

McQuade Byrum PLLC

Attorneys and Counselors At Law

Marni E. Byrum (licensed in Va. and D.C.)

Martha JP McQuade (licensed in Va., D.C. and Md.)

M. Elizabeth Gladney (licensed in Va.)

May 13, 2013

Peter C. Burnett
Burnett and Williams, P.C.
105 Loudoun Street, SE
Leesburg, VA 20175

RE: Nomination for the Clarence M. Dunnville Jr. Achievement Award

Dear Peter:

It is with great pleasure that I nominate Darrel Tillar Mason for the Diversity Conference Clarence M. Dunnville Jr. Achievement Award.

Darrel has been a champion of civil rights and equal opportunity her entire forty year professional career. After receiving a master's degree in higher education administration in 1973, she was part of the first Equal Employment Opportunity Office at Virginia Tech. In that capacity, she wrote Tech's first Affirmative Action Plan in the mid 1970s after the Civil Rights Act of 1964 was made applicable to higher education institutions by the 1972 amendments to that Act.

Following her graduation from the University of Virginia School of Law in 1981 Darrel represented plaintiffs in various civil rights cases involving discrimination based on race, sex, age, and handicap. One of her cases, *Kelly v. First Virginia Bank-Southwest*, a 1991 case arguing that a civil claim for damages resulting from sexual harassment should not be barred by the exclusivity provisions of Virginia's Workers' Compensation Act, was unsuccessful in the Virginia Supreme Court in a 4-3 decision. However, that defeat led to a successful legislative effort to amend the Worker's Compensation Act the following year. In addition to litigating her own civil rights cases, Darrel participated in other cases by writing amicus briefs for associations such as the American Association of University Professors in favor of efforts by institutions to overcome challenges to voluntary affirmative action programs such as in the case of *Smith, et al. v. Virginia Commonwealth University*, a case ultimately decided by the U.S. Fourth Circuit Court of Appeals in 1996.

McQuade Byrum PLLC
Letter to Peter C. Burnett
May 13, 2013
Page 2

In the mid-1990s Darrel ventured into a new area of civil rights litigation, namely representing children with disabilities and their families in their struggle to obtain non-discriminatory services under the *Individuals with Disabilities Education Act*. Darrel became passionate about serving this population, generally on a pro-bono basis, as a result of her service on the Virginia State Board of Education. She served on the State Board from 1991-1995 and was elected its Vice Chair. Darrel has represented literally hundreds of students from all over the Commonwealth. In 2000 she founded the Center for Special Education Advocacy, a non-profit organization training and encouraging lawyers to represent these families, most of whom cannot afford to pay an attorney being already overwhelmed financially by the cost of caring for one or more disabled children. Darrel has been recognized for her leadership in promoting equal rights for individuals with disabilities, whether in education, employment, housing, voting, etc. In 2010 she was appointed by the Speaker of the Virginia House of Delegates to the Board of the Virginia Office for Protection and Advocacy (VOPA), and was elected Vice Chair of that Board in 2011, Chair in 2012, and re-elected Chair in 2013. The mission of VOPA is to protect and advance legal, human, and civil rights of persons with disabilities; combat and prevent abuse, neglect, and discrimination; and promote independence, choice, and self-determination by persons with disabilities.

Darrel's activism in promoting the equal treatment of women was recognized in her being appointed by to the Virginia Commission on the Status of Women, a gubernatorial appointment, and later being elected its Chair, serving from 1982-1987. Similarly, she was appointed by the Virginia Women Attorneys Association to serve as a member of the Virginia State Bar's Commission on Women and Minorities in the Legal System, serving from 1986-1988. From 1987-1989 she served on the first Commission on the Future of Virginia's Legal System created by Chief Justice Carrico. In undertaking all of these leadership activities, she worked to facilitate and expand diversity and inclusion in the bar, the judiciary, and the legal profession.

Darrel is one of the founding mothers of the Virginia Women Attorneys Association (VWAA), having been involved since its creation in 1981, the year she graduated from law school. Darrel has served as state-wide Treasurer, President, editor of the legal journal *Lex Claudia*, and CLE Chair. Locally she has served as President and Treasurer of the Richmond Chapter for multi-year terms. To promote the merit selection of judges, and encourage qualified women and minorities to seek judicial appointments, Darrel has chaired and or served on countless judicial nomination review panels for the VWAA.

McQuade Byrum PLLC
Letter to Peter C. Burnett
May 13, 2013
Page 3

Darrel's service to the Virginia State Bar is legendary. While practicing in Southwest Virginia in the 1980s and early 1990s she was frequently asked, and always agreed, to travel to Richmond to serve on a Bar Committee. She served on the Special Committee on Lawyer Financial Responsibility, the Standing Committee on Legal Ethics, the Fee Dispute Resolution Committee, the Special Committee on Lawyer Malpractice Insurance 1994-1995, (Chaired that Committee from 2005-2008), the Board of the Senior Lawyers Conference, the Better Annual Meeting Committee and the Nominations Committee. She served on the Virginia State Bar Council from 1990-1996, and was reappointed to serve in 2009 by the Supreme Court of Virginia, a position to which she was reappointed in 2012 for another three year term. In 2008, Darrel was recognized by the *Virginia Lawyers Weekly* and her legal peers by being selected as a Leader in the Law. In June 2009, through a special Resolution, the Council of the Virginia State Bar recognized the many contributions that Darrel has made to the profession, commended her service and thanked her for her many years as a volunteer.

Darrel also finds time to serve her community, being recognized as Goochland Volunteer of the Year for 2011 as a result of her work with a local food pantry, and she serves as Chair of her church's leadership council.

I have been privileged to have Darrel as a mentor, colleague and friend for almost 40 years. During that time I have seen first hand the dedication she has to protecting the rights of individuals. Darrel has been a stalwart soldier in the trenches fighting for equal rights in employment and education, as well as a leader in advancing the legislative changes to protect those rights. In this letter I have attempted to give you just a glimpse into the countless ways, both in her personal life and her professional career, she has contributed to fostering, encouraging, and facilitating diversity and inclusion in the bar, the judiciary, the legal profession and society in general.

In summary, Darrel is a credit to the legal profession and deserving of recognition by the Diversity Conference as a recipient of the Clarence M. Dunnville, Jr. Achievement Award.

Sincerely,



Marni E. Byrum

MEB/ms