

# Senior Lawyer NEWS

Volume 31, Issue 1, Summer 2023

Frank O. Brown Jr., Editor

ANNUAL MEETING EDITION

## Remembering Virginia Lawyers

### Reuben E. Lawson: A Forgotten Civil Rights Titan

A Remembrance by John P. Fishwick, Jr., Esquire

In the mid-twentieth century, the battle for racial equality in the United States was fought on several fronts. One such front was the court system; during this

era, a number of attorneys, many of whom were African American, used the law to advance the cause of civil rights. Their efforts bore fruit, resulting in, among



Continued on page 5 >



### Robert Brooks Altizer

A Remembrance by Gary C. Hancock, Esquire

I first met Bob Altizer in the Fall of 1974. We, along with Nick Falk, were assigned to be study partners. From that first day of law school, and every day of law school until

graduation, we spent our days together deep in the stacks of the University of Richmond (then T. C. Williams) law library – studying, visiting and becoming

Continued on page 6 >

### Harry Shaia, Jr., Esquire

A Remembrance by Anne-Marie Shaia Condlin, Esquire

As I sat to write this Remembrance of my father, Harry Shaia, Jr., who died on February 7, 2023, I was struck by the reality that we all are a mix of strengths

and weaknesses, successes and failures, joys and sorrows, work and adventures. Each moment of our lives shapes us and molds us into the person we become. The



Continued on page 7 >



### Elizabeth D. "Liz" Whiting

A Remembrance by Rhysa Griffith South, Esquire

A wise friend and colleague at the Bar once asked me whether I knew that we die twice. When he granted me a moment to contemplate this concept, my mind

drifted to spiritual teachings on the after-life. My friend quickly brought me back to reality by explaining that after our physical death, we die again when people

Continued on page 9 >

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# From the Chair of the Senior Lawyers Conference

By Gary C. Hancock, Esquire

It is my honor to welcome you to the 2023 Annual Meeting Edition of the *Senior Lawyer News* of the Virginia State Bar Senior Lawyers Conference (SLC). All Virginia lawyers in good standing and 55 years of age or older are automatically members of the Senior Lawyers Conference. Currently, our membership stands at 22,812. We are proud to be the Virginia State Bar's largest conference/section.

The mission of the Senior Lawyers Conference is to represent and serve the particular interests of senior lawyers and to promote the welfare of senior citizens generally. We take our task seriously in the ways outlined below, and many others, and trust that our efforts have served senior attorneys, your senior clients, and seniors throughout Virginia. My thanks go out to the Board of Governors of the Senior Lawyers Conference for their leadership and their many contributions to the Bar. The Board extends its sincere appreciation to our Virginia State Bar liaison, Sylvia Daniel, who supports us in all that we do. The Senior Lawyers Conference hopes you find this issue to be helpful and informative.

One of the high points of the Senior Lawyer Conference year is the 50 Year Practice Recognition Brunch. The Senior Lawyers Conference will meet as part of the Virginia State Bar Annual Meeting in Virginia Beach at 10:00 a.m. on June 17, 2023, for a Brunch. During that time we will recognize 375 lawyers who marked their 50 years of practice in 2022-23. Virginia State Bar President, Stephanie Grana, will join the Conference to honor the 50-year recipients, and plaques will be presented to those in attendance with each honoree being individually recognized. Certificates will be sent to those unable to attend.

Our Mentoring Subcommittee, under the leadership of Peter Burnett and Carter Younger, has neared completion of the Senior Lawyers Conference Civility and Professionalism video. It will be approximately one-hour long and will feature a number of distinguished interviewees, including Virginia's Chief Justice. The video is funded by the Senior Lawyers Conference, the Virginia State Bar Litigation Section and a grant from the Virginia Law Foundation. It is intended to assist in bridging the gap between

learning the Principles of Professionalism and taking the oath for admission to the Virginia Bar, as well as understanding how civility and professional conduct standards actually relate to lawyers, clients and the judicial system in litigation, both inside and outside the courtroom. Our goal is to provide the kind of real-world mentoring lawyers might receive from an in-chambers meeting with a distinguished judge or personal advice from a successful trial attorney.

We are exploring options for awarding CLE credit associated with the video. Discussions are underway about how best to distribute and grow interest in the video in order to maximize the impact of the video. The video is presently in the editing and finalizing process.

The Board of Governors continues to celebrate Barbara Anderson who shepherded the revisions of the *Senior Virginian's Handbook* during 2019-2020. Last edited and published in 2013 there are now copies of the revised handbooks available at the Bar Office. We welcome Veronica Williams who has taken over as our *Senior Virginian's Handbook* liaison. Efforts are currently underway regarding further revisions to the Handbook. The revised copies are available for distribution at no cost for use at Senior Virginians Law Programs, as a PDF download on the SLC's page on the VSB website, and to individual lawyers requesting books for their office. We have completed a Spanish translation which is now available both in printed form and online. The Senior Lawyers Conference is proud to sponsor this valuable resource for older Virginians which contains helpful information about multiple legal issues, opportunities and choices facing seniors today, including helping them understand when they may benefit from professional legal advice. Requests for the Handbook have been robust.

Senior Virginian's Law Day Programs have resumed and continue to benefit the Senior Citizens of Virginia. During the past year, a very successful Senior Law Day was held on August 10, 2022 in Clifton Forge hosted by the Alleghany-Bath Highland Bar Association and moderated by William T. Wilson, the "Grandfather" of the SLC's Senior Law Day Program. On September 20, 2022, as part of the Virginia State Bar Conference of Local and Specialty Bar Associations, in cooperation

with the Supreme Court of Virginia, a Solo & Small-Firm Practitioner Forum was held in Winchester, Virginia, SLC Board of Governors Treasurer, Barbara Anderson and Emily Hedrick, VSB Senior Assistant Ethics Counsel, presented an excellent one-hour Ethics CLE titled "Law Practice Transitions: Ethical Concerns and Planning Strategies," which included materials from our SLC website. More than 400 people attended this free Forum virtually, and 85 people attended the Forum in person.

Former SLC Board of Governors Chair Bruce Robinson provides leadership and support for bar communities desiring to hold a half day free seminar (including free copies of the Senior Virginian's Handbook for each attendee) for senior Virginians and their advocates. A template and guide for the program is available on the SLC attorney resources page, which provides advice on proven presentation strategies. The Senior Lawyers Conference would welcome the opportunity to assist legal groups in sponsoring such a seminar in their communities. These programs have historically been well received when sponsored by local bar associations, churches, libraries, or educational institutions.

The Conference continues to encourage pro bono work by senior lawyers, through both the Special Committee on Access to Legal Services and Board members' personal efforts. Andrea Bridgeman is now heading our pro-bono efforts as our liaison, having assumed this roll from John Oakey, Jr., who worked tirelessly as our liaison for many years. Fortunately, John will continue as a member of our Board. Andrea continues to encourage senior members of the Virginia State Bar to participate in providing pro bono services.

Frank O. Brown, Jr., a Senior Lawyers Conference founding member and Chair has for many years dedicated significant time and service in producing the SLC *Senior Lawyers News* and oversees the SLC's content in the *Virginia Lawyer*. Until the pandemic intervened, Frank, continued delivering, free of charge, his program on "Protecting Your Client's Interest in the Event of Your Disability, Death, or Other Disaster" to bar members around the state. Frank has also tracked the annual amounts the Virginia State Bar has budgeted and actually expended for receiverships, in order to determine whether there is a correlation between our concerted efforts to educate lawyers and

to encourage lawyers to implement plans to protect their own and clients interests in the event of the lawyers' disability, death, or other disasters in order to prevent receiverships. Interestingly, the costs of receiverships have been reduced considerably since 2007.

Unfortunately, we as senior lawyers face the loss of colleagues. We publish remembrances of deceased, distinguished lawyers and judges whose personal and professional qualities were inspirational to members of the profession and the public. You will find eight (8) such remembrances in this issue. Thanks to those who wrote these inspiring articles, thanks to Frank Brown for his many years of editing these remembrances and most of all thanks to those of our colleagues who have gone on before us, but left behind memories of their lives and contributions to our legal community.

The 2023 annual business meeting of the Senior Lawyers Conference will take place on Saturday, June 17, 2023, at 9:30 a.m. immediately preceding the Virginia State Bar 50th Year Awards Brunch and in conjunction with the 85th Annual Meeting of the Virginia State Bar in Virginia Beach. The 2023-24 Slate of Officers for the Senior Lawyers Conference Board of Governors is:

**Chair:** W. Carter Younger (Richmond)

**Chair-elect/Vice Chair:** Thomas G. Bell, Jr. (Staunton)

**Secretary:** Barbara S. Anderson (Alexandria)

**Treasurer:** Richard A. Gray (Oakton)

**Immediate Past President:** Gary C. Hancock (Pulaski)

It has been a great privilege to serve as Chair of this hard-working and dedicated Senior Lawyers Conference Board of Governors for 2022-23. It has been my honor to serve with senior lawyers from throughout Virginia to pursue the goals of our great organization. The collegiality and camaraderie of our Board of Governors has been exceptional, as has the opportunity to work with Virginia State Bar Council and Executive Committee. I commend our Board of Governors for serving the interests of senior lawyers and promoting the welfare of seniors generally. I lastly thank my friend, John Eure, of Roanoke, for asking me to join the Senior Lawyers Board of Governors eight years ago. That opportunity of serving has enriched my life, both personally and professionally. 🍷

## Remembering Virginia Lawyers

### Edward L. Chambers, Jr.

A Remembrance by William T. Wilson, Esquire

When Frank O. Brown, Jr., of the VSB Senior Lawyers Conference (SLC), asked me to write an article for the Senior Lawyer News, about the late Edward Chambers, I already had the benefit of my own personal experiences with Ed. I had served with Ed on the Judicial Candidate

Evaluation Committee (JCEC) and the Virginia State Bar (VSB) Council. I had the excellent article which Bar President, Marni Byrum, wrote about Ed after he passed on December 25, 2019, at age 73. With that background in mind, I picked up the phone and called Ed's widow,



Continued on page 11 >



### J. Terry Parsley

A Remembrance by James K. Cluverius, Esquire

J. Terry Parsley's death on July 22, 2022 was intensely sad to me and to all who knew him personally. Even those who knew Terry only by name and reputation readily expressed sorrow over his passing. Despite having been a friend and

colleague of Terry's for over sixty years and practicing law together for nearly five decades, I'm not quite sure I can adequately capture the spirit and deep but unassuming intellect of this extraordinary gentleman and highly respected attorney.

Continued on page 12 >

### Theophlise Lee Twitty

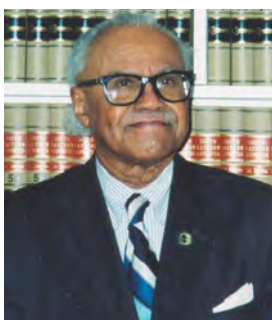
A Remembrance by Gloria Colander Twitty

My late husband, Attorney Theophlise Lee Twitty, died on November 3, 2005; he was only 53 years of age. He was called "T", or Theo, as he was fondly referred to, and he had a distinguished career in law and public service in the Commonwealth of

Virginia. He graduated from the United States Military Academy at West Point in 1973. Theo served his country in military service as an Officer in the Transportation Corps and Judge Advocate Generals Corps, US Army and achieved the rank



Continued on page 14 >



### William Thomas Mason, Jr.

A Remembrance by The Honorable Jamilah D. LeCruise

On February 1, 2023, William Thomas "W.T." Mason Jr. passed away at the age of 96.

He is remembered for his trailblazing service to the legal community and commitment to furthering civil rights in Virginia.

After graduating from Howard University School of Law, Mr. Mason became a member of the Virginia State Bar in 1951.

In 1963, President Kennedy appointed him as an Assistant United States Attorney for

Continued on page 15 >

other things, landmark United States Supreme Court decisions such as *Brown v. Board of Education*. Many of these titans of civil rights law, such as Samuel Tucker, Oliver Hill, and Thurgood Marshall, are well known today, even among non-lawyers. To be sure, these attorneys did important work, and their recognition is well earned. But unfortunately and undeservedly one name tends to be omitted from this history of the civil rights' era: an African American attorney from Roanoke, Virginia, by the name of Reuben E. Lawson.

Born in Danville, Virginia, on December 6, 1920, to Graham and Mary Lawson, not much is known about Reuben E. Lawson's formative years. He attended and graduated from Virginia State College, where he met his future wife, Nelly. Mr. Lawson then moved on to Howard University Law School, from which he graduated in 1945. That same year, Mr. Lawson began practicing law in Richmond, Virginia, at Hill, Martin & Robinson, which was founded in part by Oliver Hill, but Mr. Lawson soon left that firm to pursue his own private practice in Roanoke.

By the early 1950s, Mr. Lawson had become a pillar of Roanoke's African American community. Throughout the years, his titles included Vice President of the Roanoke Chapter of the Old Dominion Bar Association; Vice President of the Roanoke Civic League; Master of Alleghany Lodge No. 109 A.F. and A.M., a masonic group; Secretary of the Elks; Vice Chairman of Aladdin Temple 111, a Shriners group; Trustee of the First Baptist Church; and

Divisional Commissioner of Boy Scouts of America. Mr. Lawson was also a notable member of the Roanoke NAACP, being part of its legal staff for many years, serving as President of the chapter, and founding and becoming the first senior advisor of the Virginia State Youth Council of the NAACP, among other accomplishments.

