

The Senior Lawyers Conference and The Litigation Section

William B. Smith, 2004–2005 Senior Lawyers Conference Chair



The Litigation Section was organized in 1980 and has grown from a few hundred members in the early years to the largest Virginia State Bar section, with 2,873 members. The Senior Lawyers Conference (SLC) was established in June of 2001, having previously been a section for several years. Its membership, which encompasses VSB members fifty-five years of age or older, is 9,624. In 1985, I had the honor and highly rewarding experience of serving as Litigation Section chair, as have many current and former board members of the SLC. Among those who have served both the section and the conference are Ken McFarland Smith of Arlington, G. Marshall Mundy of Roanoke, H. Victor Millner Jr. of Chatham and William T. Wilson of Covington, the SLC's chair-elect. Also, Colin J.S. Thomas III, a current member of the Litigation Section's board, is the son of Colin J.S. Thomas Jr., a former chair of the Senior Lawyers Section and a current member of the SLC Board.

Every member of the Litigation Section who is fifty-five years of age or older is also a member of the SLC.

When these two large memberships are thus cross-connected, there has to be a wealth of accumulated litigation experience that can be put to use in cosponsored activities. One project that immediately comes to mind is the cosponsorship of continuing legal education workshops at the VSB Annual Meeting in Virginia Beach each June that address litigation subjects of common interest. These might include will contests, powers of attorney and estate administration, age discrimination, contested guardianship proceedings, and nursing home and other health-care facility litigation. The chair of the committee to plan the SLC's CLE workshops for this summer is Frank O. Brown of Richmond, and I'm sure he would appreciate any ideas from the Litigation Section for cosponsored programs.

The section has a subcommittee that addresses appellate procedure and practice. This subcommittee welcomes contributions from SLC members experienced in appellate practice.

Another area of importance to Litigation Section members is civility and professionalism in litigation. The SLC board also feels that high standards of civility and professionalism in trial practice are absolutely critical to the maintenance of respect for our profession, and that the VSB should sponsor ongoing programs on civility, with the help of trial lawyers, law professors and judges.

Cal Thomas of our board is chair of our Committee on Civility and Professionalism, and he would welcome ideas from Litigation Section members for how this program should be developed and how best to get the message out to the trial practice community.

The section and conference can work together to establish standards for proper care of the elderly by nursing homes and other health-care facilities. Such standards are another high priority for our conference and are obviously of direct interest to the section. William T. Wilson of Covington is chair of the SLC Nursing Homes Standards Committee.

The Supreme Court of Virginia and the VSB are studying how to assist small-firm and solo practitioners, particularly in rural areas. George W. Shanks of Luray, an SLC board member, is on this study committee, which will meet at the Bar Leaders Institute in Abington on March 18, 2005. Again, this is clearly an area in which the SLC and the Litigation Section can be actively involved. I encourage members of the Litigation Section interested in contributing to this project to contact George Shanks, another member of the study committee or Supreme Court Justice Cynthia D. Kinser, who is heading up this effort. Civil litigation is an area of practice that can benefit from assistance from older lawyers' trial experience.

Since the conference has been organized, senior lawyers have continuously worked on ways to provide pro bono legal services to Virginia senior citizens. Board member Clarence M. Dunnville Jr. of Richmond is chair of our Pro Bono Activities Committee and is working with another board member, Henry Lavender Woodward of the Legal Aid Society of Roanoke Valley, to explore assistance to legal aid programs throughout the state. Pro bono activities of the VSB is a subject that Chief Justice Leroy R. Hassell Sr. has taken a strong interest in. Here again, senior litigation lawyers' knowledge and experience would be invaluable to this effort.

Contributing our time, thought and effort to benefit our profession and the citizens of the commonwealth is an elevating experience that brings us above the daily burdens of practicing law. Of so many VSB activities both existing and imagined, a senior lawyer would be hard put not to find some subject of particular interest. I look forward to the continuing close relationship between the SLC and the Litigation Section. ☺