

Article Did Not Inform

I am writing concerning the article “Debt Collection: Serving and Supporting the U.S. Economy,” which was published in the December 2009 *Virginia Lawyer*.

The article dealt with the Fair Debt Collection Practices Act, commonly referred to as FDCPA. I regret to say that the article was not very educational. It did not inform the reader of anything novel or different regarding either debt collection law or the FDCPA, nor did it provide any insight into either debt collection practice or FDCPA lawsuits. Finally, the author incorrectly referred to the FDCPA as the Fair Debt Collection Protection Act (page 38). The article seemed better suited to any of the numerous laypersons news publications.

I expect articles published by the Virginia State Bar to be of high quality content. The bar’s publications usually are. However, I regret to state that this article failed to conform to those high standards that we attorneys have come to desire, expect, and respect from the Virginia State Bar.

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Respect for “Law” Should Include Flexibility

I’d like to offer a different perspective on lawyers’ attire than does Judge Clifford R. Weckstein in his article on lawyers’ dress codes. (*Virginia Lawyer*, December 2009, http://www.vsb.org/docs/valawyer magazine/vl1209_addressing.pdf) My perspective probably has its roots in two things: my favorite Latin quotation, *De gustibus non disputantur* — “There is no disputing/accounting for matters of taste” (footnote: I used this so often that my kids were using it at age five.) — and the fact that, if my memory is correct, when I started practicing in Roanoke (late ’60s), the very few women in practice could not wear pantsuits in court — a matter of taste!

However, as a retired teacher of law students about the practical aspects of practicing law, I know that lawyers obviously should not do something they don’t need to that will upset the judge before whom a case is being brought. Obviously, that would not be in the client’s best interest. This, for me, is the relevance of the judge’s article.

From an entirely different perspective on the question of the importance of lawyer’s attire, once when I was teaching in Australia there was a spirited public debate about whether barristers should be required to wear wigs in court. The answer seemed obvious to me until a judge made the observation that, from the bench, wigs made all the lawyers look almost the same, which made being objective in a case easier. This eye-opening perspective is probably why I am taking my time and yours to respond to the article.

The important other perspective that I want to present is something I had never thought about until I heard a news story from Japan. It reported that in some government buildings the men who worked there were not allowed to wear ties (or maybe coats and ties) in the summer — the reason being that the buildings would not have to be kept as cool, thereby saving energy. The saving of energy, the world’s resources, and global warming have become more meaningful to me as I age. Thinking about what my grandchildren are going to have to face has made it one of the most important issues to me.

(Footnote: A quotation from Kurt Vonnegut’s *A Man Without a Country* makes the point with power — “I think that the Earth’s immune system is trying to get rid of us.”)

Obviously, showing respect for “the law” is important. However, that respect used to require that the lawyer be a white male. When there are practical, moral, and not just “taste” reasons for a change in the present practices, there should be the flexibility to change — or at least let’s think and talk about them. For having started this discussion in a

public forum, I want to thank Judge Weckstein.

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Letters

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