Unsurprisingly, the community frequently engaged Mr. Lawson to speak at gatherings and events. For instance, in December 1952, when the United States Supreme Court was considering the school segregation cases that would ultimately result in the decision of *Brown v. Board of Education*, Mr. Lawson attended the oral arguments. The next month, he reported on these proceedings to the Gainsboro Branch Library Reading Club in Roanoke, which a newspaper described as a "most able digest."

One of Reuben E. Lawson's most lasting legacies, which earned him much admiration at the time, was his erecting of an office building near downtown Roanoke. The three-story Lawson Law Building not only housed Mr. Lawson's office, but office suites for insurance agents, dentists, and other professionals. It was the first of its kind to be erected by Roanoke's African American populace, and its notability was such that the then Mayor of Roanoke, Roy Webber, made remarks at its dedication ceremony.

Both in and out of the courtroom, Reuben E. Lawson was a force to be reckoned with. As Vice President of the Roanoke Civic League, he masterfully toed the line between

opposing a proposed amendment to the Virginia Constitution that would have had the effect of excluding African Americans from public schools and maintaining the Civic League's history of political neutrality. In 1961, when professional football players threatened to boycott a game due to Roanoke's then-segregated stadium, Mr. Lawson's words spurred the City Council to integrate it:

"We are patient to support the stand which I'm asking you gentlemen to take," said Mr. Lawson, addressing the councilmen. "I realize that each of you, when you took your oath, you promised to uphold the Constitution of Virginia, but also promised, gentlemen, to uphold the Constitution of the United States of America. That is why I am here today, asking you, which is superior?"

Yet Mr. Lawson was also a "quiet and soft-spoken person, and easy to relate to," as one of his friends and colleagues, Reverend Edward T. Burton, put it. Reverend Burton is the recently retired pastor of Sweet Union Baptist Church, where he served for 50 years, and came to know Mr. Lawson through both of their involvements in the NAACP. In fact, at the time, the Roanoke NAACP would often use Mr. Lawson's office as a meeting space.

According to Reverend Burton, Reuben E. Lawson was not a "great fan of demonstrations," but believed the best way to achieve racial equality would be through the courts. True to that assessment, it was through the courts that Mr. Lawson perhaps impacted his community most. He filed

the first desegregation suit in Southwest Virginia in the case of *Walker v. Floyd County School Board*, which resulted in 13 African American students gaining admittance to schools that had previously only enrolled white students, despite the United States Supreme Court's mandate in *Brown v. Board of Education*. Similar efforts and successes soon followed in the Cities of Roanoke and Lynchburg and the Counties of Pulaski, Grayson, and Roanoke. Unfortunately, Reuben E. Lawson was plagued by health issues. Although he worked tirelessly for

his clients, his body could not keep up, and, on March 23, 1963, he suffered an untimely death at the age of 42. He was survived by his wife, Nelly, and three children.

Reuben E. Lawson was a remarkable man, who left behind an equally remarkable legacy. It is up to us to keep it alive. Fortunately, efforts are underway to do just that. We have started a campaign to honor Mr. Lawson by renaming the Richard H. Poff Federal Building in Roanoke after Mr. Lawson, which the Roanoke City Council endorsed in January 2023. Likewise, in February 2023, the

Virginia General Assembly, by House Joint Resolution No. 680 “commemorate[d] the life and legacy of Reuben E. Lawson, a champion for racial justice and equality whose steadfast dedication to his cause had a transformative impact on the communities of Southwest Virginia.” But these efforts, and this Remembrance, merely represent the beginning of this process. I encourage all of us to understand who Mr. Lawson was, what he accomplished, and what he was fighting for—to remember him, in the fullest sense of that word.



Altizer continued from page 1

great friends. Bob was intense and driven. For Bob, law school was a means to an end. He wanted to become a lawyer, and he wanted to return to Tazewell County in the mountains of Southwest Virginia, where he had grown up. He was filled with pride when he was asked to return home to practice with the law firm of Gillespie, Gillespie & Hart, one of the premier law firms in the region.

Bob was born in Richlands, Virginia, in Tazewell County on December 10, 1950, into a family who had then lived and worked for eight generations in the hills and hollows of Southwest Virginia. His grandfather had operated a country store, while his father had mined coal and worked at the store but had been able to achieve his dream of becoming a commercial airline pilot. Bob's father taught him that if you followed

your dream you could accomplish anything – no matter where you came from. Bob was exceedingly proud of his roots and his family.

While focused on his studies at law school, Bob was equally driven in his practice of law. Bob was an accomplished and effective trial lawyer – a natural. Bob's good friend and law partner for over 40 years, Eric Whitesell, noted that his first memory of Bob was Bob arguing with our study group. As Eric noted in his eulogy “Bob loved to argue – it was his method of analyzing a problem and the more lively the response from his antagonists on the other side the better he liked it. It was his chief love for learning and perfection in his career as a trial attorney.”

Always a hard worker, Bob was always well prepared. Despite his intensity, he was absolutely charming especially in front of a

jury according to his former law partner and now Circuit Judge Jack S. “Chip” Hurley, Jr. Judge Hurley noted that when he was called upon to rule against Bob, sometimes Bob wanted to keep on arguing. Judge Hurley was once or twice called upon to remind Bob that all decisions were appealable, but not debatable.

Despite Bob's drive and intensity, Judge Hurley emphasized that Bob loved life, was happy all the time and was unfailingly kind, generous and big hearted. He was a joy and a pleasure to be around. He always had a smile and a good story.

Bob served as President of the Virginia State Bar from 1996 until 1997. During his tenure, Bob initiated a program that could provide advice, resources, and onsite audits for lawyers all over the Commonwealth. He also led the effort to revise the Virginia Code

of Professional Responsibility and to study the compensation of bar staff salaries which led to a much needed salary and grade system, as well as a plan to adjust underpaid staff salaries. During his tenure as Virginia State Bar President, Bob spent countless hours traveling throughout Virginia. Bob also served on the Bench Bar Relations Committee 1990-91 and on the Committee for Lawyer Discipline, which he chaired from 1993-95.

Bob also served as a Director of the Tazewell Area Chamber of Commerce, President of the Tazewell County Human Services Board, President of the Virginia Tech Athletic Fund, Director of the Virginia Tech Foundation, as well as being active in Little League Baseball and served as an Elder in the Tazewell Presbyterian Church.

Perhaps Bob's greatest continual intensity was reserved for Virginia Tech football. As Judge Jack Hurley noted, Bob bled orange and maroon. Judge Hurley recalled the Monday morning after Virginia Tech's great loss to James Madison University in front of 65,000 spectators. Bob came to the office with a bounce in his step noting he loved the Hokies but would not let one hundred 18 to 21 year olds determine his happiness. While stoic that morning, Bob spent a fair share of his life rooting for his Hokies, who were always near and dear to his heart no matter the outcome of a given game or season.

Eric Whitesell remarked in his eulogy that Bob Altizer shared this quotation on the occasion of Bob's 71st birthday, "Time is like a river. You cannot touch the

same water twice because the flow – that has passed – will never pass again. Enjoy every moment of your life. Every day is a gift of God."

Bob lived a rich, full, joyous, positive and accomplished life. He is sorely missed by his family, his many friends and colleagues.

Bob discovered he had pancreatic cancer in 2021. Like everything else in his life, he fought the good fight until the end. At peace during his illness, he quoted Psalm 30:5, "weeping may stay overnight, but there is joy in the morning." For Bob, that morning came far too soon when he died on September 4, 2022, but he undoubtedly resides in that Hokie Heaven, no question lovingly arguing until the end of time.



people we encounter along the way know us through the experiences which we share. Over the past few weeks and actually, throughout my adult life, people have shared the stories of their interactions with my father. Many have talked about his professionalism, intellect and genteel nature. All of this is true, but my father was also the man who competitively played the complex card game known as whist with a group of men every Wednesday afternoon and into the evening, who relished a good chili dog (pun intended) and who loved to laugh. Here is a glimpse into just a few of the images of my father that flood my heart as I think back over a lifetime of moments and experiences. For purposes

of clarity, in this Remembrance, I refer to my Dad, Harry Shaia, Jr., as my Dad, my father, or Dad, and I refer to my grandfather, Harry T. Shaia, as Harry.

My Dad's worldview was greatly influenced by his family history and heritage; he was born on August 29, 1930 and was the youngest of four boys whose parents immigrated to the United States from Lebanon in search of the American dream. His father, Harry, immigrated in the early 1900's and became a Fuller Brush salesman going door to door through the streets of New York City. His mother, Zackia, came to the United States a few years later through Ellis Island as a teenager and soon after her arrival, she and

Harry were married and began their family in Brooklyn, New York. Zackia worked in a factory doing piece goods work where she was paid a few cents for each item that she sewed. Harry and Zackia had little formal education themselves, but they worked hard and believed that providing a good education for their children was the key to success in their new life in America. They eventually moved to Richmond, Virginia, where they ran a restaurant and a tenement. My Dad would often talk about his childhood and the weekly dinners his family would share at the restaurant. It was the one time they could all eat together each week. These family meals were so important to my father that he

and my mother, Margaret Gibrall Shaia, insisted that our family share dinner together each night. So, regardless of sports practices, appointments or homework, we regularly sat at the kitchen table as a family and had dinner together.

My Dad was a man whose Catholic faith was immensely important to him, and he believed that faith was not just something he did on Sundays. My Dad believed that our faith should impact how we live and interact with one another in this world. For our parents, their faith in Christ was at the very center of their marriage. They brought up my siblings and me to know the Catholic faith and to know and love Christ. At those nightly dinners around the kitchen table, my Dad would often engage the family in the reading and discussion of scripture and of our faith. Dad was active in both the Maronite and Roman Catholic Church and he participated in a variety of organizations in the Richmond Diocese. I could list all of the organizations and accolades he has received, but these were not the aspects of his faith that brought my Dad the greatest joy and fulfillment. My dad loved sharing his faith with others and engaging one on one with individuals about God's love for them. Dad was filled with the Holy Spirit and he wanted to share that with anyone and everyone he met. The first time I saw it was when I came home from college for a visit. My Dad had changed. He was always knowledgeable and committed to his faith but now he was beaming and filled with joy. He had just come from a retreat called Cursio and suddenly

this respected attorney in a suit and tie was hugging people and telling them how God loved them. As the years went by, my Dad found a personal ministry that brought great meaning to the later years of his life. My sister in law, Mary Shaia, had given him a book, *Praying for Strangers*, authored by River Jordan. In this book, Jordan tells how she committed to meeting a stranger each day and praying for that individual. My Dad decided that he too wanted to engage in this type of a ministry. Dad was not intimidated by the locations or situations he found himself in each day. It didn't matter whether he was at church, a doctor's office, a restaurant or the grocery store, Dad would see someone and invite them to be his stranger. This particular ministry was deeply satisfying for Dad, and he prayed for thousands of strangers over the years. Some of those individuals he has never seen again while others have become acquaintances or even close friends.

Additionally, his career as a bankruptcy attorney provided numerous opportunities for my Dad to minister and uplift individuals. Dad always felt that the United States Bankruptcy Code provided an opportunity for individuals to be relieved of past debts and to have a fresh start. His own parents' immigration to America certainly influenced his perspective on the challenges of new beginnings. For Harry and Zackia Shaia, it was crucial that their children have a good education so that they could make the most of the opportunities which the United States had to offer. In keeping with his parents' desire, my Dad graduated

from John Marshall High School, attended the University of Virginia, and graduated from T.C. Williams Law School in 1953. After serving in the United States Army, my father returned to Richmond and began practicing law. In 1955, a fellow attorney offered my father the opportunity that would eventually shape most of his career when he suggested that Dad become a United States Bankruptcy Trustee. The role of Bankruptcy Trustees was fairly new at the time. When offered the opportunity, my Dad responded that he did not know what the position entailed but he was willing to learn. Over the years, my father became an expert in Bankruptcy law and in the Bankruptcy Reform Act of 1978. My Dad greatly enjoyed helping younger attorneys and would invite them to lunch or for a cup of coffee as they would discuss the practice of law as well as issues of family and faith. His knowledge of Bankruptcy over the years led him to be labeled by local attorneys as the "Dean of Bankruptcy". Many attorneys would reach out to my Dad for direction and advice with regard to Bankruptcy law. My father found great joy in mentoring his fellow attorneys and in the relationships formed through these interactions. I was privileged to witness these encounters first hand when I worked with my father at the beginning of my career at Spinella, Owings and Shaia.

Over the years, I have had many images of my father. As a young child, I thought of him as a protector and a confidant as I would climb up in his lap at the end of the day. When I was a school



girl, he was my Saturday morning date which included breakfast at the Skull & Bones Restaurant owned by his brothers, Eddie and Richard, and a visit to Shaia, Stout & Markow where I played on a Dictaphone as my Dad went through his mail. As a teenager, I saw him as a successful attorney who was respected in the community. As a college student, I saw his faith lived out in the way he engaged others and supported

them in their own faith journeys. As a new attorney, I saw him as a professional mentor when I practiced bankruptcy law myself, and I witnessed him mentoring and encouraging other young attorneys. I also saw him as a caring and compassionate professional attorney and human being. Along the way, I also saw him as a carefree and fun-loving friend, especially on the numerous occasions when he could not contain his

laughter in telling a good joke or a great story, especially the story of a man getting his bespoke suit custom-tailored. Also, throughout my life, I saw him as a fellow Christian discussing and striving to understand what God is calling us to in challenging situations. My father was all of these things but now he is with God praising our Lord, praying for us and his strangers, and seeing all things clearly through the love of God.



