Changing Lives
by Elaine Cassel

It was in 1980, and I, a new law graduate and member of the Virginia State Bar, was assigned a court-appointed case in Fairfax County Circuit Court. This was before there were public defenders. It was my first case in Circuit Court.

The client was charged with grand larceny for being in possession of a stolen vehicle. The client, a quiet, polite, and frightened young man, was incarcerated with no means to make bond.

I made an audacious motion (for a neophyte) to dismiss the charge based on an unlawful arrest in front of one of the kindest judges I ever practiced before, Judge Lew Morris. The premise of the motion was that the officer had no legal basis to approach the car on private property in which my client was asleep, awaken him, ask for identification and car registration, and arrest him. I prepared intensely and came to court armed on the law and the facts. When Judge Morris ruled for my client and my client realized he would be released from jail, my client, as shocked and overjoyed as I was, hugged and thanked me.

That was the first of many cases in a long career representing indigent clients in several northern Virginia courts. In law school, I had read Anthony Lewis’s great book, Gideon’s Trumpet, about Gideon v. Wainwright, the Supreme Court case that gave defendants facing incarceration the right to counsel. It was then, and remains to this day, my favorite book about the law because, as Gideon himself noted, his success (his petition to the Supreme Court was filed pro se, before the Court appointed Abe Fortas to represent him before the Court), demonstrated that one person could change the law in profound ways.

Though my subsequent work rarely made law or changed law, I continue to this day to find profound joy and satisfaction in representing people for whom I may be the only advocate and friend and whose lives I may have changed in small ways. Not too many years ago, I met Mr. Lewis and told him how profoundly his book affected me. And to this day I remember the kind and thoughtful Judge Morris who gave me my first victory.

Oops in Court
by William J. Kopcsak

My first civilian case was in 1973 in the Lancaster County General District Court. I had just finished my tour in the US Army Judge Advocate General’s Corps. With a background prosecuting in formal court-martials, I felt confident in my new role as a civilian defense lawyer. It was a preliminary hearing for a manslaughter charge. As I was trained, each time I addressed the court, I rose to a full attention. About half way through the hearing, Judge Andrew Conlyn pointed to me and said “Counsel, please show respect for this court. Get up from your chair when you have something to say.”

As the years passed, I became friends with both of them. Judge Conlyn participated in the invasion of Normandy and Judge Foster was there at Iwo Jima. They just don’t make judges with that kind of grit and life experiences anymore. Unfortunately, they are both gone. I wish I had shared this story with them.

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