

Zealous Advocacy

Chapter 1

Wind plagued the streets. Gusts stormed up and down the alleys, working themselves into a furor and unleashing themselves onto unsuspecting victims. Cynthia gripped her coat. It was far too firmly attached to her body to blow away. She would not take that chance. Her hair swirled this way and that, the frizz of it all, entangling itself whenever possible, until she shoved it into a ponytail that was unkempt from the moment she took her hands off it. There were several expletives she wanted to mutter, but she didn't want to open her mouth lest the wind enter in.

Cynthia marched one foot in front of the other, her mind focused on her one, basic task, when her reverie was interrupted.

"You can't fucking do this! I didn't do anything wrong!"

"Yeah, sure buddy. It's far too late for that."

Cynthia looked around until she saw a man in handcuffs surrounded by three police officers. Two of them were in good enough shape. The third one was portly. One was cybernetic. She did her best not to flinch.

"Excuse me, officers, but what's going on here?"

"Nothing to concern yourself with, ma'am. This individual was disturbing the peace and resisting arrest, so we're taking him in. You can be on your way." The portly one was very clearly the officer in charge and didn't want anyone to dispute it.

"Oh dear. That sounds absolutely dreadful! What did he do?"

"You don't need to worry about the details, ma'am. Just know that he deserves it."

Cynthia's eyes widened in curiosity.

"Oh, but I'm so curious. Could you indulge me just a little?"

"Parking ticket and disruptive behavior. I'll leave it at that. You can read the rest for yourself on the police log."

The police officer was not expecting Cynthia to dart around him and intercept the man in handcuffs, which was good because that is precisely what she did.

"Why are they taking you in? Go fast." Cynthia was fully aware of the police officer behind her, catching up to the facts of the matter.

"I didn't do anything! I can say whatever I want and these stupid, fucking cops can't take the truth. They got no right to arrest me."

Cynthia looked him over. She started with his eyes, then did a quick skim over the rest of his body.

“Alright, lady,” the police officer in charge said. “Get out of here. You shouldn’t be talking to someone in custody.”

“Don’t say anything else to them,” she got out before a firm hand on her arm pulled her away. “I’ll be along to the police station shortly. We can talk in more detail then.”

“Who are you?”

“Cynthia Weaver. I’m a lawyer. Do you want me to represent you?”

“Sure, yeah. But I’m not rich or anything.”

“We’ll worry about the finances later. Just don’t say a word. What’s your name?”

“Charlie Burke.”

“Got it. Nice to meet you Mr. Burke.”

“Ma’am, we said not to talk to him,” the cybernetic police officer butted in.

Cynthia’s head reared back.

“I keep forgetting that they added robots to your force too,” she tried to mutter under her breath. She did not try very hard.

“What was that?”

“Officer, I have every right to talk to him.” She held her tongue as to several other comments she deeply wished to make, including comparing his skin to the cheap plastic used in detergent bottles, the fact that there was already a shortage of union jobs for living, breathing people, and a particularly derogatory remark comparing the smell of circuitry with that of an orphan crushing machine. She had never witnessed an orphan crushing machine in person nor did she actually know of any in existence. She desperately wanted to draw the comparison all the same.

“And why is that?”

“I’m his attorney.”

“You can be his attorney at the station. We’re going.”

“And which station is that?”

“It’s the one on forty-second street. Now beat it.”

“Lovely chatting with you. I’ll see you soon.”

Twenty-eight minutes later, Cynthia was reunited with her client. He was in a holding cell with his handcuffs chained to a table.

“Nice to see you again. I wish it were under different circumstances,” Cynthia said as she sat down opposite him, placing a notepad and a pen on the table just underneath her right hand.

“Thanks for helping. I’ve, uh, never had an attorney before. Well, not like this. I mean, I guess I did have one before.”

“What was that for?”

“I got into some trouble a while back. I had several drinks and I got pulled over and then they took away my license for a bit.”