Whiting continued from page 1

no longer remember us. With this thought in mind, it is my great honor and privilege to remember and to share some heartfelt recollections of the unflappable, beautiful, intelligent, and accomplished attorney and counsellor at law, Elizabeth D. (“Liz”) Whiting, who departed this life on September 8, 2021, at age 72.

Liz Whiting was born in Arizona in 1949. Her military family relocated frequently, and her formative years included time in both Germany and Japan. When it came time to start a life independent of her parents, Liz chose Virginia.

In 1972, Liz enrolled in law school at the University of Virginia, where she met her future husband, Ed Finnegan, who later served as Loudoun County Attorney before entering private practice. After Ed’s early death in 1993 (he was only 44 years of age), she raised their two adopted sons while continuing to work and contribute broadly to the practice of local government law.

Liz’s law school peer, former longtime Henrico County Attorney Joe Rapisarda, recalled her striking appearance with waist-length braided pigtails which framed her often smiling face. Joe fondly recounts that Liz seemed to have an ingrained knowledge of legal matters well beyond most of their fellow classmates, perhaps because her uncle was Henry H. Whiting, a Justice and Senior Justice of the Supreme Court of Virginia. While I did not know Liz as a law student, Joe’s description of the girl wearing “blue jeans, a flannel shirt and cowboy boots who was well spoken, charming and yet down to earth in a way that paralleled her outward appearance,” is an image that would conjure in my mind whenever I had contact with Liz.

Fortunately for Virginia’s citizens, Liz chose to apply her sharp legal mind and ethical exuberance to the practice of local government law. In 1977, she became an Assistant County Attorney with Prince William County and helped guide that jurisdiction through

a period of rapid growth. In the four decades that followed, after leaving her post in Prince William County, Liz served many of the towns in Loudoun County, including Lovettsville, Middleburg and Hillsboro. She became the esteemed expert for matters of law impacting Virginia towns and was recognized as a Fellow of the Virginia Law Foundation in 2006.

As a newly minted attorney, with no coursework in local government law, I had a steep learning curve ahead of me and was blessed with outstanding mentors to help me in the Henrico County Attorney’s Office, but none of them were women. Liz was a female pioneer in the field and quickly enlisted me to serve in our statewide organization: The Local Government Attorneys of Virginia (LGA). Liz was then Chair of the Publications Committee spearheading the publication of the Handbook on Virginia Local Government Law. She enlisted me to help with some drafting and editing and provided me with an admirable

female role model who was committed to improving our profession. Throughout my 30+ years of local government law practice, I valued my many lively and deep discussions with Liz on abstruse issues impacting our practice.

Former Prince William County Attorney Sharon Pandak was grateful to be among Liz's protégées. Sharon recalls that Liz was the second female to join the Prince William County Bar Association. During that time, women practicing law were often challenged, but she recollects no one doing so to Liz. Sharon admired Liz's work/life balance, that never suggested that she was rushed. She would easily transition from a conversation about a complex land use topic or personnel issue into relating an upcoming Winchester auction or an Oatlands point-to-point race, and you knew that all were important matters and you wanted to be engaged. Sharon reflects that, even after major computerization, Liz kept a pocket-sized notebook with major cases on most local government topics. Sharon believes that the book was an outgrowth of Liz's encyclopedic mind because Sharon herself was never successful in replicating it. Liz knew just the right case(s) for a particular matter or why the position they might take was problematic because the courts had not caught up to the right course. On the few occasions when Liz was not successful in court, Sharon always knew that in the future Liz would be vindicated. Liz's ease of manner, yet firm and clear guidance endeared her to their colleagues and clients.

LGA Administrative Director, Attorney Susan Warriner Custer, worked closely with Liz both on the Handbook and when Liz served as President of the LGA. Susan observed that "Liz was the epitome of LGA," who was never too busy to share her vast knowledge of local government law. She was ethical and when addressing an issue, it was not just *how* to get something done, but *should* it be done. Liz and her husband Ed were so revered as long-time members of LGA, authorities on local government, and past presidents of the organization, that the annual Award for Distinguished Service now bears both of their names. Both were past recipients of the award that recognizes an individual in the Commonwealth of Virginia who has made significant contributions to local government law or the LGA. Susan also fondly recalls many non-work conversations with Liz about gardening, cooking, the joys and tribulations of parenthood, and an elaborate discussion about the difference between murmur and susurr [I'm including Liz's link for those of us who couldn't parse the two without a dictionary (<https://nickyswords.com/2013/02/08/murmuration/>)].

In 1997, Liz, together with former Charlottesville City Attorney Roger Wiley, former Chesterfield County Attorney Steve Micas, Joe Rapisarda and others were appointed to the advisory committee of the Code Commission to revise Title 15.1 of the Code of Virginia. Of this experience, Joe pointed that Liz displayed the depth of knowledge and power of persuasion that he'd witnessed as a student over 20 years

prior and that her contributions to the tedious work were evident throughout the Revisor's Notes as well as in an article she wrote on the recodification process. Roger said Liz was a terrific trooper on the Committee in addressing so many gaps and inconsistencies in the Code that needed fixing. Steve remembers with clarity the importance of Liz in that process because of her insight into the impact of any proposed changes on towns. Steve noted that "*most of us were unfamiliar with representing towns and, therefore, somewhat blind to the nuances of how revisions would impact towns. Not Liz, who concisely explained the effects of any change on towns and made drafting suggestions to eliminate unintended consequences. I am not aware of any of her suggestions being rejected. The fact that I still remember her unique contribution to the revision of Title 15.1 tells me something important about her since I can recall virtually nothing else about the long and sometimes tedious revision process. Come to think of it though; we all would be so lucky to be remembered by our colleagues for such a quiet contribution to the functioning of local governments in Virginia.*"

When I reached out to past colleagues and friends to compose this remembrance of Liz Whiting, it was clear to me that Liz is still contributing to our lives. In recounting stories, we could feel her presence, celebrate the joy she inspired in so many and admire the lasting positive impact she made on her family, the legal profession and the citizens who are served by Virginia's local governments. Well done, beautiful lady. You are well-remembered! 🍷

Jane Sherman Chambers, and had a delightful conversation with her, in which she shared with me some additional personal insights, facts, and feelings about Ed.

Ed was a true “Renaissance Man,” good at a lot of things, lived a balanced life, full of contributions to the VSB, his family, his clients, and his community. If I were counseling a young lawyer, or even an older lawyer, I would want to send him or her to someone such as Ed, who could not only lay out a roadmap for how to practice law ethically, but also how to live a full, productive life. The VSB is fortunate to have a lot of good lawyers, but lawyers such as Ed do not come along every day. When they do, the profession should hold them up as examples of what lawyers can do if they lead broad, productive, community and family oriented lives. I feel honored to write this Remembrance about Ed, and I hope that the following illustrations will help the reader to understand better Ed’s life and his contributions to his family, to his community, to his clients, and to the legal profession.

Ed was born in High Point, North Carolina. He began practicing law in 1974 on the “Peninsula” and did so for more than 40 years. He served two terms on VSB Council and two terms on the Judicial Candidate Evaluation Committee. It was my pleasure to serve with him on that committee. As Marni noted in her article, he was also on the Professionalism, Budget and Finance, and Lawyer Referral committees. He was on the faculty of the Professionalism Course and served on the Client’s Protection Fund Board. He was a member and chair of the Sixth Disciplinary

District Committee. Ed spent five years working on the Special Committee on Virginia Model Rules of Professional Conduct and five years on the Task Force on Public Protection. He served two years on the Task Force on Payee Notification. It was well known among VSB staff that if they wanted a tough job done well, they picked up the phone and called Ed. His answer was always “Yes, I will be glad to help.”

The same was true at the York-Poquoson Bar Association, where he served as president 1988-89. He was also a Commissioner in Chancery, a Special Justice, and a Substitute Judge of the 9th Judicial Circuit.

Jane helped me with Ed’s “balanced life” story, telling me, among other things: that he was an N.C. State devotee; loved ACC basketball; had majored in engineering; had gone to law school at William and Mary; practiced law over 40 years with the Honorable Prentis Smiley; had a daughter, named Angela, with his first wife, Mary. Tragically, Angela passed away when she was 19 years old.

Ed and Jane were married by Judge Smiley in 2003. They adopted a son named Jack, who was 8 years old, and Ed was 60 years old. Jane has another son, Ben, and Ed was a very generous step-father to him.

Ed had a very tight-knit loyal group of friends who were with him through thick and thin, especially as they made their annual pilgrimages to Luray and Myrtle Beach to play golf. They even went to St. Andrews in Scotland.

On the “personal hobby” side, Jane says Ed was a “muscle car” guy, had a

Porsche 911, and loved that car until he became “sensible” and started driving a Honda. In later years, he developed two new hobbies: making pies and playing table tennis at the James City Public Rec Center. His iron skillet apple pie is missed to this day. His table tennis group, which he started, still meets weekly. They christened the table with brass plaques in Ed’s memory.

I could go on and on about Ed if space permitted, but suffice it to say that: Ed led a full life; was a great lawyer, and a great husband, father and family man; was resilient; was a devoted member of the VSB; had a lot of good friends, who were loyal and still are; and was just an all-around good guy with a quick wit and a wonderful sense of humor. His group of friends from law school gets together regularly and they even have Zoom calls every Monday, to which they invite Jane, who is the Director, Commonwealth’s Attorneys’ Services Council (CASC) at the William & Mary Law School.

When I reflect on all of Ed’s personal and professional qualities that made him an inspiration to the public and the profession, I wish I could have had him as a mentor when I was a young lawyer, and I am especially mindful of my own responsibilities to my clients, to my family, to my community, to my profession, and to the mentoring of younger lawyers. I also feel honored and humbled to have received the eponymous Virginia State Bar Edward L. Chambers, Jr. Lifetime Service Award for 2022, which I keep in a very special place to remind me of Ed Chambers’ enduring legacy. 🍷

In recalling some of our shared experiences along with the more recent thoughts of others who best knew Terry, there emerged a compelling need to report a bit more about the earlier days of this tall and rangy golfer from Northeast Tennessee.

Terry's younger years were spent in Kingsport which, he liked to remind folks, is about due south of Detroit. His boyhood paper route there included a stop at the home of the Adams family. At the time, he perhaps had only a neighborly interest in the pretty little girl who lived there.

Becoming proficient in golf while playing the Kingsport area circuit, Terry took his game and home spun humor to Charlottesville where he joined the UVA golf team. At the same time, his adventurous nature led him to join the SPE fraternity, then a well-known mousetrap for those who, unlike Terry, were easily distracted.

Thus began our friendship in the early 60's and the memories which have persisted in the fondest ways. I can still see Terry, emerging from his room at that house on "Mad" Lane during some random but fractious silliness from another floor, and politely calling out: "come on guys, be a little considerate...we're trying to study." And, study he did, proudly finishing UVA in 1963 with a degree from the Commerce School.

Perhaps as important as that degree he earned, maybe it was Terry's regional heritage that led him to lifelong friendships with certain of our brothers from

Southwest Virginia. Of those many friends and one of Terry's closest, Ron Roberts, remembered him this way: "For 60+ years from 1959 at UVA John Terry Parsley blessed me with wonderful memories of our love for the great outdoors. We golfed, fished, hiked, and hunted and shared laughter over cocktails and campfires in beautiful places. I can hear you now 'Parse' and I miss you!"

With those heartfelt sentiments in tow, let's remember that Terry Parsley, the energetic, bird hunting, trout fishing, scratch golfer was able to sustain all those avocations while investing in the long days of study and hard work which paved his way to becoming a highly successful attorney.

Along with a few of our wiser and more serious brothers, Terry elected to stick around Charlottesville and attend UVA's famed law school. True to his superior intellect and work ethic, Terry steered clear of the usual danger zones...except for one: true romance! Remember that little girl at the Adams house in Kingsport? That was Mary Adams. Terry and Mary were married during the mid-semester break in Terry's last year in law school—1966. And, yes, Terry still managed to earn his law degree in timely fashion.

Terry began practicing later that year in Richmond with the firm of Browder, Russell, Little, Morris and Butcher. It so happened that Terry's uncle and George Little were UVA Law School classmates in the late 40's. Thus, the connection that brought Terry to Virginia's capital city to begin his legal career.

After moving to Richmond, and true to his golfing heritage, Terry soon met up with a local "master of the links," Cliff Mosely. The two became fast friends, hanging out both on and off area courses. To Cliff, "Terry was the best friend you would want in your life. He was the most thoughtful...dependable...considerate person—always checking on you and making sure you were okay.... Take all the... positive adjectives and that described Terry Parsley."

But with all due respect to Cliff Mosely and his insightful thoughts, there were a couple of infinitely more blessed events which occurred during Terry's early years in Richmond: Terry and Mary happily welcomed two children, Jimmy in 1968 and two years later, Mary Scott.

Coupled with the joys of new parenthood, Terry conquered the time consuming and pressing demands so commonplace in those early years of legal practice. As a member of the Corporate Section at Browder, Russell, Terry worked primarily in counseling and helping to develop many emerging small business clients. It was here that his skill in tax and financial planning for these clients enabled Terry to assume a key role in their future success.

