

## Lore of the Corps

### “JAG Corps Couples”: A Short History of Married Lawyers in the Corps

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For some years now, “Judge Advocate General (JAG) Corps Couples”—Army lawyers married to each other—have been a part of our Corps. Today, this is nothing unusual, since the Corps is twenty-six percent female,<sup>1</sup> and more than a few judge advocates are married to other current or former judge advocates. In the early 1970s, however, with a gender-segregated Army still in existence (the Women’s Army Corps was not abolished until 1978) and with fewer than ten women total in the entire Corps in mid-1972,<sup>2</sup> husband-and-wife attorneys who entered the Corps *at the same time* were both a novelty and a rarity.<sup>3</sup>

The first JAG Corps couples were members of the 65th Judge Advocate Officer Basic Course (OBC). This class, which was in session at The Judge Advocate General’s School (TJAGSA) from 21 August to 13 October 1972, had “the first two JAG husband-and-wife lawyer teams to serve together.”<sup>4</sup> They were Captains (CPTs) Joyce E. and Peter K. Plaut and CPTs Joseph W. and Madge Casper. The Plauts were graduates of the University of Michigan’s law school in 1971 and 1972, respectively. The Caspers were 1971 graduates of Case Western Reserve University School of Law. When the two couples graduated the OBC, the Caspers were assigned to the Washington, D.C., area, while the Plauts went to Germany.<sup>5</sup> When CPTs Joyce Platt and Madge Casper pinned the crossed-pen-and-sword insignia on their collars in 1972, the total number of female judge advocates jumped from nine to eleven. Only one of the two

women remained in the Corps for a career: Joyce Plaut, later Joyce Peters. She retired as a colonel in 1994.<sup>6</sup>



Captains Joseph W. (left) and Madge Casper (right) were members of the 65th Basic Course.



Captains Peter K. (third row, first from the right) and Joyce E. Plaut (first row) (later Joyce Peters) were members of the 65th Basic Course.

<sup>1</sup> E-mail from Colonel Corey Bradley, Chief, Pers. Plans & Training Office, Office of the Judge Advocate Gen., The Pentagon, Wash., D.C., to author (30 May 2014, 04:52 PM).

<sup>2</sup> *Id.* By comparison, the active component Corps had 511 female judge advocates as of June 2014.

<sup>3</sup> While there have been—and will continue to be—judge advocates married to each other, this article focuses on those who entered the Corps at the same time, and were already married to each other.

<sup>4</sup> ALUMNI NEWSLETTER, THE JUDGE ADVOCATE GEN.’S SCHOOL, 1 Oct. 1972, at 4.

<sup>5</sup> Two other judge advocates of note in the 65th Basic Course were Coast Guard Lieutenant Winona G. Dufford and Army Captain Fredric I. Lederer. Dufford was one of the two women lawyers then in the U.S. Coast Guard. A graduate of the University of Connecticut’s law school, she was stationed in New Orleans after graduation. Lederer, a 1971 Columbia Law School graduate, later taught criminal law at The Judge Advocate General’s School, U.S. Army and was the principal author of the Military Rules of Evidence promulgated in 1980. After leaving active duty to take a teaching position at William and Mary’s law school, Lederer remained active in the Army Reserve. He retired as a colonel and was made a Distinguished Member of the Regiment in 1998.

<sup>6</sup> Colonel Joyce E. Peters was the first female judge advocate to serve as a Corps Staff Judge Advocate (I Corps, 1992–93) and the only judge advocate in history to serve as the Senior Military Advisor to the Secretary of the Army (1993–1994). She was the first female Army lawyer to be decorated with the Distinguished Service Medal, the Army’s highest award for service. Lieutenant Commander Danielle Higson, Major Mary Milne & Major Hana Rollins, Oral History of Colonel (Retired) Joyce E. Peters (May 2012).

Other JAG Corps Couples followed. Captains Nancy M. and Frank D. Giorno were members of the 71st Basic Course, which was in session from 7 January to 1 March 1974.<sup>7</sup> The Giornos had both graduated from the University of Baltimore School of Law in 1973.<sup>8</sup> Captains Coral C. and James H. Pietsch, both 1974 graduates of Catholic University Law School, were members of the 74th Basic Course. Captain Pietsch would later make history as the first female brigadier general in the Corps and the first Asian-American female Army officer to wear stars. She also is the first half of a JAG Corps couple to reach flag rank, as her judge advocate spouse also transferred to the Army Reserve after completing his tour of active duty. Brigadier General Pietsch was the Chief Judge (Individual Mobilization Augmentee) at the Army Court of Criminal Appeals when she retired from the Army Reserve in July 2006.<sup>9</sup>

History was made again on 22 October 1974, when the 75th Basic Course began and *three* husband-and-wife teams joined their fellow students in the class. They were Captains Myrna A. and Robert W. Stahman, Cherie L. and Robert R. Shelley, and Vicky and Jack J. Schmerling. When the course graduated on 18 December 1974, the Stahmans left Charlottesville for Germany, while the Shelleys went to Fort Ord, California. As for the Schmerlings, they had their initial assignments at Fort Meade, Maryland.<sup>10</sup>



The 75th Basic Course, which began on 22 October 1974 and finished on 18 December 1974, had three married couples in it: Captains Myrna A. and Robert W. Stahman (left), Cherie L. and Robert R. Shelley (center), and Vicky and Jack J. Schmerling (right).

