My dear friend, Francis Nelson ("Frank") Crenshaw, 89, of Norfolk, a nationally recognized attorney and retired senior partner of our firm, Crenshaw, Ware & Martin, died on January 26, 2012 at Lake Taylor Transitional Care Hospital in Norfolk, surrounded by his loving family. Born in Washington, D.C., he was the fourth of five children of Russell S. Crenshaw and Polly Robins Crenshaw. He was predeceased by his first wife of forty-four years, Jane Elizabeth Treadwell Crenshaw, and is survived by his beloved current wife, Anne Alfriend Abbitt Crenshaw.

In 1939, Frank graduated from St. George’s School in Newport, Rhode Island, and enrolled at the University of Virginia. At Virginia, Frank played football, as the blocking back for the great All-American running back Bullet Bill Dudley. After the 1941 attack on Pearl Harbor, Frank accelerated his college courses and graduated from the University in December, 1942. He then entered the U.S. Navy, serving primarily on the destroyer U.S.S. Patterson in the Pacific until the end of the war.
For his service on the Patterson, Frank was awarded the Bronze Star, with four oak leaf clusters. In June, 1946, after discharge from the Navy, he entered law school at the University of Virginia, receiving his law degree in 1948. The year he graduated from law school, he was president of the composite University of Virginia graduating class. At the University, Frank was a member of the Seven Society.

Upon completion of law school, Frank came to Norfolk and in 1950 joined the law firm Baird, White & Lanning. The firm changed its name on several occasions, becoming Crenshaw, Ware & Martin in 1989. Frank became the senior partner of the firm in 1968 and retired from active practice in 1997.

Frank was active in many bar activities, serving as president of the Norfolk & Portsmouth Bar Association and serving on the Executive Committee of the Virginia Bar Association. He was a member of the Maritime Law Association of the United States, a Life Fellow of the American Bar Foundation and a Fellow of the Virginia Law Foundation. Frank served as a member of the Virginia Board of Bar Examiners for seventeen years, and was president of that Board for almost seven years; take a look at your license as Attorney and Counsellor at Law, and, if you are an attorney of a certain age, you will probably see the signature “Francis N. Crenshaw” on your license. In 2000, Frank was honored with the Eggleston-T’Anson Professionalism Award, the most prestigious award presented by the Norfolk & Portsmouth Bar Association, recognizing the highest achievements of legal ethics and professionalism. Frank was also active in the Senior Lawyers Conference of the Virginia State Bar.

Those are some the facts about Frank, but those facts alone do not tell the full story about him. Frank Crenshaw was not a large person, physically, but in other ways, he was a giant of a man. He was a giant as a father, as a husband, as a citizen of his community, and as a lawyer.

I knew Frank in those roles, and most of my experience with him was in his role of lawyer. When I came to work for Frank’s firm over forty years ago, I did not realize then that by working for him and with him, I was probably one of the most fortunate young lawyers of my generation—because Frank was such an absolutely superior mentor for those of us new to the practice of law.

Frank did not teach me any significant amount of black letter or “book” law, but, he taught me how to use the book law, how to meet and engage with clients, how always to act in the clients’ best interests, how to deal with fellow attorneys, how to serve the legal profession, and the obligations that one owes to his or her community.

I got to sit down and talk with him about legal cases (and about life and about our respective families); I got to follow him to meetings with clients and attorneys, and to meetings of the various bar groups. I got to go with him to recruit law graduates from the law schools, and to meet with maritime attorneys whom Frank knew in New York.

One of my very fond memories of my time with Frank Crenshaw was our practice of having lunch with all of the available folks in our firm at the old Snug Harbor, at the end of the Selden Arcade. Our convening for lunch was Frank’s idea. He believed that by getting together for these “voluntary” lunches, we would exchange ideas and conversation in ways that would enhance the camaraderie and team spirit of the firm. And he was right. Frank, with the support of his longest-term law partner, Guil Ware, set the tone and established the culture of the law firm. And, by the way, we were such regulars at the Snug Harbor that we knew that Tuesday was barbecue day and Friday was the day for flounder and strawberry crunch cake dessert.

