

The Sun

Why people make those lawyer jokes
Comment

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THE INTERNET served up 844,919 hits when I searched for lawyer jokes. Standards are there, such as:

What do you call 1,000 lawyers at the bottom of the ocean? A good start.

How cold is it outside? So cold that the lawyers have their hands in their own pockets.

Why are lawyers so good at racquetball? Because they stoop so low.

'Tis always the season for poking fun at attorneys. To wit:

Santa Claus, the tooth fairy, an honest lawyer and an old drunk walk down the street when simultaneously they spot a hundred-dollar bill. Who gets it? The old drunk. The other three are mythological figures.

Cyberspace scribes lampoon lawyers daily, continuing a tradition that may be as old as lawyering itself. Perhaps only politicians -- who often are lawyers -- elicit such ridicule and derision.

I thought about lawyer jokes after an article appeared in The Sun about something that is not a laughing matter but could -- fairly or unfairly -- inspire more expressions of contempt for attorneys.

The story told of a defense attorney who unwittingly tipped a murder suspect to his impending arrest by sending a letter soliciting him as a client.

It should be understood that the attorney, Gregory Nugent, did nothing illegal. He used a direct mail service that lawyers can hire to search public court records. The service sends form letters from lawyers to solicit business from people charged with crimes.

Mr. Nugent paid the LETS Co. to generate 32 letters to criminal defendants. One letter beat police to Lebanon, Pa., where Kenneth Allen White, 47, was to be arrested in the 1985 death of 31-year-old Sandra Lee Taylor. The woman had been missing for 11 years when environmental workers found her body.

Mr. White had known for some time that he was a suspect in the homicide, but police recently shored up the evidence they needed to charge him.

The warrant was issued four days before officers went to Lebanon. By then, Mr. White had read the letter from Mr. Nugent informing him that he had been charged in the murder.

When Howard County and Lebanon police went to arrest Mr. White on Nov. 24, the defendant's brother informed them that the man had learned through the letter about the charge and was hiding. Mr. White's surrender that night didn't assuage angry police, who complain that the letter could have created a hazard for them.

Police clearly were at an extreme information disadvantage when they arrived at Mr. White's door. Not only did the defendant know they were coming for him, police didn't know he was aware they were coming.

"What if the individual decided to have a violent reaction, shoot through the door?" was the legitimate concern of Howard police

spokesman Steven E. Keller.

Drumming up clients

Lawyer jokes aside, Mr. Nugent seems to be a decent fellow. He is a former prosecutor in Chicago who moved to Maryland for his family's benefit. He started his Columbia law practice a month ago.

He says he used Edgewater-based LETS to drum up clients, not to cause trouble for police.

"I was using it as a way to start my practice, not to circumvent the law," he says, chagrined. "The last thing I want is for police officers to get hurt."

He is not the ambulance chaser Paul Newman portrayed in "The Verdict," which opens with a desperate personal injury lawyer soliciting clients at a funeral.

Mr. Nugent says he didn't know, or anticipate, that people would be tipped off about their arrests. There is no reason not to believe him, unless you think the line about lawyers' lips moving is not a joke. (How do you know when a lawyer is lying? His lips are moving.) But lawyers no longer can plead innocent to consequences.

Still, this was a problem that required a reasoned solution. Maryland Chief District Judge Martha Rasin overreacted a tad by shutting access to electronic records of criminal defendants whose warrants have not been served. She can argue correctly that her action is not a First Amendment violation because paper documents remain available at the 35 district courthouses where charges are filed.

But Judge Rasin's decision comes perilously close to blocking public information in a situation that begged for more responsibility rather than more rules.

It is understandable that lawyers would use a direct mail service to find clients. With record numbers of lawyers entering the profession, competition is fierce. Solo practitioners and major law firms alike are using various advertising and marketing approaches, including direct mail, to reach their targets.

Of course, advertising is just one of the reasons that lawyers come under scrutiny. It's not the worst reason. In Maryland, we've had lawyers stealing from clients, one who spanked his secretary and another who microwaved a live cat.

The adversarial nature is the biggest factor for the poor image, but tales of lawyer mishaps provide infinite inspiration for joke writers.

Norris West is The Sun's editorial writer in Howard County.

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