In joining Browder Russell in mid-1970, I again caught up with my early 60's frat brother. By that time, Terry had secured his role as a highly competent corporate attorney and was poised at the threshold of partnership at the firm. We practiced together there for about ten years, when the "call"

came to form a new firm, jump the Downtown Expressway and move to the Federal Reserve Bank Building.

Both excitement and trepidation ensued when we joined together to form Little, Parsley and Cluverius and occupied a good part of the 13th floor in that magnificent building. Terry enjoyed a spacious corner office from which he continued to counsel a number of highly successful business clients, at least one of which was eventually acquired by a public company.

Along with service to our clients came the separate but equally demanding requirements of firm management and administration. Terry was our Treasurer—but not in name only. His financial acumen and insights proved to be invaluable. Indeed, Terry developed a keen insight regarding law firm management in general and finances in particular, all of which served us well during that twenty year venture with our firm.

Not to be forgotten or in any way diminished, however, was Terry's continuing prominence in all things golf. In the late 1990's, relying on his many friendships in and around the Richmond golfing community, Terry assisted in the formation of the Kinloch Golf Club, an immaculate layout in Eastern Goochland County. One of Terry's good friends and a founder of Kinloch was Vinny Giles, the legendary amateur golf champion. When asked how he remembered Terry, Vinny spoke for many of us: "Terry Parsley was truly one of the good guys. A dear friend whose company I was fortunate to enjoy for many years. Fishing, hunting,

playing golf, you name it! In spite of declining health, Pars always remained upbeat. Rest in peace my friend. We miss you every day."

Near the end of 2000, having lost our lease with the then space-needy Federal Reserve Bank, Terry and I corralled a few others, happily shed the burdens of law firm management and joined Hirschler, Fleischer, Weinberg, Cox and Allen. And, what a breeze it was. Our newest firm then occupied the very same building, so we only moved a couple of flights "upstairs." We were blessed and honored to join the ranks of highly respected practitioners such as Jay Weinberg, Bob Cox and Buddy Allen—not to speak of many other singularly outstanding attorneys.

Joining Hirschler Fleischer as a partner in the Business Section, Terry easily transitioned his array of successful corporate clients to life in a larger, if not faster, lane. All the while, however, the wonders of client focus unencumbered by daily tasks of firm administration soon emerged. Terry's skill in identifying, training and mentoring young associates enabled him to help both his clients and the firm by unselfishly developing those very same lawyers so that they might one day succeed him.

Lisa Hedrick, who has since gained national awards in her mergers and acquisitions practice, was one of those special young attorneys. Lisa best remembers Terry's influence as follows:

"Terry taught me a lot about what it means to be a trusted advisor. It was a role he took seriously...his

job as attorney...extended to all aspects of a client's business. Terry encouraged me, even as a young lawyer, to approach my practice in the same way....I was fortunate to learn from him by watching how he listened to his clients and provided them with the best guidance he could." A wonderful testament indeed to Terry's unique ability to train and mentor young associates.

So, lawyering aside, what about the guy we all knew on a daily basis—just around the office? Among those best equipped to offer this type of insight—who else but the trusted professional assistant. Terry's PA for many years at Hirschler, Karen Barton, filled us in: "I worked for Mr. Parsley... for 10 years. I looked forward to coming to work. We worked hard, but we also laughed and enjoyed the day. He said 'thank you' and 'you're the best' often. He cared to know my life outside of work and remembered the things that (were) important to me....Turns out, he was one of a kind. I miss him."

Among many of Terry's skills, both professional and personal, I'll recall a couple. The first, merely puzzled me. However, the second, I hope, may capture the essence of this friend, fellow partner and model of human decency.

Terry had an inscrutable "secret sauce" that he never revealed, at least to me. He consistently maintained a desk top that was devoid of even a hint of clutter. Regardless of the number or difficulty of the various legal matters he may have been handling, he never had more than one or, on a bad day, two, files on his desk. Nothing else!

How did he manage that with no apparent effort?! This was certainly an admirable trait that, to me, will forever remain a mystery.

My overriding and lasting memory of Terry, certain to be shared by all of his friends, co-workers and clients, was his innate ability to “touch base.” This he often carried

out through frequent, seemingly routine “doorway visits” where, with manifest sincerity and a familiar smile, he would typically ask about a colleague’s well-being... and perhaps that of their family as well. All will recall those friendly inquiries as a lasting reminder of Terry’s nature and, to many of us,

his abiding friendship. And while Terry Parsley, this exemplary individual, friend, legal counselor and sportsman will be missed in many fond ways, his memory is likely to evoke the same enduring sentiment: a gentle smile—just like the one he generously shared with everyone around him.



Twitty continued from page 4

of Major. In 1976 Theo received his degree in public administration from Golden Gate University, San Francisco, California. He received his juris doctor from the T.C. Williams School of Law, University of Richmond, in 1980. Theo was admitted to the practice of law before all courts in the Commonwealth of Virginia and the United States Supreme Court.

Theo was appointed Deputy Secretary of Public Safety and a member of the Governor’s Council on Alcohol and Drug Abuse under the administration of the Honorable Governor L. Douglas Wilder. He served as a member of the Virginia State Board of Corrections and assistant Attorney General, Office of the Attorney General of Virginia. Theo was an active member of the Virginia State Bar and the Old Dominion Bar Association. He also served in a leadership capacity with the Hampton & Peninsula Bar Associations.

Theo was a sensitive and courageous leader in the community. He was general counsel and Executive Director of the Peninsula Legal

Aid Center and professor of Law at the Marshall Wythe School of Law at the College of William and Mary. In 1995, he established the law firm of Jones and Twitty and successfully engaged in criminal and civil litigation. Theo was known and loved by many professionals and lay citizens of the Commonwealth. In August of 2005, The Peninsula Bar Association honored Theo with a celebration to recognize his outstanding contributions to the legal community. One attendee stated, “T’s service to mankind in general supersedes the mere appointments to boards and committees.” Another reflected, T taught me a lot about patience. He always kept his cool and helped me to maintain mine. He was a real teacher.”

One response in particular strikes a more personal note, “T was a great man, and I knew he loved his family.” As his spouse of thirty-one years, I was an integral part of both his personal and professional life. He was a man of immense integrity. He laid down the law plainly that information regarding his clients and business ethics was confidential. I witnessed and experienced

Theo’s many hours of unparalleled devotion to his family, his practice, his clients, his students, and his church family, Carver Memorial Presbyterian, where he served as a trustee and member of the worship life committee.

Theo was known for his pleasant smile and warm heart. He treated everyone with respect regardless of their status in society. He passed this philosophy of life down to our daughters, Crystal Yvette, and Margaret Nicole. He was a dedicated father and no matter how busy he was with his many commitments and legal practice, he was always there for his family. No dance or piano recital were ever missed. He attended every football game to see his daughters play in the band or cheer on the cheerleading squad. As a partner, I understood his loyalty to his life’s calling and often sat with him at late dinners and through many phone call interruptions.

I recall the challenges he faced during his illness and his determination to work as long as possible because he was so committed and dedicated. During this time, he

engaged many of his colleagues' assistance. The members of the legal community were all supportive and encouraging. One such supporter said, "T made such a difference to the lives of many. He has been a role model for young attorneys and more mature lawyers who believe that behavior is a learned experience. We follow his example to always be a zealous advocate for our clients. I can attest to the exceptional ability, veracity and quality of representation provided by Attorney Twitty."

Theo patterned his life after the words of Psalm 37:23,24 *"The Lord directs the steps of the godly. He delights in every detail of their lives. Though they stumble, they will never fall, for the Lord holds them by the hand."* This is reflected by a statement made by a loyal colleague, "I

have the highest regards for his talents, his deportment, and his character. It has been said, man knows our reputation but only God knows our character. T made a difference not only to the legal community but to all persons whose lives he touched." A judge in the Hampton General District Court stated in a personal correspondence, "T has always displayed an excellent knowledge of the law which required prosecutors to always be at the top of their game when they were opposed by him. He was one of the most respected attorneys of the Bar and of the community. He not only gave himself to his clients with vigor and tenacity, but he was also a great steward for his community."

During the last months, weeks, and days of his life Theo

remained positive, trusting, and unwavering in his faith. Even today, almost two decades after his death, I receive calls, letters, and emails reminding me of how Theo made such a positive difference in this world. His legacy endures through the legal practice of his daughter, Crystal Y. Twitty, Esquire, Twitty Legal Consulting, PLLC; and Margaret Twitty Payne, LPC, and School Counselor at Norfolk Public Schools. Margaret and her husband, Alvin, have four sons to also carry-on Theo's legacy.

It was a great honor and pleasure to co-partner with this great man, and husband, Theophlise Lee Twitty in his and our life's mission. My thanks go to all who played a role in his journey.



the Eastern District of Virginia, making him the first Black attorney to hold this position in the Commonwealth of Virginia. He worked on school desegregation and teacher pay discrimination cases in federal court, breaking down barriers to equality during the era of Massive Resistance.

After leaving the United States Attorney's Office, Mr. Mason opened a practice focusing on real estate matters. He served as a cooperating attorney with the NAACP Legal Defense Fund and counsel for the Crispus Attucks Cultural Theater.

Mr. Mason served on the boards of the United Way, the

Urban League of Hampton Roads, the Norfolk Planning Council, the Norfolk Community Hospital Association, and the Southern Regional Council.

He served as President Emeritus of the South Hampton Roads Bar Association and received the Lifetime Achievement Award from the Old Dominion Bar Association of which he served as President. In addition, Mr. Mason was honored with the Impacting Lives Award from the New Journal and Guide newspaper.

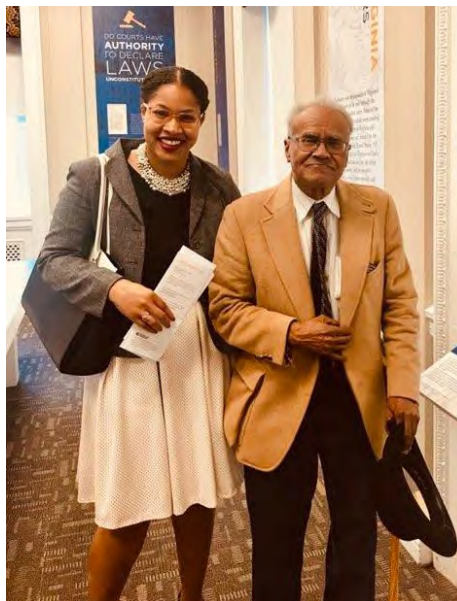
A significant benefactor to his alma mater Howard University as well as to Norfolk State University (NSU), Mr. Mason served on the first

Board of Visitors of NSU beginning in 1969. He was also a member of the NSU Foundation Board for 46 years. Hardly ever missing a meeting, Mr. Mason loved working to develop scholarships to assist students in attending the university.

In addition to these career accomplishments, Mr. Mason is perhaps best remembered for his role as living historian and as an avid advocate for making the necessary improvements to build a court system that is more equitable for *all* attorneys and *all* parties. In fact, his photography collection consisting of memorabilia from events over multiple decades, has now been digitized and maintained

among the South Hampton Roads Bar Association archive.

In 2019, I had the privilege of chauffeuring Mr. Mason to the unveiling of the Judicial Education Learning Center Law and Justice Exhibit at the Supreme Court of Virginia. Upon arrival, he was surprised to learn that his legal career was featured in it along with a plaque dedicated to him. I encourage everyone to visit the interactive exhibit where one can listen to Mr. Mason and other esteemed, barrier-breaking Virginia lawyers



*William Thomas Mason, Jr. and Jamilah D. LeCruise at the Judicial Education Learning Center law and justice exhibit at the Supreme Court of Virginia in 2019.*

speaking about their experiences. At the time of the exhibit's opening, he was one of two individuals featured who were still living.

Let us never forget how far Virginia's legal system has come and may we never stop working to advance it. Most importantly, we must do our part to ensure that the sharing of this history does not end with the passing of William T. Mason Jr. and other great senior lawyers but is continuously preserved for future generations of Virginians.



## YOUR RIGHTS TO FREE ANNUAL CREDIT REPORTS

Federal law requires each of the three nationwide consumer credit reporting companies - Equifax, Experian and TransUnion - to give you a free credit report every 12 months if you ask for it. They also make it easy to accomplish many credit-related tasks right from your computer.

For more information, please go to: [www.annualcreditreport.com](http://www.annualcreditreport.com). Be careful when selecting the site, because there are sites which make themselves look like the authentic site.

Don't be fooled by look-alikes. On the authentic site, you can learn about: how to protect yourself against identity theft; security freezes; fraud alerts; how to obtain your free credit reports; and access to the websites for the Federal Trade Commission, and for the Consumer Financial Protection Bureau.



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# Working with the Millennial Lawyer

by Jack W. Burtch, Jr., Esquire

Most of the active lawyers in our Senior Lawyers Conference are Baby Boomers, born between 1946 and 1964. When we entered the profession, the older lawyers trained us to practice law and encouraged us to acquire work habits designed to ensure success. Now we are the mentors and encouragers, but we are encountering a new generation of lawyers resistant to the traditions we were trained to uphold. These new lawyers are Millennials, born between 1981 and 2000. They have an entirely different take on how to enter the practice of law.

When the first millennial lawyer I hired did not want to come into my office to discuss a client matter (although my office was only ten steps from where he was working), I was puzzled. When the behavior continued, I was annoyed. He preferred to sit in front of his computer, receive anything I had to say by email and respond in the same fashion. I knew something different was in the air, but I had not a clue what it was until I had the same experience with other members of his generation.

