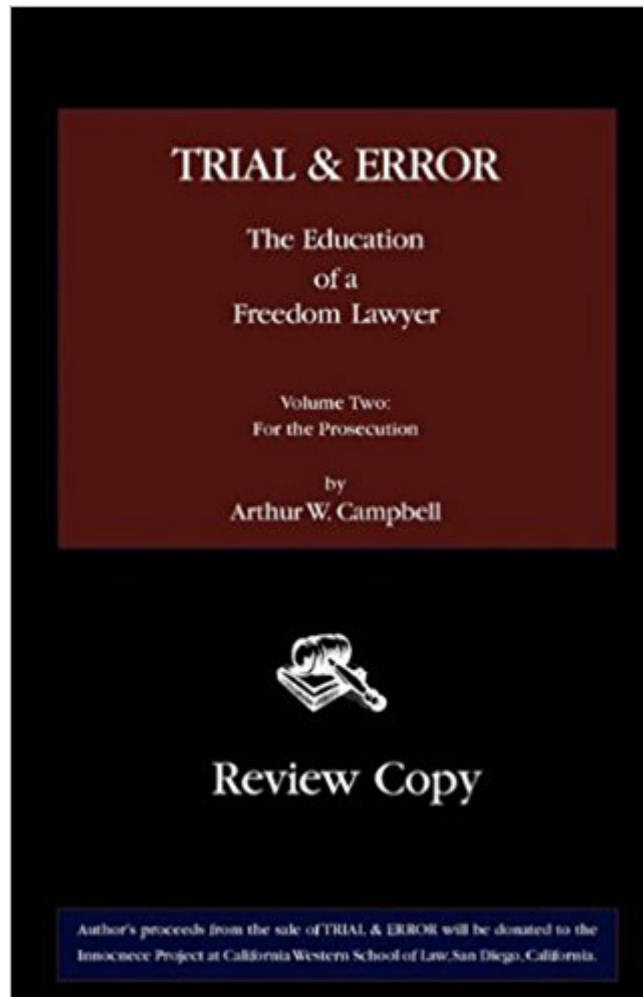


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Trial & Error: The Education Of A Freedom Lawyer, Volume Two: For The Prosecution



Synopsis

Poetry. In this, the second of his three-book series TRIAL & ERROR: THE EDUCATION OF A FREEDOM LAWYER, Art Campbell becomes a Special Assistant U.S. Attorney in Washington, D.C. He tries dozens of cases with only ten minutes preparation, confronts "testilying" witnesses, and argues constitutional issues on behalf of the government. His prosecutorial career culminates with his accidental conviction of an innocent man. When he is told by his superior to let the verdict stand, he disobeys. With vivid description and uncommon candor Campbell reveals prosecutorial strategies, flaws in our justice system, and his own doubts whether, as a prosecutor, he can still be a freedom lawyer.

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Customer Reviews

While I found the debates over what it meant to be a freedom lawyer the most inspiring, I found that I learned the most about criminal law itself from the stories that gave accounts of the daily life and duties of a prosecutor. Because my career aspiration is to become a public defender, I had already familiarized myself with many of the issues that the book discusses. For example, I have heard similar angering and impassioning stories of apathetic defense attorneys and judges, dishonest prosecutors, test-i-lying witnesses, and bias in the criminal justice system in general. Similarly, the accounts of the "Fifth Street lawyers" angered me and stirred my passion, but unfortunately were unsurprising, as I've worked for criminal defense attorneys with similar mindsets and work ethic. These stories were inspiring in that they showed me both what I aspire to be, a lawyer who is brave enough to practice freedom law, as well as what I aspire not to be, a lawyer who apathetically or

cowardly falls short of her responsibility. Further, these stories showed me the importance of competence, professionalism, and humility. They were beneficial to me in finding motivation and inspiration just in time for finals, but the stories that described the daily life of a prosecutor taught me the most in terms of learning completely new information about criminal law. For example, the description of "papering," how prosecutors decide what crimes each defendant is charged, helped fill a huge gap in my understanding of criminal proceedings from school and work experience. From the first week of law school, I knew that a defendant could be charged with anything. I had also read numerous charging "Information" documents from clients accused with crimes when interning at a criminal defense law firm.

More so than in the last book, in this one it is hard to point to one single chapter that taught me more about criminal law than all of the others. I picked small pieces of wisdom out of each of the chapters. The chapter "A Jury of One's Peers," for example, taught me many lessons. The first lesson was not to fear a judge that you're selected to appear against, because in even the most extreme conditions it is still possible to win. Here, Judge Bachover was a "defendant's judge" that was hardly sympathetic to your cause, and had a motive of promoting a view which you had to fight against. Still though, in the end, the patient fighter can and did still win. Another but more unfortunate lesson from that chapter is that sometimes a lawyer working in a prosecutorial capacity sometimes must fight not for what he believes, but for what he is assigned. When the original motions were filed you were Lois Goodman's co-counsel on the defense side, and now you had to fight from the other side. Furthermore, the 5th Streeter who was on the defense side was put in a position where he had to defend this motion, even though his goals and ambitions would probably had been to settle another guilty verdict and move on to the next client. He wasn't even prepared to respond to your memo with an answer in court. From this, I've come to grips with the fact that you must accept the fight you're given, and do your best to win it at that point. You don't get to choose the fight, only the effort you put in to win it. Finally, I realized that from the point of view of gaining experience in criminal litigation, ball-busting judges are not always a bad thing. In fact, you pointed out that you learned a lot and got a lot of experience from your dealings with Bachover.

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