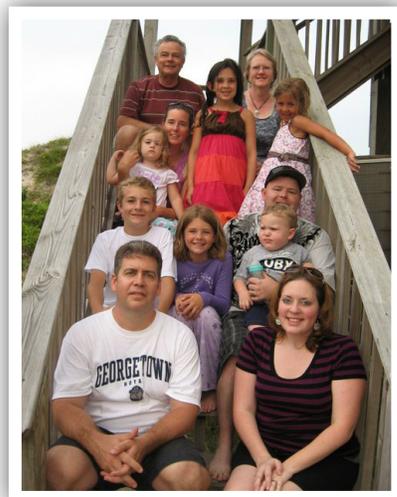
Grandparents Day is designed to be a family day. You can honor your grandparents with a special events. This could be a small, private gatherings or a family reunion. Games which are easily played by young and old are a great way to celebrate and enhancing "intergenerational interaction". It can also be fun to have a story-telling time, allowing grandparents to relate stories of their past and teach children about "the old days." Grandparents can also share old family music, songs and dances, along with their meanings and origins, a great way to maintain a strong sense of family background. Grandparents with special talents, such as cooking, sculpting or quilting can pass these on to those who display an interest. Together, re-construct a family tree, giving children the opportunity to learn the ancestral line of their family. Another activity could be to have everyone work together to identify and date photos in old family albums.

Many times, only grandparents have answers to questions about family histories. When this information is passed down to the grandchildren, everyone can be assured of his heritage being preserved.

Even if your grandparents are no longer alive, you are a grandchild and can be involved in the observance of this day. This is a great time to discover one's roots and to pass those on to your children. Take the time this month to celebrate those in your family who have come before and pass on information about them to the next generations.



*Edrie's grandparents*



*Edrie's grandkids*

My father had 12 brothers and sisters so family gatherings for his family were normally very large. One of my favorite memories from childhood was going to my grandparent's on Christmas Day. All of the family who lived in the local area went over at some time in the afternoon for a visit. What I remember most was that they always served chex mix and I loved to pick out the "best" parts of it. To this day, I still pick out the "good things" in chex mix. The picture here is of one of the last family gatherings we had before they died.

I now have six grandchildren and I am trying to create some family traditions with them. Every summer I have two of my granddaughters spend a week with us. They attend some type of day camp and we do all sorts of fun stuff in the afternoon and evenings, like getting our nails done. In a couple of years, we will probably have their brother join us for the week, but he is too young now to spend a full week with us. One thing I do is pick up several small items from the dollar store and they get to open a gift each day. They really look forward to it. Here is a picture of my grandkids the last time we were all together.

### Inside...

Page 2  
New Staff Member

Page 3  
Grandparents Visitation

Page 3  
There Are Blue Lights  
Flashing Behind Your Car.  
What Do You Do Now?

## New Staff Member

Two months ago, we said goodbye to Seth Eddy. Last month, we saw Brittany leave for college and this month we welcome a new staff member. Aaron Lindquist has joined our staff as a law clerk. He will be assisting Mrs. Pfeiffer in reviewing client's worksheets and preparing petitions. Aaron will also be assisting the paralegals with some of the work that Brittany was doing. We are happy to have him on board and can't wait for you to meet him.

Aaron has lived up and down the East Coast but mostly grew up in Houston, Texas. After a career in the Navy, Aaron's father began working with General Electric in the environmental health and safety and nuclear fields. Aaron's mother spent over a decade working as an office manager in the dental field but made the decision to be a stay-at-home mother when Aaron's younger brother was born.

From an early age, Aaron's parents instilled a strong work ethic in Aaron and taught him the value of self-reliance. He spent summers working for his neighbor's lawn maintenance company and began working in the restaurant industry year-round at age 16. Aaron's family encouraged a well rounded life with sports, theatrical productions, and traveling. Aaron was the captain of his high school rugby club his senior year. Additionally, he was heavily involved with his church youth group, assisting with audio/video productions and other events.

Aaron attended the University of Houston-Downtown campus for his Bachelor's degree, majoring in Business Management. While attending UHD, Aaron was invited to join and is a lifetime member of Beta Gamma Sigma. In addition, Aaron worked as a student clerk for the United States Attorney's Office for the Southern District of Texas while in school.

After graduation Aaron spent 6 months living, working as a legal assistant, and playing rugby in Cape Town, South Africa. Upon returning to the United States, Aaron moved to Wilmington, NC where he met his wife, Kristen. Aaron and Kristen were married in August 2012 and recently celebrated the birth of their first child, Oliver.

Aaron is currently a second year (2L) law student at Regent University School of Law. He is a staff writer for the Regent Journal of International Law, and an Associate Member of the Alternative Dispute Resolution Board. Aaron hopes to join the Air Force JAG Corps after graduation.



*Aaron with the ball playing rugby*



*Aaron on his wedding day*



*Aaron and family*

# Grandparents Visitation

By Edrie A. Pfeiffer

Virginia addresses custody and visitation in the same set of statutes. In addition to parents, the statute allows a court to determine visitation for “persons of legitimate interest,” including but not limited to grandparents, stepparents, former stepparents, blood relatives and family members. If the grandparent is the parent of an individual whose parental rights have been terminated, they are not considered a person of legitimate interest. Adoption also terminates a grandparent's rights unless the adopting party is a stepparent.