Cynthia’s right hand started writing. Her gaze never shifted off the man in front of her.

“How long ago was this?”

“Oh, at least ten years or so.”

“Can you be more exact?”

“I wish I could. I honestly don’t really remember.”

“That’s okay. I can pull a background check. Tomorrow I’m going to have some additional paperwork for you to sign anyway. It’s just easier if you know. What were you charged with?”

“Probably drunk driving. It was so long ago, I can’t really remember.”

“I’ll rely on the background check for that too. Do you remember going in front of a judge?”

“Yes.”

“Do you remember pleading guilty?”

He paused to stare at the ceiling. This did not seem to help jog his memory in any discernible way. Neither did circling the nearby lamp with his eyes. After a few more moments, though, something clicked.

“Yeah. I did do that.”

“Do you know how long they took your license for?”

“Nah. It was at least a month though. Probably two.”

“Have you had any other interactions with the law?”

“I mean, I’ve been pulled over since then, but I’ve kept my nose clean. Didn’t want to give them an excuse, you know? I haven’t even gotten a parking ticket since, well, today.”

“That’s good to hear.”

“So, when do I get to go home? I used my phone call to call out of work today. My manager was pissed off, but as long as I can get there in a couple days, I can smooth it all out.”

“You’re not going to go home tonight.”

“Fuck! You gotta help me. I gotta go home tonight.”

“Why is that?”

“My daughter is at my sister’s house. She’s just supposed to be there for a couple hours while I ran out. Who’s going to get her? I mean, shit. I can’t bring her home. I’m going to be stuck in this fucking jail.”

“Jesus Christ, of course you have a kid,” Cynthia vented aloud. “I mean, children are a blessing,” she added with a wave of her hand. “But she is going to make this a bit more complicated. How old is your daughter?”

“Eight. Almost eight and a half. She has school tomorrow and she’s scheduled for drama class directly after so she can’t take the school bus home if she wants to do that.”

“Are you married?”

“No.”

“Where’s her mother?”

“On the other side of the country. My daughter lives with me most of the time and just goes out to see her over the summer and school vacations sometimes.”

Cynthia cursed under her breath. Charlie could still hear it, but he didn’t want to say anything.

“I need you to write down your sister’s name, telephone number, and address, then your daughter’s name too. Full thing including middle.”

“Yeah. Sure. Why?”

“You’re lucky I’m not charging you by the hour. You’ve been taken in, theoretically leaving your daughter without a caretaker.”

She saw Charlie’s mouth open. She spoke before he could.

“I know your sister is watching her. That may or may not count.”

“Why?”

“The police by law are mandated to report this to Child Protective Services who can theoretically step in and take temporary emergency custody if they suspect your daughter is at risk of further neglect or abuse. Obviously we don’t want that to happen.”

Charlie just looked at her. There were all sorts of words he wanted to say, but he was temporarily left speechless as he tried to configure those words into coherent sentences. Wrapping his head around the concept of mandatory reporting did not help. In his defense, Cynthia had not meaningfully explained it.¹

“Here’s what we’re going to do. First off, I’m going to call your sister and meet with her because I can guarantee a social worker is heading to her house to do an initial interview and report. I want to be there for that. They’ll either decide that they should or should not open a more formal investigation. I haven’t seen your sister’s household, but do you know if your daughter can stay there for a couple days?”

“Uhm, yeah. Probably. Sure.”

“Good. I am going to do everything in my power to make sure that report is closed with no other concerns. After that, I am going to run to my office and draft up a motion to advance the case to tomorrow for a bail hearing. Your criminal case is going to take some time between arraignments and a trial if it goes to that, but I’m hopeful that we can get a bail hearing much sooner, perhaps even tomorrow. There’s a chance then that we can get you out of here.”

For Charlie Burke, this was a lot to take in.

“This is, uhm, a lot to take in.”

“I apologize if I talked too fast. There’s not enough time in the day for everything I need to do. If you have any questions, now is the time.”

