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In Memoriam: J. Rodney Johnson

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IN MEMORIAM

J. RODNEY JOHNSON

(1939–2015)

*W. Hamilton Bryson **

J. Rodney Johnson, Professor of Law, Emeritus, of the University of Richmond, was one of the preeminent legal scholars of wills and testamentary trusts in Virginia. He was born in the Oak Grove section of Richmond, Virginia, on July 9, 1939, into a devout Baptist family, of which he was one of five sons.

Indeed, the Baptist church was one of Rodney Johnson's main focuses throughout his life. Not only was his attendance regular at Sunday morning worship and Wednesday evening Bible study at the Monument Heights Baptist Church in Richmond, but he was active with the Gideons in the worldwide distribution of Bibles and with numerous Baptist-sponsored foreign missions, responding to natural disasters in the Caribbean, Eastern Europe, and Southeast America. He also spent much of his time with various administrative boards and committees of his church and numerous Virginia Baptist associations. During study breaks, Rodney and I had many discussions about his church work, both legal and non-legal. His lifelong service to the church was generous and genuine.

Professor Johnson's academic career got off on a rocky start, to wit dropping out of high school at age sixteen to join the U.S. Air Force, where he served from 1956 to 1959. And he was recalled to

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active duty during the Berlin Crisis in 1961 to 1962. The mechanical skills he acquired in the Air Force served him and, indeed, the University of Richmond School of Law well later on. His ability to do a quick fix around the law school building saved many a delay for his colleagues of the law faculty.

He returned home from the military to resume his education. He enrolled at the College of William and Mary so that he could receive his undergraduate and law degrees in six years, instead of the usual seven. This plan of action resulted in a B.A. in 1965 and a J.D. in 1967. Not only did he graduate first in his law class, but he met there the love and soulmate of his life, Catherine Dorman. He also caught the attention of the Dean of the William and Mary Law School, the legendary Dudley W. Woodbridge, who offered him a job on the law faculty of his *alma mater*. Thus, after passing the Virginia State Bar examination and being admitted to practice law in Virginia in 1967, he became first an instructor and then assistant professor of law at the College of William and Mary. While in Williamsburg, Rodney taught a bewildering array of courses, including agency, bankruptcy, real property, Roman law, and sales.

Johnson took a leave of absence from teaching in 1969 and 1970 to attend the New York University School of Law, where he specialized in the subject of wills and testamentary trusts, and he received his LL.M. in taxation in 1970. After that, he returned to his native city of Richmond to join the law faculty of the University of Richmond, then a university closely affiliated with the Baptist church. He remained there for the rest of his lengthy tenure as a law professor, specializing in teaching wills and trusts and related subjects such as fiduciary administration, future interests, and elder law. He was constantly rethinking and reorganizing these courses, but once he got to the University of Richmond, his academic focus was on last wills and testaments generally.

His work in this area of the law was far broader than teaching in the classroom. He and his wife had an intense *pro bono* will writing ministry that was carried out in conjunction with the Baptist General Association of Virginia. He and his wife went around to churches in the area and provided simple wills for all comers *gratis*. Nor was it limited to churches; I was regularly summoned from my legal studies in the law school to witness the

wills of my colleagues on the faculty and staff at the University of Richmond. Rodney was also regularly consulted by the leading wills and trusts lawyers of Virginia on complicated estate planning issues concerning their clients, the confidential details of which we will, of course, never know.

In conjunction with his classroom teaching, Professor Johnson was a prolific public lecturer on the continuing legal education circuit. He made innumerable presentations to law alumni groups, to various Virginia bar associations, and to estate planning seminars sponsored by trust departments of banks.

His legal scholarship also was manifested in his extensive publications; these are listed below. He was constantly writing in order both to further legal education as to the present law and also in the interests of law reform and the advancement of the general good. This latter was often in his capacity as a Virginia Commissioner at the National Conference of Commissioners on Uniform State Laws, the Uniform Probate Code's Joint Editorial Board, the Legislative Committee of the Wills, Trusts, and Estates Section of the Virginia Bar Association, and the Committee on Commissioners of Accounts of the Judicial Council of Virginia. His labors bore fruit in the abolition of dower and curtesy and the enactment of the laws of equitable distribution of marital property and the forced share of spouses.

After a highly successful academic legal career, Professor Johnson took early retirement in 1999. He continued his professional and church activities thereafter, but, to the general amazement of all who knew him, Rodney started a new activity, running. And this was not a casual, every-now-and-then thing, but marathon running. Before his death in 2015, he had completed marathon races in all states of the Union, except Alaska and Hawaii. He was constantly encouraging me to join him, knowing full well that that would never happen. Indeed, if it had, he would be writing a memorial to me instead of my writing this present one to him.

After a lengthy battle with the misery of stenosis, never losing his cheerfulness, Rodney Johnson died on June 10, 2015, in Richmond, Virginia, at the age of 75, *multum deploratus*. In addition to his three grandchildren, he is survived by his wife of forty-seven years, Catherine White Dorman Johnson and his children,

Colonel William Taylor Johnson and Abigail Johnson Goebel. These latter three are also known as Miss Kitty, Will, and Abby, the inspiration for the fanciful doweresses, jointresses, heirs and heiresses, administrators and executors, testators and legatees, life tenants, reversioners, and contingent remaindermen, settlors, trustees, and beneficiaries, whose complex legal problems bedeviled a generation of law students and provided much amusement to Professor J. Rodney Johnson.

The Publications of J. Rodney Johnson

Books

Virginia Trust & Will Manual (Virginia Editor) [A form book distributed by American National Bank, Portsmouth; Central Fidelity Bank, Richmond; First National Bank of Martinsville & Henry County, Martinsville; First National Exchange Bank, Roanoke; First Virginia Bank of Tidewater, Norfolk; National Bank & Trust Company, Charlottesville; and Trust Company of First Virginia, Falls Church.], Blakemore & Gathright, Louisville, Kentucky (1975 to 1987).

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Why You Need a Will: A Pamphlet to Explain the Need to a Layman, 9 ACPC Probate Notes 258 (1984); reprinted in 47 UR MAGAZINE 6 (Spring, 1984); reprinted as a brochure by Central Fidelity Bank, Richmond, Va. (1984); rewritten in 12 Va. Bar Ass'n 16 (1986); rewritten and published privately as a brochure: 1988, 89, 90, 91, 92, 94, 95, 96, 98, 2000, 02, 04, 06, 08, & 11.

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