When a court is asked to make a determination about custody or visitation, the court is instructed that the primary factor to be considered is the parent-child relationship. Before a court can award visitation to any other person of legitimate interest, such as a grandparent, the court must determine by clear and convincing evidence that the visitation is in the best interest of the child. The statute lists several factors to be considered in determining best interest, but some do not apply to grandparent visitation. These factors include:

- » The age and physical and mental condition of the child, with consideration given to developmental needs
- » The age and physical and mental condition of each individual requesting visitation
- » The relationship between the individual and each child, with consideration given to their involvement and capability of meeting the emotional, intellectual and physical needs of the child
- » The needs of the child, giving due consideration to other important relationships of the child, including but not limited to siblings, peers and extended family members
- » The role that the individual has played and will play in the future, in the upbringing and care of the child
- » The reasonable preference of the child, if the court deems the child able to express such a preference
- » Any history of family abuse
- » Any other factors deemed necessary and proper by the court.

The primary consideration for the court in any type of custody or visitation suit is what is best for the child. While no one doubts that having extended family involved with a child, it can be difficult to convince the court that it is in the child's best interests to have visitation with a grandparent over the objection of the custodial parent. However, it is not impossible. Several years ago, I filed a petition for grandparent visitation for my granddaughter. At that time, my son was in the Marines and was subject to be deployed for long periods of time. I was able to convince the court that it would provide my granddaughter stability if I had visitation when my son was deployed. The court agreed with me and granted me visitation.

## There are blue lights flashing behind your car. What do you do now?

No matter how long you have been driving, being stopped by a police officer is a stressful situation. The following are some basic guidelines to assist you in the event you are pulled over.

Whenever you see lights or hear sirens behind you, you should immediately slow down, signal, and pull over as soon as you can do so safely. Keep your hands in plain view and do not attempt to get your registration or identification at this point. Instead, wait until the officer approaches the car and engages you. Upon request, you must provide your driver's license and registration. You may also be asked to provide proof of insurance.

You should be polite and cooperative with the officer and you should never argue or become confrontational and should never lie or attempt to mislead the officer as that can only get you into more trouble. In fact, other than providing your basic identifying information, you have the absolute right to refuse to speak to the officer and to answer questions. You also have the absolute right to decline a request to search your vehicle. You should politely refuse answer any questions beyond your name and other basic information and never agree to a search of your car. There are many, many cases, where people are charged and convicted almost entirely because of statements they made to the police and searches to which they should never have consented.

In most cases, traffic stops simply result in a summons. Once the officer verifies your information and you sign the summons, you will be released. You should never refuse to sign a summons. Signing a summons is not an admission of guilt, it is simply a promise to appear in court to answer the summons. If you refuse to sign, the officer will have no choice but to arrest you. If you are taken into custody, you should continue to assert your right to remain silent. If officers attempt to question you, you should tell them that you wish to speak to an attorney. At that point, all attempts at questioning must cease.

Whether you are immediately released on a summons for a relatively minor offense or you are arrested on a more serious charge such as a DUI, you should contact an attorney as soon as possible. An experienced criminal attorney is essential to assist you in evaluating the seriousness of the charge. The attorney should discuss what options you have going forward and can advise you on what steps you will need to take to ensure the best possible result in court. Even if you think that the charge is no big deal, you should still seek the counsel of an attorney. Every case is different and an attorney can advise about other consequences you may not have considered. For example, convictions can result in license suspensions, can jeopardize security clearances, and can hinder your ability to maintain your employment. In you are not a citizen, there is also the very real possibility that a conviction could adversely affect your immigration status.

Ultimately, you may not get out of a ticket, but taking these steps can help to minimize the adverse consequences of a traffic stop. If you or someone you know is facing a traffic charge, I would be happy to talk to you (or them) about it. Call me at 757-466-0750 to schedule a consultation.

Attorney Randall J. Leeman, Jr.  
Zoby, Broccoletti & Normile, P.C.  
6663 Stoney Point South  
Norfolk, VA 23502  
Tel.: 757-466-0750



Hampton Roads Legal Services  
2624 Southern Blvd., Suite 101  
Virginia Beach, VA 23452  
(757) 340-3100

This Firm is Not a Public Legal Aid Agency

PRSRST STD  
U.S. POSTAGE  
PAID  
NORFOLK, VA  
PERMIT NO. 281

Hampton Roads Legal Services located in Virginia Beach assists clients with Debt Relief, Bankruptcy, Family Law, and Estate Planning matters. We serve clients throughout Hampton Roads including Virginia Beach, Norfolk, Chesapeake, Portsmouth, Suffolk, and surrounding areas. This firm is not a public legal aid agency.

*In This Issue...*

- *Grandparent's Day*
- *New Staff Member*
- *Grandparents Visitation*
- *There Are Blue Lights Flashing Behind Your Car. What Do You Do Now?*

**One of the nicest parts of our practice is when someone sends a friend or relative to us. Be sure that to tell people you refer to us to give us your name so we can recognize and reward you. We would like to recognize the following individuals who have recently referred new clients to us.**

Ben J., Virginia Beach, VA  
Marion C., Virginia Beach, VA  
Avis D., Virginia Beach, VA  
Anna E., Virginia Beach, VA

*Please remember that we are closed every Monday from 1 to 1:30 for our office staff meeting. In addition, please remember that Mrs. Pfeiffer, Colleen or Annette do not take walk in appointments or unscheduled phone calls. If you need to speak with Colleen, Annette or Mrs. Pfeiffer about your case, Desirai will be happy to schedule you a time to call one of us. Normally she will be able to schedule you an appointment with Colleen or Annette within 24 hours. You can always send us an email at [info@hamptonroadslegal.com](mailto:info@hamptonroadslegal.com) and we will respond within one day. This allows us to concentrate on your case without interruptions.*

If you no longer wish to receive this newsletter you can call Desirai at 340-3100 to remove your name from the mailing list or you can e-mail her at [info@HamptonRoadsLegal.com](mailto:info@HamptonRoadsLegal.com).

This firm is a debt relief agency. We assist people through bankruptcy.