

To the Editor:

I have just read Senior Justice Carrico's article in the December 2003 issue of the *Virginia Lawyer* and agree totally with his (and Justice Powell's) comments, especially the need across the country for lawyers willing to provide pro bono assistance to the needy. However, I believe there is one segment of our national population that is in need and generally does not get the support of the legal profession—namely, servicemen and women of our armed services who can't afford quality legal representation.

While these individuals may have the assistance of military lawyers (Judge Advocate General) when charged with military offenses, they are at the mercy of public defenders when charged with offenses in the civilian courts. Unfortunately, the public defenders' reputation is not one that inspires confidence in all jurisdictions.

A case in point deals with a Navy enlisted man charged in San Francisco with killing a homosexual predator who was attempt-

ing to rape him. His public defender was appointed by the judge that was to hear the case and when asked why he had not presented a more vigorous defense (the sailor was charged with 2nd degree murder and was not allowed to plead to involuntary manslaughter predicated on self-defense), the lawyer's explanation revolved around the public climate in San Francisco against sailors and for homosexuals and his desire not to antagonize the judge for fear of not getting more assignments.

The public defender's explanation also applied to why other lawyers were reluctant to take the case on a pro bono basis, especially with the added political overtones (the homosexual predator had political ties). In summary, pro bono advocates should be especially mindful of the nation's servicemen and women who may be in need of and cannot afford quality representation in the civilian judicial arena.

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Editor's note: The VSB invites lawyers who are military retirees and other experienced counsel to join your colleagues as pro bono attorneys in extended representation cases under the VSB/ABA Legal Assistance for Military Personnel Project (see ad this page). Also see www.vsb.org/probono/lamp_form.pdf.

We want to hear from you.

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Virginia Lawyer Magazine

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