

## How to Hire a Criminal Defense Lawyer

Years ago there was a famous financial planning commercial that portrayed an average looking guy in his pajamas positioning a butter knife by his chest at the breakfast table while talking on the phone to someone explaining how to do the incision. For a brief few seconds, the screen splits to reveal the person on the other side of the phone call was a surgeon. At this point, our dumbfounded man at the breakfast table bluntly exclaims: "Shouldn't you be doing this?" And, in doing so, noted the obvious point: we rely upon professionals to handle vital matters. In that case, surgery to those properly trained to do so. The same holds true for when your liberty is on the line. If your life or a loved one's freedom is in peril, you need a criminal defense lawyer.

Amazingly, there are some people who, when faced with the threat of rotting within the bowels of jail, will choose to handle the matter themselves or seek the assistance of a friend who has a friend who practices some sort of law but knows the prosecutor. Meanwhile, others rightly believe they need professional help but take on the search as if they were shopping for a deal on paper towels at Walmart. This too is the wrong approach. When it comes to picking your surgeon, the man packing your parachute, or the person protecting your freedom, please do not "bargain shop". Trust me; you will pay in the end. It is far better to pay a little more money up front than to pay with your life in the end. At the end of the day, it's only money and, if you are free and working, you can easily earn the money you spent on your defense back but, if you go to jail the few pennies you earn a day wont amount to much even after serving a long jail sentence.

I realize that most law abiding citizens do not have a successful criminal defense lawyer on "speed dial". Lawyers aren't created equally. We come in all shapes and sizes. But, there is a common misconception that graduating from law school and passing the bar exam infuses you with some form of inner knowledge that makes you capable of handling any legal matter. This simply isn't so. Think about it, if your head hurt and you had a persistent nose bleed, would you call your dentist? Podiatrist? Probably not. Instead, you'd probably call an internal medicine doctor or a neurosurgeon because those doctors are trained for that precise problem. The same should be said for your attorney.

I am a criminal defense lawyer. As a New Orleans prosecutor, I prosecuted well over a hundred cases ranging from drug possession to murder. Now, as a defense lawyer, I am proud to handle some of the most famous state and complex federal prosecutions in our area. I do not write wills. Don't call me about a pending bankruptcy. I have no idea how to handle those cases and I will do neither of us any favors if I use your case to learn.

Amazingly, some lawyers are so desperate for business that they put themselves out there practicing every type of law imaginable. Please be wary of any attorney proclaiming that they handle "no fault divorces", "slip and falls" and "death penalty cases." I've spent many hours, indeed years, honing my craft. The person defending your life should too. Remember the old adage "jack of all trades and master of none"? You owe it to yourself to hire a professional devoted to their area of law that you need. I believe those lawyers who seemingly take all cases do so because they need the money to pay their light bill. You will do yourself a service by staying clear of these folks.

One thing you must realize is that lawyers are salesmen. So, just like your tour through the used car lot, you must keep your guard up and not fall for gimmicky slogans and B.S. sales pitches. I suggest you sort out the real trial lawyers from the pretenders and ask the following questions:

1. Do you try cases before juries and, if so, how many have you brought to trial? Real trial lawyers try cases. Fake trial lawyers claim they try cases.
2. What experience do you have with this kind of case? Remember, all lawyers aren't created equal. Do you really want your homicide case handled by a person specializing in traffic court? I wouldn't want my liberty to serve as someone else's "learning curve"!
3. What percentage of your practice is devoted to criminal defense? I'd be wary of general practitioners. I enjoy criminal defense. I know nothing about property disputes, wills, or the nuances of regulatory law. Just like you wouldn't want me litigating your servitude rights case, you wouldn't want the town's top divorce lawyer picking the jury for your armed robbery trial. Let's be honest, one person cannot possibly master multiple unrelated areas of the law. There is truth in the old saying, "jack of all trade, and a master of none."
4. What kind of access will you have to the lawyers? Some folks take your fee and disappear. I personally have no problem providing my cell phone number to a client. We assign a dedicated paralegal to every file who can answer basic questions about the case if necessary. We provide the client with copies of any pleadings that are filed in the case and promise to review the materials with them; even if they are incarcerated. This raises another point: we routinely visit with jailed clients and accept their collect phone calls. If your potential lawyer is not easily accessible, you may want to re-consider. But, at a bare minimum, you should know the level of access you will receive for your money.
5. Clearly communicate your goals. Expectations are important. If you have a desired outcome in mind then it is imperative you communicate that to your lawyer. A disaster will occur if you desire a dismissal of charges but the lawyer is thinking "quick guilty plea." Be clear. And, expect the lawyer to advise you whether your goal is realistic. Please, keep in mind, that some folks out there will say anything in order to get your money. If any grandiose claims are made, demand that they be placed into writing. I promise you'll see some quick back peddling. Please note: no lawyer can guarantee outcomes.

If your potential lawyer engages in any of these activities, leave immediately.

1. The Guarantee: No lawyer can guarantee an outcome. Countless families have hired our firm after originally engaging an attorney who said, "pay me x, and Mr. Client will get out of jail." If it were only that simple. When you hear those words, demand the promise be placed into writing along with a clause for a full refund if the promise cannot be fulfilled.
2. No receipts or Scope letters: Be wary of any lawyer not willing to outline the precise scope of their representation and the fees involved. If you do not get a commitment on scope and fees, please do not act surprised when requests for more cash keep coming and you are left to feel that the case is not progressing as you anticipated. Also, be highly suspicious of any lawyer who will not provide you with a receipt for payment accurately reflecting the balance owed. Any lawyer refusing to do so is probably a lawyer who pockets cash "off the books." Our firm gives receipts and reports every penny earned in fees. We don't believe in "high interest loans from the IRS."
3. Solicitation: It is unethical for any lawyer to directly solicit your business. Advertising is permitted but is subject to stringent regulations and scrutiny. A lawyer cannot call you or knock on your door saying "I know you were arrested and I can help." If this happens, slam the door or hang up the phone. This conduct will get the lawyer disbarred. Also, think about it, if a lawyer is willing to engage in an unethical practice to get your business, what quality of representation do you think you will receive?
4. Promotes Influence: Any lawyer that heavily focuses their practice on criminal law will be familiar with the prosecutors and judges. We know them all. There is nothing special about that. Please do not be misled by "I know the Judge" or "the prosecutor and I are friends". I do not know a judge or prosecutor willing to do anything illegal to help your case. Any suggestion to the contrary is a federal crime for bribery and public corruption. At best, knowing the prosecutor and

judge will provide background information on how they handle similar cases and resolve the important legal issues. Nothing more. So, don't be fooled by attorneys who brag about being golf buddies with the judge.

The bottom line is that you owe it to yourself to go and get the best criminal defense attorney you can afford if you are under investigation. Be wary of people making "pie in the sky" promises and make sure you communicate your expectations. Most people should be able to find quality representation at an affordable price. Once your list of candidates narrowed, you should lean towards choosing from those qualified lawyers with whom he feel comfortable. After all, you must trust this person and the advice they give. Your life depends on it.