Any comments about Frank would not be complete without a mention of what he did for his city. In his role as chairman of the Norfolk School Board, as Rector of Old Dominion University, as legal counsel for the Redevelopment and Housing Authority, he helped to change the face of Norfolk for the better. His judgment and his compassion made life better for many, many people. And
Tree; it is a Jamestown Red Maple (Acer rubrum ‘Jamestown’). Appropriately, the dedication ceremony took place at midday of the Chief Justice’s Pro Bono Summit which was held at the Supreme Court of Virginia, across the street from Capitol Square.

In her remarks, Chief Justice Kinser said: “It is an honor to be assembled here with Justices, lawyers, citizens and friends at this tree that will commemorate the life of Chief Justice Leroy Rountree Hassell, Sr. Chief Justice Hassell always offered his leadership, vigor and intelligence to encourage lawyers to provide pro bono legal services and to ensure justice in the Commonwealth. His consistent dedication to these issues sent roots deep into the bedrock of our system of justice. A tree — living, vibrant and strong — is a fitting memorial. This tree will remind all of us and all of those who pass it, of Chief Justice Hassell’s dedication and contribution to the administration of Justice throughout the Commonwealth…

My thanks to the members of the Senior Lawyers Conference of the Virginia State Bar, and the Virginia Bar Association, for leadership in organizing this commemoration. And I thank all of you for your participation in this day.” After her remarks, Chief Justice Kinser and the other Justices each symbolically placed a shovelful of earth around the newly planted tree.

In addition to the dedication by Chief Justice Kinser, John H. Tate, Jr., of Marion, Past Chair of the SLC, who was a leader in the efforts to raise the funds and to plant the tree in Chief Justice Hassell’s honor and memory, spoke at the ceremony; in part, he said, “The Senior Lawyers Conference is very pleased to have the Virginia Bar Association of this project and join with all of you in honoring Chief Justice Hassell. I am speaking today because I served as Chairman of the Senior Lawyers Conference last year when we began this plan to honor Chief Justice Hassell, and our current Chairman, Robert L. Calhoun of Alexandria, is here as well. We are all very pleased and honored to join in the celebration of the life of Chief Justice Leroy Rountree Hassell, Sr. and to plant this Forever Tree in his honor.”

Prior to the dedication ceremony, Robert Lathan Calhoun, of Alexandria, Current Chair of the SLC, said “Chief Justice Hassell was a ground-breaking jurist who deserves permanent recognition by the citizens of the Commonwealth. We wanted to honor him for his commitment to the rule of law and for his unwavering support for the role of senior lawyers in the Bar.” Because he was only 47 years of age when he became Chief Justice, Chief Justice Hassell had been made an honorary member of the Senior Lawyers Conference at that time, and ironically, he became a full member, when he became age 55, in the last year of his life.

The inscription on the tree’s plaque states that the tree is “Given by the Lawyers of Virginia.”
It is not often in an attorney’s career that he or she experiences the recodification of a particular Title of the Code of Virginia; for some of us, it may occur once or twice during a career, and when it does, it is good to have a bit of help in demystifying the process, and in finding one’s way around in the recodified Title. I hope that this article provides a bit of help.

