

The Senior Lawyers Conference and the Family Law Section

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The board of the Senior Lawyers Conference serves on various SLC committees, such as Pro Bono Services, *Senior Citizens Handbook*, Planning for Disability or Death, Civility and Professionalism, and Indigent Defense. SLC board members also are assisting the Chief Justice's efforts to improve involuntary civil commitment proceedings. One of the top priorities of the Senior Lawyers Conference is to increase participation by SLC members.

Since I began practicing law almost fifty years ago, my law practice has included family law cases of every type, and I have been a divorce commissioner of the Virginia Beach Circuit Court since 1979. Over these years, particularly since the mid-1980s, family law has greatly changed procedurally and substantively. The division of marital assets and spousal support has become more prevalent as issues in divorce cases, prompted by greater accumulation of marital assets and earnings by both parties contributing to the marriage. Fathers have become more proactive in asserting custodial and visitation claims. Statutory and case law regarding equitable distribution and spousal support have expanded over the past twenty years—case law especially, because of the automatic right of appeal to the Virginia Court of Appeals. Legal concepts previously unheard of are now commonplace in the family law arena—concepts such as “tracing,” “hybrid property,” “commingling of assets” and “commutation.” The litigation of marital entitlement to retirement benefits and, in many cases, the arcane requirements of resulting Qualified Domestic Relations Orders present a daunting challenge to family law practitioners. Although I'm glad to say I have not been involved in many divorce cases involving elderly couples, they present unique and compelling issues.

Of the more than nine thousand members of the Senior Lawyers Conference (made up of Virginia State Bar members fifty-five years of age and older), many have practiced family law. Family

law provides many opportunities for senior lawyers to share their knowledge and experience. They can:

- Serve as mentors to younger lawyers in the practice of family law.
- Consult with and advise family lawyers on particular issues—particularly where the parties are elderly.
- Serve as guardians ad litem for minor children in contested custody and visitation proceedings.
- Participate in local and state bar family law sections and committees.
- Serve as panel members on family law continuing legal education programs.
- Write family law articles for section and committee newsletters and Virginia Lawyer magazine.
- Serve as liaisons between the family law bar and the circuit and juvenile and domestic relations courts.
- Assist the circuit courts in processing uncontested pro se divorce cases for indigent parties.

I would like to appeal to senior lawyers who practice family law—particularly those who are active in the Family Law Section—to come forward and contribute their experience and expertise to the improvement of the procedure and substance of family law practice. I would be glad to hear from any members of the Family Law Section who are interested in this concept. [↩](#)