

The Sentinel

President's Column

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IF KNOWLEDGE IS POWER, HERE'S YOUR SLEDGEHAMMER

Lawyers who don't have to try the case are the first ones to advise you "I'd take it to trial."

Judges are not debatable, only appealable.

Saying "I strongly object" marks you as an amateur. Saying "that would be reversible error" marks you as a threatening amateur.

Of your ten greatest victories, seven will be deals. Nobody will hear about the deals, but they count just as much.

Never follow a brilliant inspiration in the midst of trial.

Your worst disasters will be caused not by bad facts, but by surprises. Ask Clinton's lawyers.

If we were as dedicated to our kids as we are to our clients, both would be better off.

Unethical prosecutors who switch over become unethical defense lawyers. We ostracized them before. We still should.

Preparation is still the greatest technique for winning.

Lawyers of high ethical standards never mention it.

The private bar has no right to look down on public defenders. Public defenders have no right to look down on the private bar. But both do, and we all lose.

If you steal a great deal, shut up about it, or you will never steal another.

If the press finds out you stole a great deal, protect your prosecutor.

Don't ever take a case for the publicity. When press coverage becomes your pay, you will be tempted to make tactical decisions that insure you will "get paid."

Clients benefit from your reputation. It's not in their interest or yours to do anything questionable, even if they think it is.

Your reputation for integrity will win you more motions than will case law.

Be as quick to publicly praise honesty in your opponents as you are to scorn dishonesty.

When the client is yelling at you, remember, you would be scared too if you were in their shoes.

The greatest CLE is an affiliate run e-mail system in which all of the members can participate.

It is flattering and lucrative when the corporation hires you to represent one of their executives or employees. But your client is still the individual and that is who you must protect.

Talking to the press about your own case is, at best, a break even deal. The coverage will burn you as often as it will benefit you.

Coverage develops its own orbit and momentum and you have about as much chance to change the coverage as you do to stop an asteroid.

You will seldom sign a document that more affects your clients rights and attorney/client privilege than a joint defense agreement. Don't rush to join.

Do not develop a true friendship with the judges or prosecutors with whom you regularly work. One day you will have to

protect your client or protect your friendship and you are going to have to kiss off the friendship.

When a defendant wants to fire their current lawyer to hire you, be reluctant to say yes. When the other lawyer is your friend, be adamant in saying no. I forgot this and it cost me a friend. It wasn't worth it. It never is.

You will exercise your worst judgment when money is tight.

There will be an opponent you truly hate. Don't let that hatred affect your tactics or your ethics.

When a group of defense lawyers convene to plan a joint strategy, one of them is about to get screwed. You have one week to figure out who it is. You can't figure it out after the first week - it's you.

Be proud of yourself when you take the time to help another defense lawyer with their problem. Be prouder when another defense lawyer takes the time to help you. The sharing of strengths is what distinguishes the criminal defense bar.

Lawyers who turn in solid results day after day are more admired than lawyers who turn in dazzling results every now and then.

From "The Champion" June 1999.

THE OFFICIAL NEWSLETTER
OF THE GREATER
BIRMINGHAM CRIMINAL
DEFENSE LAWYERS'
ASSOCIATION

NEW TEN PERCENT DEPOSIT BOND APPROVED

On Wednesday, April 24, 2002, the Circuit and District Court Judges approved a new bonding procedure which is now available to post bonds for individuals charged in our criminal court system. The procedure allows for ten percent of the bond amount to be deposited with the Clerk of the Court. These funds would be used for the payments of fines, costs and restitution at the conclusion of the case. This procedure will have to be conducted during regular business hours and will need to be approved by a District or Circuit Court Judge. The jail will not be in a position to accept ten percent cash deposits to make bonds under this new bonding procedure. The details have still not been firmly worked out, but approval is in place and should you have a client whose needs fit the availability of this bonding procedure, please begin the process of taking advantage of it.

SERVING AS APPOINTED COUNSEL

June 7, 2002

Please be advised that this is a court mandated seminar and any attorney who will receive court appointed cases in the Criminal Division of the Tenth Judicial Circuit must

attend, or have attended this seminar and completed a Criminal Appointments Application, which can be obtained from Patty in Judge McCormick's courtroom.

For registration information for this seminar, contact the Birmingham Bar Association office by telephone at (205) 251.8006 or by e-mail at www.birminghambar.org.

MISCELLANEOUS

Anyone wishing to submit an article for publication in The Sentinel should submit it to Tommy Spina at 1330 21st Way South, Suite 200, Birmingham, Alabama 35205.

GENERAL MEETING OF THE GREATER BIRMINGHAM CRIMINAL DEFENSE LAWYERS' ASSOCIATION

Date: May 9, 2002
Time: 12:00 noon
Place: Judge James Garrett
Purpose: Elect New Officers

Board's Slate of Proposed New Officers

President Elect: Don Colee
Vice-President: Andrew Coleman
Secretary: Mari Morrison
Treasury: May Kay Laumer 879 0028

Paid members are invited to nominate and vote for the upcoming officers.