

The Old Man and The Lawyer

by Steve Glines

The landlord was suing the old man for property damage. So he was sitting on the bench in Small Claims Court waiting for his case to be called. He had given the landlord a deposit of \$400 almost 25 years earlier. The landlord wanted the old man out and had evicted him by turning off the heat and electricity. The freezer had thawed which made a puddle of water on the floor and that had, supposedly, ruined it causing over \$3000 in damage. Of course the landlord blamed his tenant which is why the old man was here.

At first it made him angry knowing that the landlord had caused the damage himself then, after consulting an attorney, *pro bono*, the old man learned that he was judgment proof. He had so little money, just social security and whatever he could pick up on the side, and that whatever judgment might be rendered against him was more or less moot. Life had stripped him of everything but his dignity.

When the clerk called his name he answered "Defendant" and a burley, muscled crew cut, lawyer, a jughead, half the old mans age answered "Plaintiff" without looking up. The old man sized him up, impatient he thought. When the clerk finished calling the cases she called a recess and suggested that the plaintiffs and defendants conference and try to resolve their differences. As far as the old man was concerned there wasn't going to be any compromise short of complete vindication, oh and court costs, what ever that was. He'd insist on that. The old man smiled to himself. He had no intention of having a conference beyond stating that there was nothing to discuss.

The old man was sitting next to a scared young black man and his equally young white lawyer. The jughead stood up and bellowed a name and the young lawyer raised his hand but did not get up. Jughead charged across the room and, hovered over the young

lawyer, started bellowing legal gibberish. The young lawyer, at first tried to counter argue the legal points but Jughead would hear none of it and simply raised his voice and leaned over the still seated young lawyer. Finally the young lawyer said simply and sharply, "We'll let the magistrate decide shall we?" Jughead persisted, raising his voice still louder, but the young lawyer looked him in the eye and said again, quietly, "We'll let the magistrate decide."

As the jughead turned with a humph the old man muttered, "what a jerk." The jughead spun around and glared at the young black man and said, "Did you say that?" The old man laughed, raised his hand, looked up at the jughead and said, "I did." The jughead turned and scowled at the old man, stepping forward. The old man looked up at him without fear or challenge. If the jughead wanted to intimidate the old man he could try but the old man didn't care, he could stare a statue down if he had to and he knew it. The jughead stepped forward again and said, "You should mind your own business."

The old man, still seated, smiled and without breaking eye contact and said, "and you should turn around and walk away."

When the jughead stepped forward again the old man stood up, crossed his arms and stepped forward. They were eye to eye, nose to nose now. The old man raised his voice slightly, just enough for all around him to hear, "If you are going to be rude and a bully in public you should expect to be castigated in public."

Neither one had heard the "All rise" command from the bailiff and were still nose to nose when the Magistrate ordered the bailiff to separate the old man from the jughead and bring him before the bench. The bailiff was rough on the old man and for a moment the old man thought of breaking his grip and fighting but thought better of it and went limp. When the Magistrate demanded to know why the old man was threatening an officer of her court the old man laughed.

"An officer of *your* court?" the old man said with surprise, "He's here to bully a bunch of helpless defendants. I certainly hope that doesn't reflect *this* court."

"Careful," said the Magistrate, "Your comments are bordering on contempt." her look dared the old man to say more.

He nodded, maintained eye contact and said without emotion, "I am an old man now but when I was young a girl I knew was murdered while she screamed for help and a few dozen people looked on and said nothing. Before that the civilized world stood by while bullies systematically tried to kill entire races of people. So," he paused for effect, "I will not put up with bullies, *period*. It *is* my business. It's *all* of our business." That stirred a murmur of agreement in the courtroom.

The magistrate slammed her gavel three or four times and demanded order in her court. She was turning angry. The old man before her was challenging her authority, calling her a bully. She would not put up with that.

"I am seriously tempted to hold you in contempt," she said, raising her eyebrow challenging the old man to speak.

The old man just smiled. He did not feel threatened or angry. Really he felt nothing. If the magistrate took offence at his bullying remarks, which had not been directed towards her, well then so be it, perhaps there was some truth there. If that were the case then he should feel sorry for her not contempt. The old man cocked his head and his smile broadened. "Bully," someone at the back of the courtroom said just barely audibly.

"Who said that," the magistrate demanded. There was silence. "Who said that?" she repeated. When no one answered she turned to the old man and demanded, "Do you have any reason why I should *not* find you in contempt?"

The old man looked straight into her eyes, shook his head and said with a laugh, "None that I can think of."

That startled the magistrate who hesitated.

The old man continued, "If you really want to pay for my room and board who am I to object."

"Bailiff," she ordered, "Take this man into custody. When he's ready to apologize bring him back." Someone shouted "boo" in the courtroom, and was followed by a cacophony of hisses and more

boos. When the bailiff went to pull his handcuffs from his belt a loud murmur went through the crowd and the bailiff turned and pushed a man who the bailiff thought was going to interfere into the lap of a woman who let out a shriek.

With that a heavy muscular construction worker sitting next to the woman stood up and cold cocked the bailiff who was sent to the floor unconscious and in mild convulsions. Someone else grabbed a law book sitting on the table in front of the magistrate and threw it at her, another followed and another, and another. She ran into the hall screaming for help while the mob in her courtroom began breaking chairs and tearing up the piles of manila folders that collectively represented the days cases. Someone broke a chair over the jughead lawyers head and another emptied his briefcase over the lawyers motionless and prostrated body.

The old man shrugged, turned and walked out of the courtroom.