Section 30-152 of the Code of Virginia provides that the Code of Virginia shall continue to be gradually revised by revising one title at a time, and the Virginia Code Commission, which is a permanent commission of the legislative branch, has the responsibility for drafting the revision and recodification bills for introduction in the General Assembly. The current members of the Virginia Code Commission are: John S. Edwards; James M. LeMunyon; Ryan T. McDougle; Robert L. Calhoun (who is also Chair of the VSB Senior Lawyers Conference); Thomas M. Moncure; Patricia West; Charles S. Sharp; Wesley G. Russell, Jr. (ex-officio); E. M. Miller, Jr.; Robert L. Tavenner (ex-officio); and J. Jasen Eige or Jeffrey S. Palmore (both ex-officio). The Virginia Code Commission, pursuant to §30-152 of the Code of Virginia, voted in 2009 to revise Title 64, Wills and Decedents’ Estates, as part of its work plan. Title 64, which was part of the 1950 Code of Virginia, had last been recodified to Title 64.1 in 1968 (Acts C. 656). A Work Group of practitioners experienced in this area assisted the Commission with this title revision and recodification. The members of the Work Group were: Gary W. Lonergan, Esq., Assistant Commissioner of Accounts, City of Alexandria; John H. Rust, Jr., Esq., Commissioner of Accounts, County of Fairfax; Philip R. Trapani, Jr., Esq., Commissioner of Accounts, City of Norfolk; the Honorable Tommy L. Moore, Clerk, Botetourt County Circuit Court; James P. Cox, III, Esq., of MichieHamlett; Helen Lewis Kemp, Esq., of Virginia Estate Plans; Dana G. Fitzsimons, Jr., Esq., of McGuireWoods; John T. Midgett, Esq., of Midgett & Preti; Martha L. Sotelo, Esq., of Vaughan, Fincher & Sotelo; and Joseph E. Spruill, III, General Counsel to the Virginia Bankers Association, and later Matt Bruning, Director of Government Relations for the Virginia Bankers Association.

After more than two years of work, the Virginia Code Commission approved its report on the recodification of Title 64.1 at its meeting on December 5, 2011, in time for the legislation to be prefiled for the 2012 General Assembly Session. The legislation was introduced by Senator Ryan T. McDougle as SB 115, which was passed by the Senate 40-0. This bill crossed over to the House on February 13, 2012, and was passed by the House 99-0. On April 4, 2012, the act was signed into law by Governor McDonnell as 2012 Acts of the Assembly, Chapter 614, which becomes effective on October 1, 2012.

The act creates Title 64.2 (Wills, Trusts, and Fiduciaries) as a revision of existing Titles 26 (Fiduciaries Generally), 31 (Guardian and Ward), and 64.1 (Wills and Decedents’ Estates), as well as portions of Titles 37.2 (Behavioral Health and Developmental Services) and 55 (Property and Conveyances). Title 64.2 consists of 27 chapters divided into five subtitles: Subtitle I (General Provisions); Subtitle II (Wills and Decedents’ Estates); Subtitle III (Trusts); Subtitle IV (Fiduciaries and Guardians); and Subtitle V (Provisions Applicable to Probate and Nonprobate Transfers). Subtitle I consists of title-wide definitions and provisions that are broadly applicable to wills, trusts, and fiduciaries. Subtitle II addresses the descent and distribution of property either through intestate succession or by will, including nonprobate transfers. Subtitle III contains various uniform acts enacted in Virginia dealing with the creation and management of trusts, including the Uniform Trust Code (into which the Uniform Prudent Investor Act
that judgment and compassion also were key to what he did in leading and nurturing his law firm, and doing the other thing that was so important to him: raising, teaching and nurturing his pride and joy, his three girls, Liz, Page and Marion.

Frank was an amazing lawyer, but more than that he was an amazing man. He was the *nicest and best lawyer* I have known. And he was the *nicest and best man* I have known. I miss him, as I know so many others do.

Howard W. Martin, Jr. is Past President of the Virginia State Bar, Senior Member of the firm of Crenshaw, Ware & Martin, PLC, and a member of the VSB Senior Lawyers Conference.

Crenshaw continued from page 2

has been integrated), Uniform Custodial Trust Act, Uniform Principal and Income Act, and Uniform Prudent Management of Institutional Funds Act. Subtitle IV deals with various fiduciary relationships, including powers of attorney, guardianships of minors and incapacitated adults, and the commissioners of accounts; the Virginia Uniform Transfers to Minors Act and the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act are integrated into Subtitle IV. Subtitle V contains provisions that are applicable to both probate and nonprobate transfers, including the Uniform Simultaneous Death Act and the Uniform Disclaimer of Property Interests Act. In preparing its proposed revision and recodification, the Virginia Code Commission determined that the terminology used should be clear, consistent, and modern.

