



MARCH 2012

Danielle's story

*Trial lawyers never know
how they might touch a life*

BY JOHN HULLVERSON

The gravity of our profession has always motivated me. As trial lawyers, we know that the work we do for our clients, both in the courtroom and along the way, can have profound effects beyond the scope of the litigation. Standing up for another person when they really need it is a powerful act, one that can set in motion events that dramatically and forever change the lives of our clients and their families. The truth of that reality was revealed to me early in my career, and by a most unlikely source.

I first met Danielle in 1996 when she was 17 years old. Her 19-year-old brother, Kevin, sat in jail on a charge of first-degree murder brought after he killed his mother's boyfriend, a man who had been systematically and brutally abusing Danielle and their mother for years. The venue was a little, hillbilly town 75 miles outside of St. Louis, where the local tavern also housed the police station and jail. The abuser had been friends with the sheriff and all the deputies since childhood; so on the rare occasion they would actually respond to a domestic violence call and arrest him, they would release him a couple hours later after a few beers with the boys.

The abuse was allowed to continue, and Kevin had tried every other option to make the violence stop. When the boyfriend beat the mother bloody on Christmas Eve, Kevin could take it no more and he shot and killed the man. The prosecutor charged first-degree, which carried the automatic sentence of "life-without." The public defender was encouraging a plea to second-degree murder and 22 years in jail.

My good friend Brad Kessler, the top criminal defense attorney in Missouri and still the best trial lawyer I've known, got a call from Legal Advocates for Abused Women, asking if he would represent this young man *pro bono*. Brad agreed and asked me if I'd try the case with him. I jumped at the chance, and early every morning we drove down into this valley where those early cell phones didn't work, but if you rolled down the window and drove real slow you'd swear you could hear banjo music.

Hatfields and McCoys

The trial was surreal. The Hatfields on one side of the courtroom and the McCoys on the other. We had *two* jurors with the first name Elvis. The decedent's family was actually hissing at me during my opening statement. As we tried our case of self defense and defense of others, I was acutely aware that this young man's life was quite literally in our hands. The evidence that came in was gut-wrenching, as we showed the jury the emotional and physical torment this family endured for so many years. The mother took the worst of it, and often, but Danielle had been beaten, too. The abuser put lit cigarettes out on her face, and he offered to pay for her school pictures if she would pose nude for him.

I learned a lot about Danielle during the trial. She was a young woman of uncommon courage and fortitude and hope. She understood that an education was the best way to help herself out of the miserable situation into which she had been thrust through no fault of her own. Without bitterness or self-pity this remarkable young woman somehow found it within herself to overcome the bleak

reality of her home life, and she excelled in high school, graduating with honors in the middle of her brother's trial. At one point during the trial, Danielle said to me that she dreamed of becoming a lawyer so that one day she could help someone in their time of need the way Brad and I had helped her family. At the time, it seemed like a wonderful compliment, but surely wishful thinking.

As the prosecutor tried the defendant, we tried the decedent. We overcame some damning evidence, and the jury returned a verdict convicting only of manslaughter. As her brother went off to prison for five years, Danielle resolved to be the first person in her family to go to college. Without any real support or assistance, Danielle chose a small state college in southwest Missouri and set off to achieve her goal. She worked her way through school and supported herself with two jobs. We kept in touch, and each time I read one of her letters I could not help but marvel at this young person's ability to succeed, and her persistence against all odds.

Danielle stayed out of trouble, worked and studied hard, and graduated from college early with a 3.4 GPA and the knowledge that, for the first time in her life, she could control her own destiny. She moved to St. Louis and began working in Brad's law office while attending paralegal school. While there, she would go on her lunch hour to sit and talk with Brad's juvenile clients in detention, not because she had been asked, but because she knew what they were going through. She had been through the darkness and survived, and if she could use that experience to help someone else, that's what she wanted to do.



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Finding a way out

Later, Danielle asked me to write a letter of recommendation for her for law school. I remember writing the dean that “the world needs lawyers like Danielle” and I meant it. She was accepted to St. Louis University School of Law and she chose the night program so she could keep working to pay for it. She was an asset to her class and earned a merit-based scholarship along the way.

While Danielle was in school, her brother Kevin got out of jail and got on with his life. He got a job in construction and a serious girlfriend. He’s now a construction foreman, the girlfriend is now his wife, and they are raising two happy and healthy kids in a small home on land they bought in southeastern Missouri.

Danielle graduated law school in 2007 and prepared to take the bar exam. Although she had overcome obstacles most of

us could never imagine, I’ll admit I was still nervous for her. If you ask me what my proudest moment is as a lawyer, I can answer in an instant. It came on September 12, 2007, when I got a text from Danielle asking, “Anyone need a lawyer?”

Danielle has served hundreds of clients since that day, and she has done it imbued with a rare wisdom she earned persevering through dark times. She often sends Brad and me cards and letters out of the blue, thanking us effusively on behalf of her mother and brother and her for “giving us our family back.” She tells us that everything she has in life flows from us standing up for her brother. It’s not true, of course, and I tell her so, but it makes me feel really good nonetheless. Whatever Brad and I did so long ago has been repaid a thousand times in the pages of Danielle’s cards and letters and in the knowledge that there is yet one more lawyer out there looking for ways to

help people. Danielle knows first-hand the power of the law and the duty lawyers owe to better the world. And she taught me that we each have the power to set that in motion.



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