

RESOLUTION

For the last 14 years the Honorable John R. Prosser has served this community and this Commonwealth as a judge of the 26th Judicial Circuit. At the conclusion of each and every appearance in court Judge Prosser unfailingly thanked the attorneys for their service and expressed his good wishes to all litigants before they left the courtroom. Now, upon Judge Prosser's retirement from the bench, it is only fitting and proper that this Bar express its gratitude and appreciation to him for his distinguished career as a jurist and attorney.

Judge Prosser is a native son of Frederick County, Virginia and graduated from James Wood High School where he excelled as a student and a hall of fame athlete in football, basketball and baseball. He attended Virginia Military Institute, lettering for three years on VMI's basketball team, "lighting up" his opponents with his perimeter shooting and skill on the court, and leading VMI to the 1964 Southern Conference Championship. Then after graduating from Washington and Lee University's School of Law, Judge Prosser began his legal career as a JAG officer with the United States Army, handling courts martial while stationed in Germany, delicately finessing the finer points of the Uniform Code of Military Justice and draining base-line jump shots for the Army basketball team.

Judge Prosser returned to Winchester in 1973 to practice law, and became a partner in the firm of Hall, Monahan, Engle, Mahan and Mitchell. He quickly developed a reputation as a consummate trial attorney, emerging as one of the preeminent criminal defense and divorce lawyers in the state. In 1986 he formed the firm of Prosser, Parthemos and Bryant, PC where he practiced until his appointment to the bench of this Circuit in 1997.

Today, this Bar honors Judge Prosser and extends its appreciation to him for a job well done. Possessed of a quick and incisive legal mind, as both judge and advocate, Judge Prosser always cut to the heart of the matter and distilled the facts to the quintessentially important issue without sacrificing courtesy or consideration to the litigants and the attorneys. Always amiable, he insisted that civility be maintained at all times in his courtroom. Wherever he sat as judge, he managed to control his courtroom not with an iron fist but by displaying an impeccably calm demeanor that exemplified the proper decorum and dignity of a judicial proceeding.

His great knowledge of the law as well as his understanding of human behavior frequently led him to grasp the critically important issues germane to the case long before the attorneys, but he never intervened so as to take over the case. Judge Prosser allowed each attorney to try the case as the attorney saw fit and, when appropriate, would firmly, but politely nudge the lawyer to move on or come to the point that he already understood.

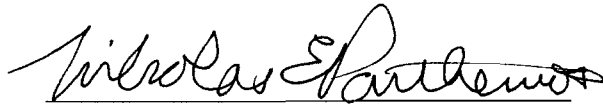
Judge Prosser presided over a caseload that required him to hear and decide well over 3200 cases in 2010 in a judicial circuit that is rated the busiest in the Commonwealth of Virginia in terms of cases heard per judge. Notwithstanding this expansion of his docket and workload, Judge Prosser attentively listened to the litigants and their attorneys and patiently but expeditiously moved the cases along on the daily docket with skill and a high regard for "equality and justice for all." Litigants might disagree with his decision but no party could leave his courtroom without knowing they had been heard and received their day in court with universal fairness to all. His ever present good humor served to ease the tensions of a contentious environment and to calm nervous litigants whose life, liberty or property were the subject of his consideration.

Judge Prosser instinctively understood the ebb and flow of trial work and the emotional cauldron produced by litigation, whether on the civil or criminal side of the bar. He also understood that human justice and equality were best achieved when the parties interested in a just outcome became truly invested by resolving their differences through a fair compromise and agreement. Always ready and prepared to hear any case, Judge Prosser encouraged the attorneys and parties to step outside the heat of battle to discuss their cases openly and reach a settlement that allowed everyone concerned to achieve some measure of victory for their cause. In so doing, he not only satisfied the mechanics of an overburdened docket, through his encouragement and gentle prodding of the participants, he also insured an equality of result as well as process. Simply put, Judge Prosser made lawyers become better lawyers by way of his demeanor, his knowledge, his encouragement, congeniality and patient instruction.

Consequently, the Winchester-Frederick County Bar extends to Judge John R. Prosser, upon his retirement from the bench of this Circuit, its deepest appreciation for his years of service. His presence on the bench will be greatly missed, and this Bar expresses its best wishes to him, for a long and happy retirement with his wife, Shirley, his children, Reed and Tracey, his grandchildren, Anna and Jack, his mother, Marie Prosser, and his beloved golden retrievers.

Further, the Bar does move that this resolution of tribute and appreciation be admitted to the records of the Clerks' Offices of this Circuit, and that an attested copy of the same be delivered to Judge Prosser as evidence of the respect and gratitude that this Bar has for him and his exemplary service.

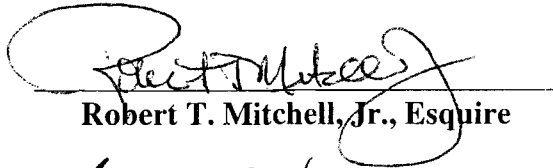
SUBMITTED this 28th day of February, 2011.



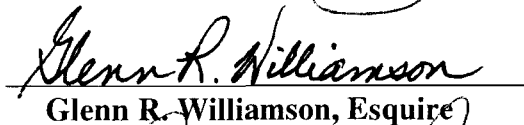
Nikolas E. Parthemos, Esquire,
Chairman



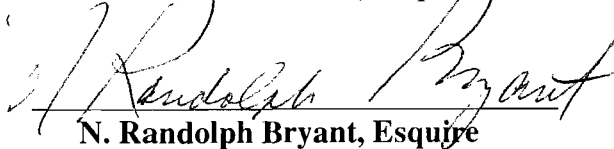
Lawrence R. Ambrogi, Esquire



Robert T. Mitchell, Jr., Esquire

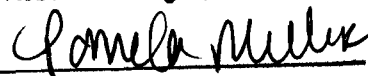


Glenn R. Williamson, Esquire



N. Randolph Bryant, Esquire

A Copy Attest:
Frederick County Circuit Court
Rebecca P. Hogan, Clerk

by 
Deputy Clerk