Overall the act contains technical changes, reorganization, relocation and integration of provisions, modernization of terminology, and some substantive changes.

For the full article regarding the recodification and revision of Title 64.1, including comparative tables showing how the sections of new Title 64.2 relate to the old Code sections, please go to [http://www.vsb.org/docs/valawyermagazine/vl0412-title64.1.pdf](http://www.vsb.org/docs/valawyermagazine/vl0412-title64.1.pdf).
The purpose of the Senior Lawyers Conference is to uphold the honor of the profession of law, to apply the knowledge and experience of the profession to the promotion of the public good, to encourage cordial discourse and interaction among the members of the Virginia State Bar (VSB), and to pursue its Mission and Goals as follows:

The SLC shall serve the particular interests of senior lawyers and promote the welfare of seniors generally. In serving the interests of senior lawyers the SLC will plan and present programs and activities and produce publications of interest to senior lawyers, and coordinate activities for senior lawyers by, for, and with state and local bar associations. To promote the welfare of seniors generally, the SLC will study issues of concern to seniors, prepare and present programs and publications designed to explore and develop such issues, advocate appropriately on behalf of such issues and cooperate with other entities interested in such matters.

As of May 1, 2012, the Senior Lawyers Conference has 15,526 members.

The periodic meetings of the SLC Board for the 2012–2013 Bar year will be held at Westminster-Canterbury of the Blue Ridge in Charlottesville. The Board will meet four times, beginning in September, 2012. The 2013 SLC annual business meeting will be held in June, 2013 at the VSB Annual Meeting in Virginia Beach. All dates will be announced on the SLC website at www.vsb-slc.com.

Senior Citizens Law Day Programs

The Senior Citizens Law Day programs, under the format developed by Bill Wilson of Covington, is a successful one conducted by local bar associations and individual lawyers as a public service in reaching out to senior citizens in our communities and providing them with education about their rights and responsibilities under the law. The programs have been presented all over the Commonwealth, and they represent win-win-win situations for the public, for the lawyers who are involved in planning and presenting the programs, and for the legal profession. For more information, please call SLC Liaison Stephanie Blanton at (804) 775-0576.

SLC Dedicated Issue of the Virginia Lawyer Magazine

The Senior Lawyers Conference is responsible for the June/July 2013 issue of Virginia Lawyer. The deadline for completion of articles for the issue is May 14, 2013. Please let Frank O. Brown, Jr. (804-673-7545) know if you are interested in writing an article for the June/July 2013 issue.

Senior Lawyer News—Website and Mailed Newsletters

The Senior Lawyer News is published as an online newsletter. Periodically, we publish Remembrances of deceased distinguished lawyers or judges whose personal and professional qualities are inspirational to members of the legal profession. Volunteers are needed to write articles for future issues of the Senior Lawyer News. www.vsb-slc.com Please let Frank O. Brown, Jr. (804-673-7545) know if you are interested in writing an article for the newsletter.

Lawyers’ Tree Planting Initiative

The Lawyers’ Tree Planting Initiative by John Tate of Marion is continuing successfully. The number of trees planted in 2012 more than tripled over 2011. In 2012, Bruce Robinson of South Hill and Robert Vaughan of Danville joined John in personally delivering the seedling trees to different parts of the state, where they were planted by local lawyers and others. The initiative is for lawyers to plant and to encourage the planting of trees in our communities throughout Virginia to improve our environment now and in the future. A number of Virginia localities have already expressed their appreciation for this initiative. The Virginia Department of Forestry makes it very convenient to see the characteristics, pricing and availability of various trees. Simply go to www.buyvirginiatrees.com. For more information, call John Tate at (276) 783-7238.
Protecting Lawyers’ and Clients’ Interests In the Event of the Lawyers’ Disability, Death or Other Disaster

