

of the worst nature of man. The rest of us are challenged even more to demonstrate the best.

In the wake of the Fort Worth shooting spree that left two lawyers dead and two judges wounded, criticism of the justice system, judges and lawyers has flowed. Some viewed the maniacal act of one man as an opportunity to emphasize the failings of the

STATE BAR OF TEXAS

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rule of law in our country. Some even suggested the heinous act was the product of frustration shared by many with the manner in which the justice system works.

Such an implication from the Fort Worth occurrence is regrettable, and

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we as the legal community must protect against misguided or erroneous analysis of the devastating events.

How does a free society prevent a man from climbing to the top of a tower on a university campus and randomly killing whoever is in sight? How does a free society prevent a man from driving a truck into a cafeteria and executing patrons? How does a free society prevent a man from entering a courtroom and opening fire? We are loath to hear the answer to these questions as it comes from our lips, because the suggested solutions usually infringe on precious, constitutionally guaranteed freedoms.

The same liberties that ensure a free society make the innocent vulnerable to those who pervert rights and privileges and commit senseless and cruel acts. Those precious liberties include free speech, freedom to assemble, freedom of religion, access to public places, the right to bear arms and freedom from constant surveillance.

We are not willing to sacrifice these rights because of the acts of maniacs.

The assertion by some that the message we should get from the Fort Worth massacre is that there are problems with judges, lawyers and the judicial system is misguided and erroneous. The State Bar of Texas and its lawyers are the first to admit the U.S. justice system has problems and needs improvement, and that they should be leaders in seeking to better the system. But the act of a man who is willing to be judge, jury and firing squad for innocent bystanders teaches no lessons for us about the justice system or citizens' frustrations with it.

TIGHTER SECURITY NEEDED

We can and should take reasonable steps to minimize the likelihood of similar tragedies occurring in the future. Federal courts have had enhanced safety precautions for years. We know that similar precautions are needed to secure state courthouses. As the lawyers of Texas, we can and should be advocates for adequate security devices and procedures to protect all of the participants in the justice system from a repetition of the Fort Worth slayings.

Many times the push for such precautions is aimed at the criminal courts, but as the Fort Worth case shows, the civil courts have at least as great an interest in courthouse security.

In years of financial stress, talk about increased government spending is unwelcome — but funds for increased security measures for court safety now will be found. Unfortunately, there had to be a catastrophic event to emphasize the importance of the expenditures.

Judicial appropriations for the State of Texas represent 0.32 percent of the total state appropriations. While money cannot solve all the problems, and many times increased expenditure is a simple but wrong approach to solving problems we face, adequate personnel, space and equipment for the judiciary in Texas are essential if we expect the third branch of government to do its job.

Lawyers and the organized bar should be the chief advocates for proper funding for the judiciary and the justice system. State and local funding for the Texas judicial system is currently inadequate to allow the courts throughout the state to perform as expected by the public.

Punishment of wrongdoers should be swift and sure. Only then can the criminal justice system serve as an effective deterrent. Those who would choose a rule of man rather than the rule of law must not escape fitting penalty. Again, the lack of adequate

resources to support an overburdened criminal justice system looms as a reality. Punishment may come swift and sure in the Fort Worth slayings case because of their notoriety. But we cannot forget the other cases crying for justice languishing in courts throughout Texas and the nation.

All lawyers, not just those involved in the criminal justice system, should have an interest in efforts to improve the functioning of the criminal justice system. The State Bar and the Texas Young Lawyers Association conducted 15 hearings across the state concerning pro bono issues. These hearings provided a clear picture that inadequacies exist in the resources available to provide constitutionally required indigent criminal defense.

ATTACKING THE CAUSES

The hearings also underscored that the lack of resources in some areas of the state not only has a dramatic impact on the courts' performance of all of their obligations, but also unduly burdens the ability of lawyers to maintain a private practice. Lawyers must, in the interest of the administration of justice, be aggressive advocates for increasing the resources available for the representation of indigent defendants.

Additionally, we are reminded that success in fighting crime in our nation is more than treating symptoms. We will be successful in solving our massive crime problems only when we attack the root causes. All of us, men and women, young and old, must pledge ourselves to address the ills that surround us in our communities.

We all can be active in some way to address the social issues that foster criminal behavior, such as: lack of self-esteem or hope in some segments of our society, poverty, lack of health care (particularly mental health care), lack of education, and family dysfunction.

We lawyers are trained in problem-solving, and we have the leadership and other opportunities available to professionals in our society. The two men who died exemplified individuals devoted to their God, their families, their fellow man, their communities and their profession. Speakers in both memorial services used the very same words: "Well done, good and faithful servant."

Our sense of helplessness and inability to understand why tragedies like these have to occur should not cause anyone to attempt to explain the Fort Worth shootings as expressions of frustration with judges, lawyers or the justice system. Plain and simple, they are despicable acts — examples of the worst nature of man. The rest of us are challenged even more to demonstrate the best.

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