“Wow. Geez. Okay. I have so many. Like, is this going to work?”

“I don’t know, but I will report back as soon as I know about what Child Protective Services decides and whether or not you’ll get a bail hearing tomorrow.”

“Are you expensive?”

“Very. But how much do you make?”

“Uhm, I get about twenty bucks an hour working at Jimmy’s Auto.”

“You work there full time?”

“Yeah. I know it’s not much, but it’s the best I can do.”

“I don’t doubt it. Don’t worry about my fee. I’ll handle this one pro bono.”

¹ Mandated reporters are certain professionals (including police officers) required by state law to report suspected child abuse or neglect so that Child Protective Services can investigate and intervene if necessary.

“What does that mean?”

“It means I’m taking your case for free.”

“Oh shit. I mean, uh, thank you.”

“Just pay it forward. Any other questions?”

“I can’t think of any.”

“If you do have some, here’s my card. That is my cell. The only time I don’t pick up is when I’m on the phone with someone else or I’m actively in court. I don’t know what the telephone call policy is in these prisons, but we’ll be in touch at least tomorrow anyway. Let’s work on getting you out. We’ll worry about your charges later.”

“Oh geez. Well, uh, it’ll be rough in here for the night, but I can manage.

Charlie felt as though there should be tears of gratitude in his eyes. He considered trying, but he didn’t think he could cry on command. Nine years later, he would discover he could, when he decided to embrace acting by taking a role in one of his daughter’s school plays. This future realization was of little help to him now.

“I’ll make it up to you. I promise.”

“We’ll worry about that later. For now, just keep your lips sealed when it comes to the police and we’ll be in touch.”

Cynthia disappeared as mysteriously as she arrived, which is to say that she left through the front door that she came in about a half hour earlier, thanking one of the officers for holding the door for her on her way out. She noted their name and badge number just in case.

Claire was curled up behind her desk with a soothing cup of tea that was still far too hot for her to drink. She had considered bringing a blanket in, but thought that it would be considered unprofessional. A motion for summary judgment loomed in front of her, incomplete and waiting for details from the associated police report. The words she wanted refused to come. She tried her hand at writing the introductory paragraph again, but it sounded stale and dry despite her meticulous use of proper citation according to the Blue Book standards.

The front door opened. A young woman walked through.

“Oh, hey. You’re new,” she said. The newcomer wore a flannel shirt that was at least two sizes too big and carried a paper cup of coffee which still steamed from residual heat.

“Uhm, kinda. Yeah. My name is Claire.”

“Nice to meet you, Claire. I’m Katie. Cynthia is my mom.”

“Oh. I recognize you. You’re the one in all the pictures.”

Cynthia had three picture frames in her office. One was just of Katie. Another was Katie and Cynthia. The third was Katie and some man that Claire had never met before, but looked around her age.

“That’s me. Anyway, is my mom around? I need to talk to her.”

“She uh, stepped out for a cup of coffee. I think she’ll be back soon. She’s been gone for a while, though.”

“I would get used to that. Sometimes she’ll just disappear for hours on end. She always has her cell on her though and she almost always picks up. She’s good about that at least.”

“I’ll, uhm, keep that I mind.”

“Hang on. I’ll try her.”

Katie pulled out her phone, hit a couple numbers, and put it up to her ear.

“Hey mom. Yeah. I’m at your office. No. I didn’t tell you I was coming. That’s why I’m not on your calendar. Well, I was in the area. Yeah. I can hang around for a little bit. I’ll see you soon. Love you too. Bye.”

Katie slipped her phone back into her purse.

“Sounds like she’s down near the police station, but she’s almost done.”

“Oh, well, uh, feel free to take a seat.”

“Don’t worry,” Katie said. “I know where to go.”

She collapsed on the couch with her arms outspread. The faux leather let out a sigh. She took a moment before sitting up.

“So,” she asked the associate, “You’re the one taking over the firm when my mom leaves.”

