

The Judicial System...The Way It Was

Based on an interview of MacDougall Rice conducted by Alissa N. Hudson in September 1999

MacDougall Rice had the opportunity, early in his career, to serve the nation and the state during times of great change. He is a Korean War veteran who went on to serve as Deputy Clerk in the Arlington County Courts while enrolled in law school at GW University. He was admitted to the bar in 1958. After a brief stint in private practice, he was appointed by Robert F. Kennedy to the US Attorney's Office, where he worked for 4 years with Plato Cacheros, (of Monica Lewinsky fame!) In 1966 Rice was appointed, by then Chief Judge Paul E. Brown of the Fairfax Circuit Court, to serve as a Prince William County Court Judge. He served the citizens of Prince William County in that capacity for two terms, and played a significant role in developing changes, which completely restructured the lower court system in Virginia.

In 1966, Circuit Court Judges were elected by the legislature, as they are today, and had multi-county jurisdictions. The Chief Circuit Court Judge, a designation at that time bestowed exclusively upon the senior-most member of the bench, had the power to appoint County Court Judges who would hear civil and criminal cases involving a variety of legal issues, in a single jurisdiction. In addition to Circuit and County Courts, there were numerous municipal courts in operation at the time, resulting in overlapping jurisdictions and general confusion on where to file cases.

MacDougal Rice was one of a select group of eight County Court Judges in Virginia, appointed by the Chief Justice, to serve on a committee to advise the legislature on issues related to the separation of the County courts into the current Juvenile & Domestic Relations (JDR) and General District (GD) courts structure. The committee recommended that the JDR District Court hear both civil and criminal issues involving minors in Family Matters. Dividing the legal issues between the courts would allow the judges and administrative staff to focus their efforts and streamline the handling of caseloads. It was also suggested that the lower courts offer the option of an appeal to the Circuit Court, "a significant factor in arguing for their creation." In 1974, the legislature adopted the creation of the JDR and GD courts, and assumed responsibility for electing the judges that serve there. Other changes implemented at that time were related to a judge's ability to continue the practice of law concurrent with and following service in a judicial capacity, neither of which are available today.

Rice did not seek a third judicial term under the new system he helped create, and choose instead to return to the private practice of law. His legal career spanned over 40 years and provided him with numerous opportunities at the state and local level to take action on legislative issues to the benefit of the average citizen. Upon reflection of a lifetime of legal pursuits he provides the following observation: "The procedures of law, both civil and criminal are a search for truth and justice, and when advocates on all sides of an issue do their best work, there is a better chance that the truth will be found and justice prevail."