<sup>7</sup> Captain John D. Altenburg, Jr., who would later be promoted to major general and serve as The Assistant Judge Advocate General from 1997 to 2001, was also a member of this class.

<sup>8</sup> THE JUDGE ADVOCATE GENERAL'S SCHOOL, 71ST BASIC CLASS DIRECTORY 15 (1974).

<sup>9</sup> In May 2012, the U.S. Senate confirmed Brigadier General (Retired) Pietsch to serve as Judge, U.S. Court of Appeals for Veterans Claims.

<sup>10</sup> THE JUDGE ADVOCATE GENERAL'S CORPS, JAGC PERSONNEL AND ACTIVITY DIRECTORY, 1 Oct. 1976, at 61–62.

Other married couples who entered the Corps in the 1970s include: Captains Albert R. and Cathy S. Cook, members of the 80th Basic Course (both of whom were 1975 graduates of the University of Florida School of Law),<sup>11</sup> and CPTs Connie S. and Sanford W. Faulkner and Michelle D. and Scott O. Murdoch, who were members of the 85th Basic Course.

Over the years, many more JAG Corps Couples have entered our ranks. One is worth mentioning in closing: First Lieutenant Flora D. Darpino and First Lieutenant Christopher J. O'Brien, who were married to each other when they entered the 112th Basic Course in January 1987. Both graduated from Gettysburg College and completed law school at the University of Rutgers-Camden. Both stayed for a full career, with Lieutenant General Darpino assuming duties as the Army's 39th Judge Advocate General in 2013. While she represents a number of historical firsts, for purposes of this article, Lieutenant General Darpino is important as the first half of a JAG Corps Couple to wear three stars in our Corps.

A final historical note: From the beginning, there was never any intentional recruiting or soliciting of married couples to join the Corps.<sup>12</sup> On the contrary, the entry of husband-and-wife attorney teams resulted from a combination of factors. First, the end of the all-male draft in the 1970s and a recognition that the Army could not meet its future manpower needs without female Soldiers naturally led to an increased emphasis on inviting women to don Army green—and the Corps similarly was increasingly interested in filling its ranks with women. Second, the rise of feminism in American society, and increased opportunities for women in business and the professions, resulted in many more women attorneys (today, in fact, almost fifty percent of law degrees are earned by women).<sup>13</sup> Since some of these female attorneys were married to male attorneys, this inevitably led to both husband and wife signing up for a tour of duty as “JAGs” in the 1970s.

As the Corps moves through the second decade of the 21st century, the existence of JAG Corps Couples might seem like a “dog bites man” story. But it was not always so. While married couples do continue to join the Corps at the same time, a more likely scenario is the one that occurred in the 169th Basic Course. In this class, which began on 2 January 2006 and graduated on 7 April 2006, three single male and three single female judge advocates who met each other in the class were married after graduation. They were:

<sup>11</sup> Captain Andrew S. Efron, who would later serve as Chief Judge, U.S. Court of Appeals for the Armed Forces, was a classmate of the Cooks.

<sup>12</sup> E-mail from Major General (Retired) William K. Suter, to author (27 May 2014, 1:40PM) (on file with author). The subject of the e-mail was JAG Corps Couples.

<sup>13</sup> Am. Bar Ass'n, *A Current Glance at Women in the Law*, [http://www.americanbar.org/content/dam/aba/marketing/women/current\\_glance\\_statistics\\_feb2013.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/marketing/women/current_glance_statistics_feb2013.authcheckdam.pdf) (last visited June 10, 2014).

*More historical information can be found at*

The Judge Advocate General's Corps  
Regimental History Website

*Dedicated to the brave men and women who have served our Corps with honor, dedication, and distinction.*

<https://www.jagcnet.army.mil/8525736A005BE1BE>

Correction. The last paragraph of the May 2014 "Lore of the Corps" about Major General Eugene M. Caffey discusses the last Officer Efficiency Report given him as TJAG, and quotes language from "General W. Bruce Palmer, the Vice Chief of Staff of the Army." This is wrong; the officer writing Caffey's efficiency report in fact was General Williston Birkheimer Palmer. The author mistakenly confused this officer, who graduated from West Point in 1919, with General Bruce Palmer Jr., who graduated from West Point in 1936, and was Vice Chief of Staff at a later time (1968 to 1972). The author regrets this error.