The millennials may yet turn out to be a great generation of lawyers, but getting used to their ways takes patience, understanding and tolerance. Some commentators have described this phenomenon in derogatory terms; they often characterize millennials as narcissistic, entitled and self-absorbed, exuding a sense of confidence without having any real base of experience to justify that confidence. Millennials are sometimes portrayed as selfish, allergic to hard work and immune to commitment – while simultaneously holding high expectations for their own rapid advancement in careers and firms. It is not my intent in this article to cast aspersions on millennials, but rather to focus on some issues which need to be understood in the profession.

A gentler way to put it is that they are just different from us. What law firms have traditionally expected



and what millennials seem to value are different. Yet millennials have arrived as the next generation of lawyers, and our job is to learn to work with them so they can succeed in our profession, albeit in their own way and on their own terms.

There is a complex network of economic and social forces which has formed this generation. While

salary levels have skyrocketed, they still find it harder to buy a house or pay off school loans than did earlier generations. Raised by working parents, they want to be able to spend more time with their children. If not already married, they find it increasingly difficult to find a life partner as they get older. They worry that Social Security may only be a fond memory by the time they retire.

## Understanding the Mindset

In the workplace, their attitudes are quite different from those of the lawyers who came before them. First, there is little distinction between “work” and “life.” Millennials don’t seek work/life balance so much as they seek life itself – their lives being a blend of many different things, of which work may not be a top priority. Forty-to-sixty-hour weeks and working nights and weekends leaves little room for other activities. Few in their generation strive to win a trophy for putting in long hours. Some supervisors see this as a lack of commitment, both to the firm and to the client.

To millennials, “work hard, play hard” is an unnatural dichotomy. It compartmentalizes different activities which, for them, are really one thing: a blend. Millennials might schedule a four-day, out-of-state wedding event immediately prior to a major brief deadline, figuring they will get the brief written while on the road. The wedding and the brief are seen as complementary uses of time rather than competitive ones. They appreciate flexibility, not having to perform all their legal duties sitting in an office at prescribed times of day. They are comfortable drafting papers in parks or coffee shops, thus annoying their more confidentiality-minded

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Continued on page 18 >

supervisors. Remote working, especially, gives them a greater sense of personal control over their own schedules and lives. Striving for a blended life and the freedom to make their own choices trumps any perceived offense to traditional firm culture.

Second, like my early hire, their desired forms of communication are electronic, not in-person. Millennials are digital natives. They prefer emails or texts to face-to-face meetings. Even phone calls can be taken as intrusive. While on one hand they claim to value relationships and want connection, on the other, they seem more comfortable at arm's length. I got my first taste of this in the pandemic when I taught my first Zoom class to law students. When the Zoom class began, more than half my students had their cameras turned off and some had muted their microphones. They wanted to hear, but not speak or be seen. This personal distancing can be off-putting to both supervisors and clients who are more comfortable with personal, interactive contact.

Being technologically proficient themselves, millennial lawyers expect the firm to be committed to technologically sophisticated law practice. Fast internet speeds, adequate cloud storage and up-to-date legal case management and research software are simply expected. Since millennial lawyers do their own keyboarding and electronic filing, they are less dependent on office support staff than were previous generations. Working remotely demands easy access to client files from anywhere. A firm relying on paper files will not be attractive to the millennial lawyer.

Today, many millennial lawyers are committed to social justice and want to make a real difference in the profession. They support diversity and inclusion and welcome a positive, collaborative workplace culture where each employee is valued and treated with respect. While these may be qualities all firms articulate, millennial lawyers may be more vocal, calling out perceived inequities when they feel a colleague or firm has fallen short.

Finally, despite their confidence and self-esteem, millennial lawyers welcome mentorship and positive direction. Valuing clarity and authenticity, this

generation of lawyers seeks guidance from more senior lawyers and appreciates informal mentoring programs. But they want guidance with affirmation. They are sensitive, so how correction is communicated will affect how it is received. They prefer frequent, ongoing feedback about their performance on a project rather than the more global view customarily provided in an annual review. They genuinely want to improve their professional skills and especially welcome training and leadership opportunities.

### Co-existing at Work

So, what then is the secret to working with millennial lawyers? As uncomfortable as it may sound, they just want to be loved for who they are. While their desired work/life blend may differ, they are just as capable of producing excellent legal work. They simply want to be able to do it at different times, in different places and at a different rhythm than we did. They grew up in a world of emerging technology, so they want to bring their familiar tools and methods comfortably into law practice. They want to be encouraged as competent, productive lawyers. But they also want to be protected from the stress of unrelenting overwork which may be injurious to wellness and good health and undermines a well-balanced personal life. Their educational and social experience has been more racially and culturally diverse. In that sense, they are the vanguard of a changing workplace that will look very different thirty years from now.

One basic way to receive the new generation into our profession is for senior lawyers to be willing to learn from them, while, at the same time reinforcing the core values of our profession. Being digital natives, they can show us how to better use the technology our firms already have. Being comfortable with diversity, they can help make us more sensitive to unintentional slights and embedded biases. Valuing time off, they can make us more aware of where we encroach on our own boundary between hard work and overwork. We can be good for each other.

The millennial generation is here. Eventually they will take over the reins of our system of justice. Our job is to encourage them to become great lawyers. We might even learn a few things from them along the way. 🙏

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# Senior Lawyers Conference Recognizes 50 Year Award Honorees

At Virginia State Bar 2023 Annual Meeting in Virginia Beach

On Saturday, June 17, 2023, at 10:00 am at the Hilton Oceanfront, 3001 Atlantic Avenue, Virginia Beach, the Senior Lawyers Conference hosts an invitation only brunch for lawyers being honored with their 50 Year Awards from the Virginia State Bar. Shown below are the names of the recipients for 2023.

## Fifty Year Award Recipients – 2023

Admitted July 1, 1972 - June 30, 1973

Robert T. Adams	Charles W. Boohear, Jr.	Jerri Davidson Cowan
Robert C. Adams	Daniel Howard Borinsky	E. Thomas Cox
Sanford K. Ain	B. Randolph Boyd	Henry M. Coxe, III
Thomas E. Albro	Terrence J. Boyle	Michael J. Coyne
Gary William Allen	Kenneth Braunstein	Bradfute W. Davenport, Jr.
Randall C. Allen	Jonathan John Broome, Jr.	Gary Vernon Davis
Thomas Milton Ammons, III	William Gay Brown, IV	Stephen B. Davis
William T. Anderson	Harold W. Burgess, Jr.	John Russell Deane, III
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Robert Craig Astor	Martin Joseph Callaghan	Robert Patrick Doherty, Jr.
William Lane Babcock, Jr.	John W. Campbell	Robert A. Dormer
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Allen C. Barringer	Robert K. Caudle, Jr.	John Dalton Dutton, Jr.
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Andrew J. Beck	Alan Jay Cilman	Joseph Johnson Eller, Jr.
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Edgar E. Bibb, III	Stephen Grey Cochran	George T. Elmore, III
Joel Michael Birken	Marshall L. Cohen	David E. Evans
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# How Lawyers Can Connect to Public Wi-Fi Safely

by Sharon D. Nelson, Esq. and John W. Simek

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Most lawyers know they are ethically bound to protect confidential data when using their smartphones, laptops, etc. when connecting to public Wi-Fi. It is time for a refresher course.

We were wrapped in a COVID cocoon for a while. Now we are traveling more often, for work or vacation. We're connecting from airports, hotels or conferences. Many lawyers have returned to previous daily patterns of working from their favorite coffee shop.

It appears we have forgotten much of what we used to know about public Wi-Fi and security. 'Public' means they're open for anyone to use – as you might expect, data being transferred isn't as secure as it would be on your home network and WAY less secure than it would be on your law firm network.

Be wary of public Wi-Fi. Don't unwittingly give login credentials, passwords, bank information and other personal data over public Wi-Fi. Be wary of accessing or transmitting confidential communications.

Why? The network itself could be insecure. Worse yet, and this happens more than you might think, a malicious hacker is on the same network and is harvesting data entered by others.

Safety steps while using public Wi-Fi:

Make sure you are connecting to a legitimate network. You might be in an airport or hotel and you see a name suggestive of where you are. "Free Airport Wi-Fi" at an airport might look legitimate but it could be a network set up by a cybercriminal. With the right tools, whoever is running that fake network can see what information is being entered, leading to the data being stolen.



Some networks will require you to set up a password to use the Wi-Fi. If so, don't use the same password you use for **any** other account – particularly if that password is tied to your email address. By doing this, even though your password is somehow compromised, it isn't one that can be

used to access any of your other accounts linked to your email address. While you're at it, if you have to use an email address, use a disposable address.

Think about what data you're sharing on public Wi-Fi networks. You should avoid using them if you need to do anything that involves sharing sensitive information, such as user-names, passwords, banking information, etc.

Once you're through using a network, for heaven's sake, choose to forget the network. Say, for instance, that you connect to a coffee shop that has multiple locations. Forget the network every time. If your device allows it, configure it not to reconnect to previously used networks automatically. Automatically reconnecting to a network makes it easy to become a victim of a man-in-the-middle (MITM) attack.

Sometimes, using Wi-Fi on a public network can't be avoided. But even if you're certain that the network is legitimate and safe to use, there's still an additional step you can take to help keep your information secure – use a virtual private network (VPN).

VPNs provide two key services to keep your information private and secure. First, they encrypt your data (with your own encryption key) – that's useful on public Wi-Fi networks as they're mostly unencrypted. By using a VPN, it makes it difficult for the network operator – or anyone who

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Continued on page 23 >

could be trying to use that network maliciously – to see what information you send and receive.

Second, they can also conceal your originating IP address, hiding where you're geographically located – important for those who need online privacy.

Even taking precautions, connecting to a public Wi-Fi network carries at least a small risk. But there's a much more desirable alternative to connecting to public Wi-Fi – use your smartphone.

If you're connecting to the internet on your smartphone, it's already encrypting the data between your device and the cellular carrier. But if you want to connect your laptop to the internet, you can turn your smartphone into a Wi-Fi hotspot. That is our choice when traveling.

If you choose to utilize a hotspot, make sure the connection is secured with a complex password. May you travel safely – and ethically! 🙏



## 24/7 Help Line: 1-877-545-4682

The Virginia Judges and Lawyers Assistance Program provides confidential, non-disciplinary help to lawyers, judges, law students, bar applicants, and other members of the legal community who are struggling as a result of substance abuse or mental health issues.

Specifically, VJLAP provides the following services, without fee:

- Substance abuse and mental health education for the profession through bar associations, firms and law schools.
- Assessment and treatment referral
- Intervention
- Compliance monitoring for courts and firms
- Support services for family and staff
- Assessments as requested by the Board of Bar Examiners, Character and Fitness Committee
- Assessments, treatment referral and monitoring as requested by the Virginia State Bar, Disciplinary Committee and the involved lawyer, as disposition or diversion
- Support for those in treatment and recovery

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# Grief, Wellness, and Resilience

by Frank Overton Brown, Jr., Esquire

Grief is not theoretical; it is intensely personal, and eventually it will probably affect each of us, sometimes in foreseen, and sometimes in unforeseen, ways. It may be as a result of the death of a family member, friend, client, or colleague, the ending of a personal or professional relationship, a diagnosis or onset of one's own serious or debilitating illness or that of another person, a spiritual or religious crisis, a pandemic, the fear associated with calamitous natural or man-made local, national, or international events, an adverse result in a legal matter which you are handling, or retirement from the practice of law or from the bench. As you read this, you may already be making mental notes of myriad other causes which you have witnessed or of which you are aware. There are many differing definitions of grief, but, those differing definitions notwithstanding, to the grieving person, grief may be actually experienced as numbing and painful, even though the grieving person may not fully understand the extent, depth, and breadth of the origins, and their effects on the grieving person's personal and professional life. We often hear folks talk about seeking closure regarding a certain traumatic event, but, as a matter of fact, full closure may be very difficult to achieve; however, with proper help, support, advice, and resilience, the effects of the traumatic event may be mitigated.

Supreme Court of Virginia Senior Justice William C. Mims (who is the immediate Past Chair of the Virginia Lawyers' Wellness Initiative), in his Virginia CLE Seminar titled "Wellness: The Six Dimensions of Wellness (On Demand Seminar)" covers social, physical, emotional, occupational, intellectual, and spiritual well-being, which he defined as follows:

**"Social Wellness** includes our ability to establish and maintain positive relationships with family, friends, and co-workers;



**Physical Wellness** is the ability to maintain a healthy quality of life through positive habits such as a balanced diet, regular exercise, sufficient sleep, and routine checkups, while avoiding destructive behaviors such as drug abuse, excessive alcohol consumption, and the like;

**Emotional Wellness** is the ability to understand ourselves and cope with life's challenges, including acknowledging feelings of anger, fear, sadness, or stress;

**Spiritual Wellness** is the ability to establish peace and harmony in our lives, including developing congruency between our values and our actions;

**Intellectual Wellness** is the ability to learn new concepts, improve skills, and seek challenges in pursuit of lifelong learning; and

**Occupational Wellness** is the ability to receive personal fulfillment in our careers by making a positive impact on the organizations [for which] we work in our communities."

A companion Virginia CLE program is "Wellness: How to Identify and Get Help Managing Stress and Anxiety (Online Seminar)."