“Don’t remind me,” Claire slipped out against her better judgment.

“I hope my mom didn’t bully you into it. She can be, uh, very forceful sometimes. But she said she was going to teach you everything she knew. And you’ve been with her for a while now, right?”

“Just a couple months, actually.”

“Oh. Uh. What do you think so far?”

“It’s a, uh, much different than what I thought a firm would be like.”

“How so?”

“Well, uh, Attorney Weaver is very, uhm, uh, passionate about her work.”

“Geez. She has you calling her that?”

“No. I mean, not really. But it seems like it’s respectful.”

“It is, I guess, but it just seems so formal. Even she isn’t a fan of all that formality. She’s nice to you at least, though. Right?”

“Yeah, uhm, for the most part. She’s just, uhm, a little-“

“Look, you can tell me whatever you want. I won’t snitch. Scout’s honor.” Katie made some strange configuration with her left hand. It was not the hand signal associated with the Girl Scouts organization. Katie had only been part of one for about three days before she decided she didn’t want to do it anymore. Claire didn’t know the difference.

“Well, she can be, uh, a bit intense.”

“Really? You don’t say. I would get used to it. If you’re going to be working with her, she’s going to be pretty intense a lot of the time. I guess it’s good. I mean, she cares a lot, and, I mean a lot, about what she does. It shows. It can just be unnerving until you get the hang of it.”

“How long did it take you to get used to it?”

“Oh, it’s a process. Let me assure you. Some of it was setting some boundaries. Another part was just realizing there were things I couldn’t change and that she was always going to be this way, at least to some extent. It helped to have some distance from her when I moved out. I now more or less get along with her.”

“Uhm, that’s good.”

“Just, a word of advice. I don’t know how this whole thing will go and how much independence you’ll actually get once she leaves. But, just because she tells you to do something one way, doesn’t necessarily mean you have to do it her way. She has her own way of handling things. They work for her. They may or may not work for you. Honestly, I think if a lot of people tried to do things exactly the way she did, they would go insane.”

Claire just looked at her for moment without saying anything. She tried to find a flinch or shiver on her face that might be hiding some ill meaning or falsehood. Finding none, she replied, “I’ll keep that in mind.”

“Good. I’m not an expert on her. You might turn out to be. I don’t envy you, though. Day in and day out. It’s probably a relief she’s out of the office, huh?”

“A little bit.”

“Well, don’t be a stranger. If you need help, just come up with a signal or something. A little goes a long way when it comes to my mom.”

“I’ll, uh, keep that in mind.” Her politeness caught up with her after a moment. “Thanks. I, uhm, appreciate it.”

“No problem. Another thing I ought to mention-“

But whatever advice Katie was going to impart on the young associate was lost as Cynthia blustered in.

“Claire, we’re going to need a motion to advance on the double. The courthouse closes in an hour and sixteen minutes and it will take me ten or so for me to walk over and make sure it can be heard tomorrow in front of the judge. I have a template that I can give you, but just give it a quick run through, I’ll take a look, mush it around a bit, show you the final result so you can learn from it and-“

“Hi mom.”

“Kathryn. Yes,” Cynthia said with too many similarities to that of the average barn swallow. She swallowed, closed her eyes, and tried again. “I mean, it’s wonderful to see you. Come into my office. What did you want to talk about? I definitely have a time limit, but Claire here- thank you Claire - can prepare the first draft so I have a little bit of time.”

Katie worked very hard not to roll her eyes. She was mostly successful.

“Look, mom, it won’t take long. I just wanted to make sure you would behave yourself tomorrow night.”

“I always behave myself.”

“Look. That’s – Never mind. I know after everything you’re still not entirely won over by Dylan-“

“I never said that.” Cynthia paused and thought for a moment. “If I did, that’s putting it lightly.”

“Mother, he is my husband and you should really just take a lighter touch with him. It doesn’t hurt to be nice.”

“I am nice,” Cynthia insisted before drawing a breath back and adding, “I will make an effort. I always do.”

