

An Unexpected Path

Based on an interview of Michael D. Lubeley by Gifford R. Hampshire in January 2016

Not many can joke that they were fired from their first legal job before they even showed up. Yet that is almost how preeminent land use attorney Mike Lubeley started his legal career in Prince William County. The result was a different career path from the one he expected, a career that has profoundly influenced the way Prince William County developed over the ensuing forty years. And it isn't over yet.

While in his last year at Marshall-Wythe School of Law in the fall of 1971, Mike secured his third-year practice certificate and worked for Billy Person, the Commonwealth's attorney for Williamsburg. This experience led to Mike's ambition to work as an Assistant Commonwealth's Attorney when he graduated. Mike had grown up in Falls Church and knew of Paul Ebert's election the previous term. So Billy Person gave Mike an introduction to Paul. Mike took advantage of this introduction when he travelled to Northern Virginia that same fall to look for a job to commence after graduation the following spring.

Mike also made rounds to other prospective employers, such as Ed McGolrick and Lacy Compton, Sr. and enjoyed speaking to both. But it was the allure of working as a prosecutor and county attorney (in those days the Commonwealth's Attorney performed both functions) that won Mike over. Mike immediately accepted Paul's offer for employment as an Assistant Commonwealth's/County Attorney, commencing upon his graduation the following year.

But it was not to be. Mike's plans were disrupted at the end of 1971 when Paul called to say that the Prince William County Board of Supervisors had declined to fund the position. Perhaps the Board's omission was the harbinger of the economic downturn of 1973-75. Whatever, the case, Mike has since taken every opportunity over the last four decades to tease Paul about firing him before he even had the chance to lose a traffic case.

The year 1972 devolved to an economic downturn that would later lead to a recession from 1973 to 1975 peppered by continuing tumult over the Vietnam War. Confidence in the economy was weak and young Mr. Lubeley did not feel he could cling to his desire to work as an Assistant Commonwealth's/County Attorney. It was fortuitous, then, that Mike had chatted with Lacy Compton, Sr. in his job search the previous fall. Compton, Latimer and Compton was looking for two attorneys, one to work in its Manassas office and the other to work in its Woodbridge office. Richard Potter, Mike's undergraduate and law school classmate at William and Mary, landed the Manassas job while Mike scored the detail to Woodbridge.

The east and west offices of Compton, Latimer and Compton were connected in those days by the weak thread of Davis Ford Road, as then configured. A trip from one office to the other was an ordeal, at least by today's standard. Communication was by telephone or firm meetings. The two offices were nevertheless as solid as a single law firm. In Mike's words "[i]t was a true firm, and it was a great organization of people, a great group of folks."

Still, several years later an evolution of the two offices led to a decision that the east and west offices would split. The eastern office became the firm of Compton, Bergere and Lubeley, staffed by Lacy Compton, Jr., Doug Bergere and Mike. The western office became the firm of Compton, Compton, Latimer, and Potter, staffed by Lacy Compton, Sr., Claude Compton, Bud Latimer and Richard Potter.

Mike's practice in those days was focused on transactional real estate as opposed to his current land use entitlement work. There was not really even a term to describe the land use entitlement work into which Mike's practice evolved by the mid-1980s. This would change soon enough.

The early 1980s saw a period of dramatic growth in Northern Virginia, including Prince William County. With that growth came a demand for lawyers to assist landowners with securing rezonings, special permits and other entitlements for higher uses of land. Enter Mike Lubeley the land use entitlement lawyer! Securing rezonings, special permits and other entitlements came to occupy all of Mike's time.

It was about then that Mike was approached by Art Walsh, a classmate from Bishop O'Connell High School and a fellow double Indian classmate at William and Mary. Art had established an Arlington land use practice of Walsh, Collucci and Emerich. The idea was that Mike would stay in Prince William doing the same sort of land use

entitlement practice that his partners would continue to do in Arlington and Fairfax, often for the same clients. Mike soon became a named partner. The firm's name changed to Walsh, Colucci & Lubeley within eight months.

Thus continued a law practice that has profoundly influenced how Prince William County and the cities of Manassas and Manassas Park developed into what we take for granted today. Mike sees as particularly impactful the rezoning he did for Robert Trent Jones which he describes as "somewhat of a gem for the county, the golf club and Lake Manassas, which is a wonderful community and spawned other great communities to the west." Mike points out the Robert Trent Jones development brought with it water, sewer and road infrastructure that opened up the whole Linton Hall corridor to all of the activity we now see from Route 29 in Gainesville to Route 28 between Manassas and Nokesville. Mike notes that this infrastructure also made possible the development we see north I-66 today, namely Heritage Hunt, Piedmont, West Market and Dominion Valley.

Robert Trent Jones and the ensuing development in Western Prince William County is but one of the many important Prince William projects Mike's law practice has influenced over the course of more than 30 years. Mike is quick to say that is not old and that he hopes to continue to assist in the smart development of the County and the cities for years to come. Thus, Mike's future contributions may well grace the brochure for the next celebration of our Bar.