

629 3 2 1 Bernice writes from Dorchester County, "Dear Lawyer Cooper, I know you been in federal court for admiralty cases. But my friend got caught burglary an he needs him a A-1 lawyer. Do you ever handle a criminal case?"

Bernice, I don't handle criminal cases, but I will be glad to refer you to an excellent criminal lawyer. However, I remember well a collect call I received some years ago. "Mr. Cooper, I am calling from the Charleston County Jail. I am locked up and I really need your legal expertise." I explained that I really didn't know anything about criminal law, but I offered to refer him to an experienced criminal defense attorney.

"No," he insisted, "this is very important and I know you're the lawyer who can help me." This response was unusual and I was curious. So, I asked him how he got my name. "My father said I should contact you. The matter is urgent." He told me his father's name, but I didn't recognize it. So, I asked about his problem. "I cannot talk on the phone. This is very confidential. Come down to the jail and you will understand everything. And, on your way, please stop at the store and bring me two packs of Marlboros. I'll pay you back." I was not interested in a criminal case -- especially one involving a defendant who could not post bail. I was not interested in multiple trips to the jail. I was not interested in working without being paid. I was really not interested.

"You cannot work without a fee," he said. "I have about \$50,000 for attorneys fees in cash, but I must see you at the jail." These words got my attention. My sight was restored. Maybe this case had potential. Maybe I had been unfair in my assessment

of criminal defense practice. Suddenly, in my mind I saw the noble principles from the magna carta and the bill of rights spelled out in polished gold letters as big as a house. In my mind, I touched the gold letters and felt the coolness of the precious metal with both hands. I was definately interested.

I was tempted. But, I decided against it and convinced him to retain an attorney friend of mine who specializes in criminal law.

When I saw my attorney friend a week later, he explained, "I stopped for his two packs of Marlboros and then drove over to the jail. In 25 years, I have never seen such a line. Hundreds of lawyers. Every criminal lawyer in the yellow pages was lined up outside the jail, and every lawyer had two packs of Marlboros."

More next week on The Admiralty Docket. Until then, remember your rights and responsibilities may change as you approach the shore and may God Almighty grant you pleasant sailing. 629