

## **Efficient Justice**

*Based on an interview of Judge Herman A. Whisenant, Jr. by Alissa N. Hudson in March 2001*

Herman A. Whisenant, Jr., attended VMI, majored in English, and though he began the ROTC flight program, was deferred to law school. After receiving his law degree from T.C. Williams in 1966, he was given the option of completing his flight training or going into the JAG Corp. Whisenant, accordingly served in the U.S. Air Force as a JAG Officer from 1966-1970, during the Vietnam War.

Although Whisenant's family is from Alabama, he spent many summers in Manassas as a youth visiting his sister. He became fond of the area, so in 1970, he began the private practice of law here as a sole practitioner. He recalls his typical case load consisting of traffic offenses, misdemeanors, domestic relations work and collections, basically, "...whatever came your way." The County Court Judges at the time were William May and MacDougal Rice. Whisenant was very involved in the community, serving as a volunteer fire fighter, coaching little league baseball and soccer teams and volunteering through Kiwanis and the PTO.

In 1972, he associated with Selwyn Smith, Frank Hoss and William Stephens, just as Smith began his tenure as a State Senator. And in 1973, just as the County Court System was being replaced with the current District Court System, Herman Whisenant became the first full time Juvenile and Domestic Relations District Court Judge in Prince William County. The job required him to sit in both the Prince William and Fairfax County Courts, a practice that continued until 1978, when the Thirty-First Judicial Circuit was formed. When he began serving as a J & DR District Court Judge, the only "models" he had for creating a support system were the old family oriented County Courts that existed in Fairfax and Richmond.

From one filing cabinet, three probation officers and two clerks, he carefully orchestrated the building of the J & DR court system in Prince William. He hired Frances (Hound) Hedrick as a Deputy Clerk, and two years later, promoted her to Chief Clerk, a position she holds to this day. He hired and trained some of the first probation officers, and commented that, at the time, there was no victim assistance program. A typical day in the J & DR court would start at 9:00 am and go to 5:00 or 6:00 pm with 90-100 cases on the docket. He reminisces favorably about the fine Assistant Commonwealth's Attorneys during the 1970's and the creativity they brought to the handling of family issues, before the advent of rehabilitative based programs. Whisenant comments that there was tremendous evolution, in the mid-1970's in the laws affecting families, and a corresponding growth in state and local programs to deal with family related issues. Not only did the probation office grow, but family services, substance abuse, domestic violence and related programs became available options to incarceration. The advent of these options had, in Whisenant's opinion, the greatest positive impact on him, in his capacity as a Judge.

Of course, as the local population grew throughout the 1970's, so did the court system. Whisenant remembers the tremendous effort put forth by the County Board of Supervisors to push through the bond referendum that would ultimately fund the building of the new Adult Detention Center and the current Judicial Center. When his judicial service began, J & DR Court was held in one courtroom of the Old Court House, General District court in the other, and Circuit Court in the metal "Butler" building that is now used by the PWC Police Dept. As the District Court expanded, the J & DR court moved from the Old Court House (which continued to be used for GDC), to the old Manassas High School, (which was next to the old Bennett School, and has since been torn down.) An attorney could complete a significant workout literally jogging from courtroom to courtroom. The image of Sheriff's deputies stationed on surrounding roof tops as capital defendants were walked to Court from the Old Jail, completes the picture of the local legal system, and the difficulties under which it operated through the 1970's and early 80's. To say that order was brought, upon the completion of the new Adult Detention Center, and the new Judicial Center, is an understatement.

Upon the retirement of Judge Arthur Sinclair in 1980, Herman Whisenant was appointed to the Circuit Court bench, where he currently serves as the Chief Judge. During his tenure in the Circuit Court, the building of the new judicial and detention center facilities came to fruition. Those attorneys fortunate enough to have joined the local legal community after 1984 have the luxury of centralized facilities in which to conduct their trial work.

Radical changes in the court structure, the advent of public assistance programs, and the building of new facilities are major changes to live through in one's professional career, on top of regular day to day issues and crises. Judge Whisenant enjoyed playing the role of historian during the course of this interview, and we are grateful for his willingness to provide a snapshot of events during the last 30 years of the Prince William County Bar.