“And I know you’re not the biggest fan of his father-“

“I do an excellent job of tolerating Bob,” Cynthia said with a pointed finger.

“I know you work with him sometimes but this is supposed to be a happy occasion. This is supposed to be a nice, relaxing dinner where we all just get to know each other and enjoy each other’s company.”

“I agreed to go, didn’t I?”

“Well, yeah, but I’m hoping you’ll be more than a reluctant participant at dinner.”

Cynthia gritted her teeth. She did her best to hide it. However, Katie had years of knowing exactly the signs to look for. Cynthia would usually clamp her mouth shut, and then come up with any excuse to scratch her nose. This was the first tell, but moving her hand to obscure her face also did not adequately cover the corners of her jaw, which tensed up noticeably.

"I said I will make an effort," Cynthia said. "That is exactly what I will do. I will be nothing more than a delightful dinner companion."

"Sure, mom. I hope so. I want to believe you. I just - well, no grilling Dylan or his dad. They're not witnesses."

"I understand."

"And if you disagree with something, you don't have to systematically lay out why they're wrong until you back them into a corner."

"I don't do that."

Katie looked at her.

"I don't do that very often outside the courtroom."

Katie continued to stare.

"I shall hold my tongue and use it as an opportunity to expand my horizons."

Katie raised an eyebrow. This did not sufficiently show her skepticism, but it would have to do for now.

"Good. I'll see you then, mom."

"Love you, dear. Now, if that will be all, I have to get back to it."

"Love you too, mom." There could have been more enthusiasm in her voice, but Katie had only had three cups of coffee that day. "It was nice to meet you, Claire. Uh, hang in there."

"Thank you," Claire replied. She thought that was the correct response.

"Be safe on the way back," Cynthia hollered, but her head was already crouched in front of her laptop, flipping through the different saved documents that she had written over the years.

"Claire, I know I have a template. Three seconds. There it is. Okay. I emailed it over to you. Now, I want to give you a crack at this and it will be a learning experience, but we need to have this filed by the end of the day. It's three thirty now and I'll need time to walk over and the courthouse closes at four thirty. That means, I would like it done within a half hour. Let's touch base again in twenty minutes and I can take a look. Sound good?"

"Yes, ma'am!"

“Don’t call me that. Way too formal. I’ll be in my office if you need anything.”

Cynthia was largely silent except for the occasional expletive for the next eighteen minutes. Around the nineteen minute mark, she started to shift in her seat and asked, “How’s it going?” in the least confrontational tone she could manage. Unfortunately, due to years of trial practice, this still sounded accusatory, but Claire kept typing away, and reading and rereading what she’d already written.

“Don’t reinvent the motion. It just needs to be basic, straightforward, and get us in front of the judge. I’ll take care of the actual bail argument tomorrow.”

“Uhm, I’ve shot over a draft.”

“Great,” Cynthia said from the other room as she refreshed her email and looked it over. “Okay. Okay. Come in here and we’ll go through it together.”

Cynthia waved her hand. Claire grabbed a notepad and hovered behind her desk while still getting a good view of the screen in front of her.

“Good first stab. I think you were a tad too argumentative. This is mainly to make sure that we are scheduled, so you don’t need to go too much into the reasoning. I can tell you want to write something meatier. Don’t worry. The time will come. But this motion to advance just needs to be simple and direct. I’m deleting this paragraph here. It’s not because it’s bad writing, but this motion, like a lot of motions, has a very narrow, specific purpose. Make sense?”

“Uhm, yeah,” Claire said in between frantic scribbling.

“Good.”

Cynthia clicked a button. The printer whirred. Soon enough the motion was in her hands, slid into a folder then into her purse, and she was off with a “That’s enough for today, Claire. Feel free to go home early and come to court tomorrow if you want a taste of a bail hearing.”

There was a “Thank you” in there somewhere, but Cynthia was already off.

In seven days, she would go to jail.