Both of the foregoing CLE programs are available on the Virginia CLE website (at <https://www.vacle.org>), and are beneficial and useful to lawyers in self-monitoring, self-assessment, and self-care. Self-care actually helps a lawyer to become more resilient and able to manage stressful situations more easily. Maintaining overall wellness and building resilience can help in enduring the grieving process and successfully re-emerging on the other side of the traumatic event, whether that means returning to previous daily norms or learning to cope with, and adapt to, a significant loss. If additional help is needed, the Virginia Judges and Lawyers



Assistance Program (formerly Virginia Lawyers Helping Lawyers) provides free, confidential, non-disciplinary help to Virginia's judges, lawyers, law students, legal professionals and their families who are at risk for or may be experiencing difficulties as a result of substance abuse, chronic stress, anxiety, and other mental health issues. The 24-hour Help Line is 1-877-545-4682. The website is [vjlap.org](http://vjlap.org).

Ours is a collegial profession, and essential components of collegiality include, within appropriate limits and respect for privacy, paying attention to others, showing empathy for others, listening effectively to others, and communicating effectively with others in the legal profession. Collegiality is a reciprocal relationship. That relationship includes our concerns with our own well-being and the well-being of our colleagues, and a reasonable expectation that our colleagues will be concerned not only with their own well-being, but with our well-being also, all within the appropriate limits and respect for privacy mentioned above. With that said, reaching out to a grieving friend and simply asking "How are you doing?" and "What can I do for you?" can be powerful and restorative, both to you and your colleague. 🍀

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End Note 1: The new Virginia State Bar website has links to resources for lawyers on wellness and well-being. The address is: <https://www.vsb.org/Site/Site/lawyers/wellness.aspx>

The website contains links to the following, as well as to other resources:

- The Virginia Judges and Lawyers Assistance Program
- Well-Being Path During COVID
- The Occupational Risks of the Practice of Law
- June 2022 Update To The Operational Risks of the Practice of Law
- VSB Special Committee on Lawyer Well-Being
- Report on the Statewide Survey of Virginia Wellness Initiatives
- VSB Special Committee on Lawyer Well-Being
- Report on the National Survey of Wellness Initiatives
- The Path to Lawyer Well-Being.

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End Note 2: On March 2, 2023, Supreme Court of Virginia Chief Justice S. Bernard Goodwyn announced the appointment of Justice Thomas P. Mann to serve as Chair of the Virginia Lawyers' Wellness Initiative, succeeding Senior Justice William C. Mims. Senior Justice Mims applauded the appointment of Justice Mann: "I was honored to work with many volunteers to bring this Initiative from concept to fruition. Justice Mann will carry it forward to greater success. I look forward to continuing to serve under his leadership."

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Endnote 3: I extend to Leonard C. Heath, Jr., Esquire, my thanks for his collegial input and suggestions regarding this article.



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# Civility and Professionalism in a Successful Litigation Practice

## Video Nearing Release

by Peter C. Burnett, Esquire and W. Carter Younger, Esquire

The Senior Lawyers Conference will release “*Civility and Professionalism in a Successful Litigation Practice*” in the next few weeks. We are grateful for the contributions of Chief Justice S. Bernard Goodwyn of the Supreme Court of Virginia and the other distinguished jurists and lawyers who were interviewed. We also thank the Virginia State Bar Litigation Section and the Virginia Law Foundation. We thank attorney Glenn L. Kirschner for his professional narration and informative discussions of the requirements of the Rules of Ethics, Supreme Court of Virginia’s attorney’s oath of office to act “professionally and courteously,” and the aspirational “Principles of Professionalism” endorsed by the Supreme Court of Virginia. All creative credit goes to our outstanding author, director and videographer, Kevin Kertscher of Big Ocean Studios.

The project’s principal goal was an engaging video that would help fill a widely perceived need for more lawyer mentoring. In what Mr. Kirschner describes as an “intensive mentorship session,” the interviewees provide practical advice that the judges would offer in chambers, or expert litigators would give to junior colleagues. Legal ethics expert Tom Spahn has complimented the video’s “fast-paced style.” “It’s really well done - the snippets of commentary are a much more effective way of conveying the message than lengthy interviews. And the well – crafted pictures of court rooms, etc. make it more interesting than earlier efforts like this.”

As expected, much of the wisdom focused on the impact of both good and bad behavior on case outcomes. Not surprisingly, the trial judges discussed how jurors respond to various kinds of conduct by attorneys in the courtroom. Judge David B. Carson of the Roanoke City Circuit Court noted that trial lawyers should “just assume that there is

a video on you at all times ....so that means even when you are not on or asking questions or addressing the court, jurors are noticing what you are saying and doing, and what you are not doing.”

Loudoun Circuit Court Chief Judge Douglas L. Fleming, Jr. said that “the most effective attorneys - no question, have been the most pleasant attorneys, polite, well mannered, respectful to their colleagues, to their fellow attorneys, to witnesses, to the Court.” The judges were consistent in their view that while ultimate decisions are based on the law and the evidence, rudeness, excessive objecting, interrupting, and being overly argumentative can cause jurors and judges to conclude that the lawyer is hiding something or has some sort of problem with his or her case.

The video also describes the importance of civility and professionalism outside the courtroom, in depositions, pleadings, correspondence and oral communications. Extra caution and reflection are needed in the era of email and text messaging. Both judges and lawyers discuss the potential perceived conflict between civility and the duty of zealous client representation. They point out how a good litigator can represent a client zealously and civilly, manage client expectations, and turn civility to the client’s advantage.

Attorney Malcolm P. “Mic” McConnell III of Allen, Allen, Allen, & Allen said “the professionalism of the medical malpractice defense bar in Virginia is extremely high .... We fight about things we have to fight about, the things that our client’s interests dictate that we fight about, but there are things we don’t have to fight about. So, we work it out among ourselves. ...if we have to go to court, we will, and there’s no quarter asked or given, but we’re professional. It’s not

personal. We don't call each other names. We don't impugn each other's integrity or credibility."

Juli M. Porto, experienced trial counsel, commented that "straight out of law school, I thought I had to win every little issue. I had to give pushback on every little thing, and it was exhausting for me. It cost my client money. It didn't bring us to the best outcome. It is much better for our clients if we don't oppose at every turn."

Judges and attorneys alike acknowledged that that judges talk among themselves about the attorneys who appear before them. Judge Carson was emphatic about the importance of behavior to an attorney's reputation in all aspects of his or her practice. "You need very quickly, like day

one in your legal career, to learn the most important word in the legal profession is your name."

To experienced and successful lawyers watching this video, the advice is not surprising, but it is a worthy refresher for any practicing attorney. Our hope is that the final product persuasively conveys the value of civility and professionalism in building and maintaining a successful litigation practice. The video will accomplish its mission if it helps prevent or reverse problematic behaviors, thereby improving outcomes for clients and lawyers, enhancing the public's perception of the legal profession and benefiting the administration of justice. When the video is released, we will provide helpful suggestions about how it can be used to maximum beneficial effect. 🕒

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*Photo credit Gavin Dressler/The Recorder*

As a community service, on April 21, 2023, the Alleghany, Bath, Highland Bar Association sponsored a program titled “So You’re 18” for junior and senior high school students from Alleghany High School and Covington High School. The program was held in Hodnett Hall at Alleghany High School, and it informed the students of their rights and responsibilities upon their attaining 18 years of age. In addition, it warned the students about the life-threatening aspects of opioid and fentanyl abuse. Each student attendee was presented a copy of the Virginia State Bar booklet titled “So You’re 18”. Senior Lawyer William T. Wilson moderated the program, and the other panelists were: Ingrid Barber, Executive Director of Alleghany Highlands Community Services Board; Attorney Dillina Stickle, Chair-elect of the VSB Conference of Local and Specialty Bar Associations; Ann Gardner, Commonwealth’s Attorney for Alleghany County; Attorney Taylor Baker of Hot Springs; and Attorney William Parks of Covington. (All panelists from left to right in above photo.)

About the program, Bill Wilson said that he hopes that the program format will be adopted by Bar Associations throughout the Commonwealth of Virginia.

“The Drug Crisis,” he said, “has always been a serious issue but when you add the Fentanyl problem, which can, and does, frequently result in instant death, we have a problem of huge proportions, especially for young people. Drug dealers are mixing fentanyl with other drugs because it gives their customers more ‘bang for the buck’ and makes them more money. It only takes a tiny bit of fentanyl to cause death. We lawyers are in an especially good position to get the word out to young people and the VSB ‘So You’re 18’ vehicle is a good way to do it.”

### **HELP CURB THE CRISIS**

Since 2016, when the Virginia State Health Commissioner first declared the Virginia opioid crisis a public health emergency, state agencies and community based organizations have responded, offering lifesaving resources to all Virginians. This declaration led to the creation of Curb The Crisis,

a collaboration among these five Virginia agencies: Department of Health, Department of Behavioral Health and Developmental Services, Department of Criminal Justice Services, Department of Health Professions, and Department of Social Services. The website for Curb The Crisis may be accessed at <https://curbthecrisis.com/about-us/>.

On the website, you can find information about: What is the opioid crisis?; Rescue & Prevention; Treatment & Recovery; How You Can Help; How You Can Get Help; and the Latest Research and Data on the Crisis.

Considering the increasing influx of illicit fentanyl and other opioids into our communities, including warnings to young people in programs such as that moderated by Bill Wilson in Alleghany County should be considered by Bar Associations throughout Virginia.

On May 9, 2023, the Governor of Virginia recognized Fentanyl Awareness Day in the Commonwealth of Virginia. The next page contains the text of that recognition:

*By virtue of the authority vested by the Constitution of Virginia in the Governor of the Commonwealth of Virginia, there is hereby officially recognized:*

## **Fentanyl Awareness Day**

**WHEREAS**, fentanyl poisoning is an epidemic that is devastating communities and families across the Commonwealth of Virginia and the nation; and

**WHEREAS**, fentanyl is a Schedule II controlled substance and a synthetic opioid drug that is approximately one hundred times more potent than morphine and fifty times more potent than heroin as an analgesic; and

**WHEREAS**, fentanyl is often used as an additive or substitute to other drugs unknowingly by users, increasing the risk of fatal overdose; and

**WHEREAS**, awareness is one of our greatest tools to fight the opioid public health crisis; and

**WHEREAS**, fatal drug overdose accounted for more deaths in Virginia than motor vehicle related deaths and gun related deaths combined for each year since 2020; and

**WHEREAS**, a lethal dose of dry fentanyl powder can be as little as 2 milligrams (mg) and one kilogram of fentanyl has the potential to kill over five-hundred thousand individuals; and

**WHEREAS**, fatal drug overdose has been the leading method of unnatural death in Virginia since 2013, specifically driven by fentanyl poisoning; and

**WHEREAS**, the leading cause of the opioid epidemic is fentanyl, and Virginia recorded 2021 as the worst year for fatal drug overdoses in Virginia with seventy-six percent of overdose deaths caused by fentanyl, over ninety-eight percent of which was produced illegally; and

**WHEREAS**, fentanyl is the leading cause of drug overdose deaths, almost all of which is being illegally smuggled into the United States; and

**WHEREAS**, naloxone is a life-saving medicine in the form of a nasal spray that can revive the person who has overdosed on opioids and allow emergency personnel time to respond; and

**WHEREAS**, many Virginia families have suffered the loss of loved ones due to fentanyl poisoning and have gathered together to build resiliency and educate others about the dangers of this crisis; and

**WHEREAS**, a notable group, the Virginia Moms, has been a leading advocacy group in the Governor's opioid initiatives; and

**WHEREAS**, Governor Youngkin's [Right Help, Right Now](#) plan seeks to expand recovery support for those affected by substance use disorder; and

**WHEREAS**, this plan transforms Virginia's behavioral healthcare system and includes same-day care, broadened access to naloxone across the Commonwealth, and education on programs for prevention, crisis intervention, and recovery support;

**NOW, THEREFORE**, I, Glenn Youngkin, do hereby recognize May 9, 2023, as **FENTANYL AWARENESS DAY** in the COMMONWEALTH OF VIRGINIA, and I call this observance to the attention of our citizens.



  
Governor

  
Secretary of the Commonwealth

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# Senior Legal Helpline Relaunches in 2023, Needs Your Help!

by Sarah M. Morton, Esquire

Virginia Poverty Law Center (VPLC) is a statewide non-profit organization that breaks down barriers to justice across the state using advocacy, education, and civil litigation. One of VPLC's focus areas is the rights of older adults.

Re-launched this February, VPLC's Senior Legal Helpline has already assisted nearly 100 older Virginians in a variety of matters, including housing issues, elder abuse, guardianship alternatives, advance planning, long-term care, Medicare and Medicaid, social security, and financial scams. The Helpline restarted after a years-long hiatus thanks to financial support from the Virginia Department of Aging and Rehabilitative Services. This Helpline is housed at VPLC and spearheaded by staff attorney Sarah M. Morton.

Anyone age 60+ with a legal problem in Virginia can call 1-844-802-5910 to receive free legal advice on civil issues without needing to leave home or negotiate a complicated website. Brief legal advice and counsel are sufficient to resolve many problems. Seniors who require extended legal services are referred to the private bar as paying clients, or to legal aid if they qualify for free services. Callers to the Helpline are never charged for the advice or a referral.

