

# *You Can Drop the Charges or Drop the Case, but Please Don't* **DROP YOUR PANTS**

WRITTEN BY JOHN G. BROWNING

**LIKE MOST OF US**, I hate going through courthouse metal detectors, with the necessary but annoying ritual of emptying one's pockets and passing my cellphone, keys, belt, etc., through the machine for inspection before stepping through the scanner myself. Sure, it's frustrating to have to speculate about what will set off the detectors *this* time around, or to mentally rue the decision to wear cufflinks that morning as security officers eye my wrists with suspicion. But security is sadly necessary, and most of us take these little indignities in stride.

But not Pittsburgh, Pennsylvania, attorney Jeffrey Pollock. On November 10, the 59-year-old family lawyer was at the Family Division Complex in Pittsburgh for an afternoon hearing when he experienced some difficulty in getting through security. According to Pollock, his suspenders (which were attached to his pants with buttons) seemed to be the culprit, but a security guard refused to use the handheld wand customarily employed when someone repeatedly sets off the metal detectors. Upset that the guard got in his "personal space" and admittedly using "poor judgment," Pollock decided to "make a point" by removing his trousers. Following what the Allegheny County Sheriff's Office described as a "heated discussion with the guards," Pollock unhooked his suspenders, dropped his pants, and placed them in the bin to go through the metal detector wearing only his shirt and underwear. Sheriff's deputies charged Pollock with disorderly conduct, and in a press release warned "anyone who attends the Family Court Division that visible underwear is not part of the dress code."

Pollock is not the first lawyer to "drop trou" in frustration with courthouse security. On January 30, 2020, Atlanta lawyer Robert Ward was at the federal courthouse in Tampa, Florida. After a court security officer told Ward he would have to remove his belt, Ward retorted that lawyers shouldn't have to take off their belts. When the officer insisted, Ward then took off his pants, threw them in the bin, and proceeded to walk through the metal detector. While Ward wasn't arrested, U.S. District Judge Charlene Edwards Honeywell was not amused. She issued a show cause order as to why she shouldn't revoke Ward's pro

hac vice admission for taking off his pants. Ward soon withdrew from the Tampa case, in which he was representing a law firm accused of inducing timeshare owners to default on their payments, and Judge Honeywell withdrew the order.

Of course, not every pants-dropping lawyer acts out of frustration with courthouse security. In 2011, an Austrian lawyer whose client was being questioned at a police station in the western town of Mayrhofen inexplicably dropped his pants. Maybe he was acting in the spirit of full disclosure, or signaling to the investigators that he and his client had nothing to hide? In any event, the local bar authorities were notified of the unusual tactic.

Sometimes lawyers drop their pants as a matter of principle. In 2008, a partner at BigLaw firm Covington & Burling took off his pants at a press conference in Yemen to make a point. The lawyer, David Remes, had been defending 15 detainees at Guantanamo Bay and wanted to illustrate the humiliating strip searches that his clients endured on top of "the normal miserable conditions of confinement." At the news conference, Remes later said, he "wanted to drive home the degree of humiliation" that his clients had to bear. The impromptu striptease made international headlines. Remes' partners may not have been amused by the barrister's burlesque, however; Remes announced his resignation from the firm not long afterward.

So, take my advice: It's fine to lay bare the facts of your case, but not yourself. And if you don't want to be the butt of any jokes, the only briefs you should be showing off at the courthouse are the ones with arguments and caselaw in them. **TBJ**



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is a former justice of the 5th Court of Appeals in Dallas. He is the immediate past chair of the State Bar of Texas Computer & Technology Section. The author of five books and numerous articles on social media and the law, Browning is a nationally recognized thought leader in technology and the law.

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