The SLC Web Site at http://www.vsb.org/site/conferences/slc/attorney-resources-publications contains the following documents to assist lawyers in their planning: Durable Special Power of Attorney Regarding Law Practice; Agreement Regarding Law Practice; Last Will and Testament provisions with appropriate powers to Executor. In addition, Frank O. Brown, Jr. presents a CLE Ethics program to local bar associations on this topic. This program is presented as a one hour, one and one-half hour, or two hour program, with full ethics credit. The program has been presented at least once in Abingdon, Alexandria, Arlington, Big Stone Gap, Boydton, Covington, Charlottesville, Danville, Fairfax, Farmville, Fredericksburg, Gloucester, Harrisonburg, Henrico, Irvington, Keysville, Leesburg, Luray, Mclean, Melfa, Norfolk, Richmond, Roanoke, Salem, Smyth County, Stratford Hall, Virginia Beach, Williamsburg, Winchester, and several additional times in some of these locations. Additional programs are being planned in other locations in the future. If your local bar association is interested in having this ethics program presented, at no charge, please call SLC Liaison Stephanie Blanton at (804) 775-0576. The Checklist on Closing a Law Practice is also available on the website.

Senior Citizens Handbook

Produced by the SLC, this is the VSB’s most requested publication. It is a resource for seniors, their families, and their caregivers to provide an overview of and contact information for opportunities and choices facing senior citizens today, with a summary of how specific laws affect Virginia’s older citizens and practical advice on issues such as Medicaid, Alzheimer’s Disease, landlord-tenant relations, and much more. There is also an extensive list of community-service organizations that details the various services available to senior citizens. The Senior Citizens Handbook is updated periodically, and is available through the VSB Publications Office.

Pro Bono Activities by Senior Lawyers

The SLC actively encourages pro bono activities by senior lawyers. To find out how you can become involved in providing pro bono services, please call John Oakey at (804) 775-4336, or e-mail him at joakey@m cguirewoodsemeritus.com.

Brunch and Ceremony Honoring 50-Year VSB Members

At the VSB Annual Meeting, the SLC sponsors a brunch and awards ceremony at which the senior lawyers who are receiving their 50 year membership awards are honored. It is by special invitation to the honored guests and will be held on Saturday, June 16, 2012, at the Cavalier Oceanfront.

VSB Annual Meeting CLE Workshop

Each year at the VSB Annual Meeting, the SLC sponsors a CLE workshop. The workshop this year is titled: “Serving Virginia’s Senior Citizens Using The Senior Citizens Handbook; and Protecting Your And Your Clients’ Interests In The Event Of Your Disability, Death Or Other Disaster.” The workshop panel members are: William T. Wilson, Esquire, of Covington; Robert T. Vaughan, Jr., Esquire, of Danville; The Honorable Christopher P. Stolle, M.D., of Virginia Beach; William H. Oast III, Esquire, of Suffolk; and Frank O. Brown, Jr., Esquire, of Henrico. The time and location are Friday, June 15, 2012, 2:00–3:30 p.m., Holiday Inn, Cape Henry Room, 39th & Atlantic Avenue.

Visit the SLC Web Site at www.vsb-slc.com
The Senior Lawyers Conference Highlights at the 2012 VSB Annual Meeting

Serving Virginia’s Senior Citizens Using The Senior Citizens Handbook; and Protecting Your and Your Clients’ Interests In the Event of Your Disability, Death or Other Disaster

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You won’t want to miss this CLE with workshop panel members William T. Wilson, Esquire, of Covington; Robert T. Vaughan, Jr., Esquire, of Danville; The Honorable Christopher P. Stolle, M.D., of Virginia Beach; William H. Oast III, Esquire, of Suffolk; and Frank O. Brown, Jr., Esquire, of Henrico.

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