## Legal advice transforms lives

The Helpline's effectiveness is illustrated by the experience of a family that contacted us early in February. A 70-year-old man sought advice to help him advocate for his 91-year-old father, whom a hospital had characterized as not able to be "rehabilitated." Because Medicare would not pay for long-term care after the elderly father's discharge, the hospital planned to send him home instead of to the therapy critical to maintain his current level of physical functioning.

The Senior Legal Helpline advised the son on the standard established by *Jimmo v. Sebelius*, which clarifies that the Medicare standard is not the father's ability to improve but rather the need for skilled care. In this case therapy in a long-term care facility would slow or halt deterioration.

Armed with advice from the Senior Legal Helpline, the son explained the Medicare standards to the hospital, which acknowledged that the therapy would slow or halt his father's further deterioration. Based on the son's successful advocacy, the hospital reversed its position, and the elderly father now receives the much-needed therapies.

This is just one example of the way that free legal advice empowers Virginia's older adults to improve their own lives and the lives of their loved ones.

## How you can support Virginia's senior citizens

Helpline services are in high demand. Already at capacity without any marketing or promotion to the public, the Helpline receives as many as 29 calls in a single day. Seniors submitting new applications frequently wait a week for a response to their voicemails due to the staggering volume of requests, which leaves callers frustrated or confused. However, with additional resources, the Senior Legal Helpline can quickly expand to support more seniors across the Commonwealth.

To support the Senior Legal Helpline financially, you can donate online at [www.vplc.org/donate](http://www.vplc.org/donate) or mail a check to 919 E Main St. Suite 610, Richmond, VA 23219. Your financial support will allow the Helpline to cover expenses such as copying and mailing, and to increase capacity, ensuring even more seniors across the state receive the assistance they need.


The Helpline is also soliciting Virginia State Bar members who are subject matter experts and

willing to volunteer for occasional consultation by phone with our Helpline attorney. Topics needing substantive expertise include:

- Age discrimination, particularly in employment
- Divorce, equitable distribution, spousal support, and division of retirement funds
- Guardianship and restoration

- Trusts and other complex estate planning
- Taxes
- Veteran's benefits
- Worker's compensation

If you are a lawyer, and particularly a senior lawyer, and are interested in serving as a volunteer subject matter expert, please contact Sarah M. Morton at [smorton@vplc.org](mailto:smorton@vplc.org) 1-844-802-5910.

Together we can expand the Senior Legal Helpline to reach more senior Virginians in need of legal advice and counsel. 

Endnote 1: Sarah M. Morton thanks Andrea L. Bridgeman, Esquire, Pro Bono Liaison on the Virginia State Bar Senior Lawyers Conference Board of Governors, for her assistance with this article.



## Senior Lawyers Receive Prestigious Law Awards in 2023

The Senior Lawyers Conference congratulates the following senior lawyers who have received prestigious law awards in 2023.

### INDUCTED AS FELLOWS OF THE VIRGINIA LAW FOUNDATION

Sheila M. Costin  
Karl Anthony Doss  
Mahlon G. Funk, Jr.  
Brian M. Hirsch  
William M. Moffet  
Robert J. Stoney  
Mary C. Zinsner

### CLARENCE M. DUNNAVILLE, JR. AWARD

The Honorable Cleo Elaine Powell

### TRADITION OF EXCELLENCE AWARD

Henry P. Custis, Jr.

### EDWARD L. CHAMBERS, JR. LIFETIME SERVICE AWARD

Darrel Tillar Mason

### WILLIAM R. RAKES LEADERSHIP IN EDUCATION AWARD

Anita O. Poston

### BETTY ANN THOMPSON LIFETIME ACHIEVEMENT AWARD

Ilona Ely Grenadier

### HARRY L. CARRICO PROFESSIONALISM AWARD

The Honorable Robert E. Payne

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# Avoiding Fraud in Real Estate Transactions

## *Impersonation of the Seller, A Current Problem with Increasing Frequency*

by Kay M. Creasman, Esquire

Remember “**Trust, but verify**” when it comes to fraud with regard to real estate transactions.

**Impersonation of the seller** is old-fashioned fraud. No need for fancy electronic hacking. The fraudster pretends to be the seller. He presents falsified identification (usually a driver’s license) that identifies him (falsely) as the record owner, or he may be a person with that same name but is not the owner of the real estate being sold. Fraudulent sellers in the last year have frequently been located outside Virginia with all communication via email. How do you protect yourself and your client and avoid a loss?

When you don’t know the seller and whomever referred him to you doesn’t know him, especially when the seller is out-of-state, look for a document with the record owner’s signature (e.g., a deed of trust or record that the seller signed) that can be compared to the signature on the paper deed you receive, so you can attempt to verify that it’s the same person. Signatures change over time, but it’s amazing how often something this simple can cause us to ask more questions and perhaps prevent a fraudulent transaction from closing.

When neither you nor the person making the referral knows the seller, especially when unimproved real estate is being sold at a cash sale with a relatively quick settlement date, mail a letter by overnight delivery and by regular mail to the record owner informing them you are sending this as part of your “fraud protection program” verifying that they are actually selling this real estate or look up their contact information online and contact them via phone. If possible, legally record the conversation and save it. Any means of identification may help identify the party if fraud has occurred.

Insist the seller meet in person with someone in the transaction that you know, either in your office,

the real estate agent’s office, or the settlement agent’s office if you are only preparing the deed.

Require the seller to sign some document with a Virginia licensed electronic notary. Most, if not all, Virginia e-notary service providers use knowledge-based authentication (KBA) to prove identity. With this, they ask a series of multiple-choice questions to be answered by the signatory within a few seconds of being asked. The questions are things like “What year did you graduate from high school?,” “Did you ever live at 25712 Grove Avenue?,” “What was your first automobile?” The questions are pulled from credit reports. If the person can’t answer four of five questions correctly within a couple of minutes (usually not enough time to look it up electronically), then the notary should refuse to notarize the document. Not all electronic notaries are well trained, so it’s important to know who is acting as notary for your documents. Use a Virginia licensed electronic notary that you know. It’s not a perfect system but it will make fraudsters less likely to succeed.

Attorneys cannot require that the deed be signed electronically, since many lenders refuse to lend with an electronically notarized deed. However, when possible, have the deed signed that way. An electronic notary has a video of the signing, as well as the KBA and a photo ID. It may make it easier to locate and prosecute someone who has committed fraud those times that the fraud is successful.

If electronic notarization doesn’t work, require the out-of-state seller to have his document notarized at an attorney’s office or someone you’ve contacted to provide such a service or at an office recommended by a title insurance underwriter. Again, it’s not a perfect solution but is a reasonable means to reduce fraud.

A larger problem exists with sellers who are out of the country. One solution is to require



documents be signed at the U.S. embassy. Another solution is to require an apostille. Virginia's notary laws are very generous and an apostille is not required but helps with verification of identity. A better alternative, whenever possible, is for the owner to have a POA signed in the U.S. prior to traveling to another country.

**Entity fraud** – Similar to the identity problems outlined above, a significant amount of loss is occurring because the people who say they own an entity or have the right to sign for an entity do not. They may be associated with the entity but not have the power to sell or pledge the real estate as collateral for a loan. Again, look at signatures in the land records to determine whether the signatures presented to you look legitimate. Ask the individual to sign at least one document that is notarized electronically, so you at least may determine this person is who they claim to be (KBA in action). This may help locate them later if they didn't own the entity or didn't have the authority to convey the real estate.

You might also see whether they have an attorney with whom they have a history of doing business who can verify the identity, and perhaps power of the signatory to sign on behalf of the company.

With entities, keep digging until you get to the person(s) as owner(s). This doesn't hold true for publicly traded entities but works for most transactions in Virginia.

**Summary** – Some matters that should make you suspicious and cause you to choose to take precautions listed above are:

- No face to face/in person communication with the seller with anyone in Virginia.

- All communication via emails.
- Underpriced property, i.e., priced below market value.
- Seller difficult to reach by phone.
- Quick settlement. Often a cash transaction.
- Real estate agent has never met the seller.
- Proceeds are to be wired to a third state, i.e., property in Virginia, seller in Georgia funds to be wired to Texas.

If you are handling the settlement, confirm with the seller's representative, either an attorney or another title company, that they use similar security requirements as those spelled out above. At the very least require at least one document be signed by a Virginia licensed electronic notary if the seller isn't personally known to the seller's-side representative. Do this even if your office pays the e-notary fee.

[Senior Lawyer News Editor's Note: The Honorable Wendy S. Hughes, The Clerk of the Circuit Court of Chesterfield County, Virginia offers a free service called Property Notification which is designed to help property owners in her jurisdiction. In a telephone conference with the Senior Lawyer News Editor on May 8, 2023, Ms. Hughes explained that in their experience, most recorded documents are legitimate, and that their service is a notification service rather than a fraud alert. For all names registered in the system, any recordation under the matching name will initiate a notification. In the unfortunate event of fraud, this prompt awareness serves to assist the victim in mitigating the effects of the fraudulent recording. This free service is offered by the Clerk through the Clerk's Land Records Vendor, and property owners must register for the service. More information can be obtained by calling the Clerk's Office at (804) 717-6982. It is not known to the Editor whether any other Circuit Court Clerks in the Commonwealth are offering a similar service.]

The combination of the preemptive cautionary steps outlined by Kay Creasman in her article above, and the use of a Property Notification service such as that offered by the Clerk of the Chesterfield County Circuit Court both redound to the benefit of property owners.]

# FEDERAL BUREAU OF INVESTIGATION

## ELDER FRAUD REPORT

Lawyers should be aware of the risks of elder fraud to themselves, their staffs, to their elderly and other clients, friends, and family members. Understanding the nature of those risks enables lawyers to educate about and to caution against risky behaviors which may result in victimization by fraudsters.

The most recent Federal Bureau of Investigation Internet Crime Complaint Center Elder Fraud Report may be found at [https://www.ic3.gov/Media/PDF/AnnualReport/2022\\_IC3ElderFraudReport.pdf](https://www.ic3.gov/Media/PDF/AnnualReport/2022_IC3ElderFraudReport.pdf). The Report was released in April 2023.

This article contains useful excerpts from the 22 page Report. Appendices A and C to the Report below can be used as checklists regarding what schemes are being warned against, and tips for protection against those schemes.

The Introduction to the Elder Fraud Report states:

“The Federal Bureau of Investigation’s (FBI) Internet Crime Complaint Center (IC3) is a central intake point for victims to report fraud. IC3 shares the complaints it receives with FBI field offices and other law enforcement and regulatory agencies for further investigation or action, as appropriate. Along with the Department of Justice’s Elder Fraud Initiative and other partners, the FBI is continually dedicated to identifying the perpetrators of these schemes and bringing them to justice. Every day, the IC3 receives thousands of complaints reporting a wide variety of schemes, many of them targeting seniors. These complaints are analyzed and aggregated to identify trends and help develop strategies to combat these schemes and protect potential victims from loss. In 2022, total losses reported to the IC3 by elderly victims increased 84% from 2021. Tech and Customer Support schemes continued to be the most common type of fraud reported, with 17,800 complaints filed by victims over 60. Monetary losses due to Investment Fraud reported by victims over 60 increased over 300%, more than any other kind of fraud, largely due to the rising

trend of cryptoinvestment scams. In almost every crime type tracked by the IC3, losses involving cryptocurrency increased. Overall, cryptocurrency-related losses reported by the elderly increased by 350%. As in previous years, the FBI is publishing the 2022 IC3 Elder Fraud Annual Report in hopes of bringing awareness to this problem and preventing future victimization. I encourage you to share the information from this report with your friends and families and take the opportunity to talk about these scams. We also encourage the public to report any internet-related fraud, even attempted fraud, to the IC3 as soon as possible. Providing detailed information, including complete summaries and financial transactions, assists the FBI with investigating and disrupting the frauds that are devastating our citizens.”

A review of the statistics in the Report reveals the following alarming numbers: Number of victims over age 60 (88,262); Total losses (\$3.1 Billion); Increase in losses from 2021 (84 Percent); Average dollar loss per victim (\$35,101); Number of victims losing more than \$100,000 (5,456).

In the category of number of victims over age 60 by state, Virginia is the tenth highest in the country, with 2,447. In the category of total dollar loss by victims over age 60 by state, Virginia is the fifteenth highest, with total losses of \$60,641,280. These figures indicate an average dollar loss in Virginia of \$24, 781.89, which is about \$10,000.00 less than the national average.

**APPENDIX A** to the Fraud Report offers the following definitions of the types of fraud reported:

- **Advanced Fee:** An individual pays money to someone in anticipation of receiving something of greater value in return, but instead, receives significantly less than expected or nothing.
- **Business Email Compromise (BEC):** BEC is a scam targeting businesses or individuals working with suppliers and/or businesses regularly

performing wire transfer payments. These sophisticated scams are carried out by fraudsters by compromising email accounts and other forms of communication such as phone numbers and virtual meeting applications, through social engineering or computer intrusion techniques to conduct unauthorized transfer of funds.

