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eral Southern District Chief Judge Charles Haden was present and all five justices of the West Virginia Supreme Court took time out of a regular judicial day to be present. Plans are already underway to merge the services of the West Virginia Legal Services Plan with the North Central Legal Aid Society, and members of the Board of Directors of the other two grantees joined that discussion during a November meeting in Charleston. The State Bar's Legal Services for the Poor Committee chaired by WVU Law School Professor Bob Bastress is exploring alternative funding sources while, at the same time, the IOLTA Advisory Committee is exploring the option of a replacement program not subject to the LSC

restrictions. In essence, measures are being taken to combat the government's attack on the poor.

If any West Virginia lawyer doubts that they may end up in the trenches of that war and indeed may be drafted, I recommend two things for your reading. First, Rule 6.1 of the West Virginia Rules of Professional Conduct which provides that a lawyer should render pro bono publico service and that the basic responsibility for providing legal services for those unable to pay ultimately rests upon the individual lawyer. Second, is the case of *Quesinberry v. Quesinberry*, 191 W.Va. 65, 443 S.E.2d 222 (1994) which stands for the proposition that a circuit judge can appoint private law-

yers to represent indigents in *civil* legal matters when no legal aid entity is available and the services of counsel are essential to see that justice is done.

The West Virginia Trial Lawyers have joined the battle by asking members to donate a minimum of 25 hours per year in pro bono service. Every State Bar member can help immediately by joining the over 730 West Virginia lawyers who have signed up for the State Bar's Pro Bono Referral Project and agreed to take at least one pro bono case each year. Call the Referral Project (1-800-642-8279) and simply ask that your name be added to the Project's list. It's a great New Year's resolution.■

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## Lawyers, Kids And Role Models

By William L. Redd, Esq.

Being a ten-year-old child in the largest coal mining community in the state of West Virginia was a daily challenge that took both ingenuity and perseverance. The four of us were inseparable companions, Chunky, Larry, Lenny and Billy. Most days our parents couldn't find us because we were busy fulfilling our two favorite pastimes, becoming great musicians, to wit: drummers, and becoming great lawyers. We drove our parents and other friends to the point of insanity, pounding out our flams and paradiddles upon pots and pans or cardboard boxes. Our second pastime, however, was of greater interest and sincerity, pretending to be lawyers.

We rode our bicycles at least once per week to Welch (6 miles away) to watch our heroes in action. Of course our parents would have grounded our wheels forever had they known of our travels at that time. We would camp outside Abishi Cunningham's office and wait for him to emerge on his way to court. Often in a

magical manner he would meet Leon Miller and Harry Capehart on McDowell Street and with us eavesdropping we could hear the most eloquent legal arguments imaginable. Words like writ, complaint, contempt of court, child support and retainer were tossed about in intelligent fashion. We observed the manner in which each lawyer presented his argument. Cunningham was so articulate. Capehart was charming and Miller had a sense of fairness about him that made us proud. We continued the practice until becoming teenagers and discovering that girls were not our enemies.

After observing our heroes on their trips to the courthouse, we returned to the steps of Gary District High School and pretended to hold court. Larry was always Capehart because he was so "cool." Billy played Cunningham as defense counsel. Chunky played Miller and was the Judge. Lenny, who was always in trouble, was the defendant. After several hours of high tech

courtroom techniques, Lenny was acquitted during each mock trial.

Miller became a great circuit judge. We all shed a tear when Capehart died. Cunningham later played an inspirational role in guiding Billy to law school. Chunky became a deputy warden in a federal correctional institute. Larry became a security guard at an airport in a large city. Billy of course is the author of this article and became a lawyer. Lenny died at a very young age during open heart surgery.

The moral of the story is clear. Just like Miller, Capehart and Cunningham, we are all role models and some kids on bicycles are watching our every move, hoping one day to be just like us.■

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*William Redd is an Associate Professor at Marshall University and has been practicing law for the past 19 years in Huntington, WV. He also serves as a member of the State Bar's Board of Governors.*