- **Botnet:** A botnet is a group of two or more computers controlled and updated remotely for an illegal purchase such as a Distributed Denial of Service or Telephony Denial of Service attack or other nefarious activity.
- **Confidence/Romance Fraud:** An individual believes they are in a relationship (family, friendly, or romantic) and are tricked into sending money, personal and financial information, or items of value to the perpetrator or to launder money or items to assist the perpetrator. This includes the Grandparent's Scheme and any scheme in which the perpetrator preys on the complainant's "heartstrings."
- **Credit Card Fraud/Check Fraud:** Credit card fraud is a wide-ranging term for theft and fraud committed using a credit card or any similar payment mechanism (ACH, EFT, recurring charge, etc.) as a fraudulent source of funds in a transaction.
- **Crimes Against Children:** Anything related to the exploitation of children, including child abuse.
- **Data Breach:** A data breach in the cyber context is the use of a computer intrusion to acquire confidential or secured information. This does not include computer intrusions targeting personally owned computers, systems, devices, or personal accounts such as social media or financial accounts.
- **Employment:** An individual believes they are legitimately employed and loses money, or launders money/items during the course of their employment.
- **Extortion:** Unlawful extraction of money or property through intimidation or undue exercise of authority. It may include threats of physical harm, criminal prosecution, or public exposure.
- **Government Impersonation:** A government official is impersonated in an attempt to collect money.
- **Harassment/Stalking:** Repeated words, conduct, or action that serve no legitimate purpose and are directed at a specific person to annoy, alarm, or distress that person. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others or suffer substantial emotional distress.
- **Identity Theft:** Someone steals and uses personal identifying information, like a name or Social Security number, without permission to commit fraud or other crimes and/or (account takeover) a fraudster obtains account information to perpetrate fraud on existing accounts.
- **Investment:** Deceptive practice that induces investors to make purchases based on false information. These scams usually offer the victims large returns with minimal risk. (Retirement, 401K, Ponzi, Pyramid, etc.).
- **IPR/Copyright and Counterfeit:** The illegal theft and use of others' ideas, inventions, and creative expressions – what's called intellectual property – everything from trade secrets and proprietary products and parts to movies, music, and software.
- **Lottery/Sweepstakes/Inheritance:** An Individual is contacted about winning a lottery or sweepstakes they never entered, or to collect on an inheritance from an unknown relative.
- **Malware:** Software or code intended to damage, disable, or capable of copying itself onto a computer and/or computer systems to have a detrimental effect or destroy data.
- **Non-Payment/Non-Delivery:** Goods or services are shipped, and payment is never rendered (nonpayment). Payment is sent, and goods or services are never received, or are of lesser quality (nondelivery).
- **Overpayment:** An individual is sent a payment/commission and is instructed to keep a portion of the payment and send the remainder to another individual or business.
- **Personal Data Breach:** A leak/spill of personal data which is released from a secure location to an untrusted environment. Also, a security incident

in which an individual's sensitive, protected, or confidential data is copied, transmitted, viewed, stolen, or used by an unauthorized individual.

- **Phishing:** The use of unsolicited email, text messages, and telephone calls purportedly from a legitimate company requesting personal, financial, and/or login credentials.
- **Ransomware:** A type of malicious software designed to block access to a computer system until money is paid.
- **Real Estate:** Loss of funds from a real estate investment or fraud involving rental or timeshare property.
- **SIM Swap:** The use of unsophisticated social engineering techniques against mobile service providers to transfer a victim's phone service to a mobile device in the criminal's possession.
- **Spoofing:** Contact information (phone number, email, and website) is deliberately falsified to mislead and appear to be from a legitimate source. For example, spoofed phone numbers making mass robocalls; spoofed emails sending mass spam; or, forged websites used to mislead and gather personal information. Often used in connection with other crime types.
- **Tech Support:** Subject posing as technical or customer support/service.
- **Threats of Violence:** An expression of an intention to inflict pain, injury, self-harm, or death not in the context of extortion.

**APPENDIX C** to the Fraud Report offers the following Tips for Protection:

- Recognize scam attempts and end all communication with the perpetrator.
- Search online for the contact information (name, email, phone number, addresses) and the proposed offer. Other people have likely posted information online about individuals and businesses trying to run scams.
- Resist the pressure to act quickly. Scammers create a sense of urgency to produce fear and lure victims into immediate action. Call

the police immediately if you feel there is a danger to yourself or a loved one.

- Be cautious of unsolicited phone calls, mailings, and door-to-door service offers.
- Never give or send any personally identifiable information, money, jewelry, gift cards, checks, or wire information to unverified people or businesses.
- Make sure all computer anti-virus and security software and malware protections are up to date. Use reputable anti-virus software and firewalls.
- Disconnect from the internet and shut down your device if you see a pop-up message or locked screen. Pop-ups are regularly used by perpetrators to spread malicious software. Enable pop-up blockers to avoid accidentally clicking on a pop-up.
- Legitimate customer, security, or tech support companies will not initiate unsolicited contact with individuals; nor, demand immediate payment or require payment via prepaid cards, wire transfers, cryptocurrency, or mailed cash.
- Never give unknown, unverified persons remote access to devices or accounts.
- Be careful what you download. Never open an email attachment from someone you do not know and be wary of email attachments forwarded to you.
- Take precautions to protect your identity if a criminal gains access to your device or account. Immediately contact your financial institutions to place protections on your accounts and monitor your accounts and personal information for suspicious activity.
- Legitimate lotteries and beneficiaries do not need to pay upfront taxes and fees to claim a prize or inheritance. Playing foreign lotteries in any form is a violation of federal law.
- Be careful what you post and make public online. Scammers can use details shared on social media and dating sites to better understand and target you.
- Government or law enforcement officials will not demand payment by cryptocurrency, prepaid cards, wire transfers, or overnight mailed cash, nor contact a subject by phone to notify they are under investigation.

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## Contributing Authors

Thanks to the following who have contributed to the writing of articles included in this newsletter:



Peter C. Burnett, Immediate Past Chair of the Virginia State Bar Senior Lawyers Conference, has been practicing law in Leesburg, Virginia since 1977. Peter has served as President of the Loudoun County Bar Association, Founder and Chair of the Loudoun Bar

Foundation, a member of the Virginia State Bar Council, Chair of the VSB Judicial Nominations Committee, and Chair of the Diversity Conference. For his dedicated service to his clients and the legal system in Virginia, Peter was inducted into the Virginia Lawyers Hall of Fame in 2019.

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Jack W. Burtch, Jr. was admitted to the Virginia State Bar in 1973. He received his undergraduate degree *cum laude* from Wesleyan University in Middletown, Connecticut in 1969 and his law degree from Vanderbilt University in 1972. Currently, JB is with his son's firm, Burtch Law PLLC. He has

represented businesses, executives and professionals in employment law and labor relations. Mr. Burtch is an adjunct professor of law at the University of Richmond School of Law where he teaches Negotiations and Interviewing and Counseling. He is a Past Chair of the VSB Senior Lawyers Conference.



Frank Overton Brown, Jr. is engaged in the private practice of law in the Richmond, Virginia metropolitan area and he concentrates his practice in the areas of wills, trusts, estate planning, estate and trust administration, and related tax matters. He is a Fellow of the Virginia Law Foundation and

is a Fellow of the American College of Trust and Estate Counsel. He is a recipient of the Virginia State Bar Tradition of Excellence Award and was selected as a Leader in the Law by Virginia Lawyers Weekly. He is Past Chair of the VSB Senior Lawyers Conference, and he has served on the Virginia State Bar Council. He is author of the Virginia Probate Handbook, published by Thomson Reuters. He holds Bachelors, Masters, and Juris Doctor Degrees from the University of Richmond, Virginia.

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James K. Cluverius, Esq. is a practicing attorney and senior counsel at Hirschler. Jim is a member of the firm's Business Section and focuses primarily on trusts and estates, including planning, probate and trust administration. He is a past president of the Richmond Bar Association and a past member

of both the Board of Directors of the Boys and Girls Clubs of Metro Richmond and the Board of Trustees of the University of Virginia Athletics Foundation. Jim also served as a founding member of the Clemson University Parents Development Board.



Anne-Marie Shaia Condlin graduated from William and Mary in 1988 with a BA in Religion and a minor in mathematics. Anne-Marie remained in Williamsburg and in 1991 graduated with a JD from The Marshall

Wythe School of Law and married fellow classmate, Andrew M. Condlin (Andy). Anne-Marie practiced bankruptcy law with her father, Harry Shaia, Jr. for several years at Spinella, Owings and Shaia, P.C. Anne-Marie and Andy Condlin have 4 children, Meghan, Jessica, Emily and Andrew Joseph (AJ).



Gary C. Hancock, Esquire, is a practicing attorney who has practiced with the law firm of Gilmer, Sadler, Ingram, Sutherland & Hutton in Pulaski, Virginia for 46 years. He is the Chair of the Virginia State Bar Senior

Lawyers Conference Board of Governors, a Fellow of the Virginia Law Foundation and a Life Fellow of the American Bar Foundation. Active in bar and community service throughout his career, he chaired the Virginia Board for Community Colleges, served as Mayor of the Town of Pulaski, and serves on the Boyd-Graves Conference.



Kay M. Creasman is a member of the Virginia State Bar (VSB) and is Vice President and Virginia State Counsel for Old Republic National Title Insurance Company. She is Past Chair of the VSB Real Property Section, and she is a member of the VSB Senior

Lawyers Conference. She is the recipient of the 2017 Traver Scholar Award presented by the VSB Real Property Section and Virginia Continuing Legal Education. The Traver Scholar Award honors men and women who embody the highest ideals and expertise in the practice of real estate law, and who are Real Property Section members who have made significant contributions to the practice of real property law generally and to the Section specifically, and who have generously shared their knowledge with others.



Judge Jamilah D. LeCruise serves in the Norfolk General District Court and was appointed on May 1, 2022. She previously maintained a solo practice and worked as a public defender in Norfolk before taking the bench. She was the Virginia

State Bar Young Lawyer of the Year in 2020.



John P. Fishwick, Jr. is the owner of the law firm of Fishwick & Associates PLC. Fishwick & Associates is a trial law firm focused on personal injury, civil rights, and federal criminal law. The firm has four lawyers and eleven employees. John was previously

appointed by President Obama to be the United States Attorney for the Western District of Virginia and served in that capacity from 2015-2017. John has appeared as a legal expert on CNN, MSNBC and Fox Business News. Associate Daniel Martin assisted in the preparation of the Remembrance of Reuben E. Lawson in this newsletter.



Sharon D. Nelson is a practicing attorney and the president of Sensei Enterprises, Inc. She is a past president of the Virginia State Bar, the Fairfax Bar Association and the Fairfax Law Foundation. She is a co-author of 18 books published by the ABA.



John W. Simek is vice president of Sensei Enterprises, Inc. He is a Certified Information Systems Security Professional (CISSP), Certified Ethical Hacker (CEH) and a nationally known expert in digital forensics. He and Sharon provide legal technology, cybersecurity and digital forensics services from their Fairfax, Virginia firm.

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Gloria Colander Twitty was born and raised in Suffolk, Virginia. She is the widow of Theophlise Lee Twitty. She was his spouse and partner for 31 years. Gloria, a Social Worker, has committed her career to human services and the well being of senior citizens in the Commonwealth of Virginia. She enjoys traveling, cooking, painting and crossword puzzles. Gloria finds great joy spending time with her daughters Crystal, and Margaret; and her four grandsons.

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Sarah Morton is the staff attorney for Virginia Poverty Law Center's Senior Legal Helpline. Prior to joining VPLC, Morton was an attorney at Blue Ridge Legal Services, the legal aid office serving the Shenandoah Valley, for 16 years. Since 2015, she has

focused exclusively on clients aged 60+. Her interests include consumer law, restorative justice, and civil remedies for survivors of elder financial exploitation. Morton earned her J.D. from the University of Notre Dame Law School in 2006, and her B.A. from the University of Virginia in 2003.

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William T. (Bill) Wilson has been practicing law in Covington since 1963, when he joined Senator Hale Collins. He is now senior lawyer (and only lawyer) in the Law Office of William T. Wilson. He was formerly senior partner in the Law Firm of Wilson,

Updike & Nicely. For five years in a row Wilson was named to the Super Lawyers list. He served in the Virginia House of Delegates for 16 years (1974-89); and is currently a member of the Virginia Bar Association (VBA) and the Virginia State Bar (VSB). He is a past chair of the Conference of Local Bar Associations (CLBA) and a past chair of the Senior Lawyers Conference (SLC). His tenure with the SLC was distinguished by the development of a Senior Citizens Law Day Program which has been a statewide program of the VSB.

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Rhysa Griffith South retired after a 30+ year career with the Henrico County Attorney's Office. She was President of both the Local Government Attorneys of Virginia (LGA) and the Henrico County Bar Association, and a member of the Virginia Law

Foundation Fellows class of 2008. She was a recipient of the LGA Cherin Award for Distinguished Service. Rhysa has served the Virginia State Bar in various volunteer capacities, including terms with the Disciplinary Board, Bar Council, the Committee on Lawyer Discipline, the Third District Committee, the Board of Governors for the Local Government Law Section, and she remains active as a member of the faculty for the Professionalism Courses. She recently joined the Senior Lawyers Conference Board of Governors. Rhysa holds a B.A. from the Ohio Wesleyan University and a J.D. from the University of Richmond.



W. Carter Younger, current Vice-Chair of the VSB Senior Lawyers Conference and the Conference's Liaison to the VSB Litigation Section, has been a member of the Virginia State Bar for 52 years. He is a retired partner of McGuireWoods LLP in the

firm's Richmond, Virginia office. Younger's practice focused on management-side labor and employment law and litigation. He has chaired the Virginia Bar Association's Section on Labor Relations and Employment Law, and is a past president of the Labour Law Commission of the Union Internationale des Avocats. Younger was inducted as a Fellow of the College of Labor and Employment Lawyers in 1998.