

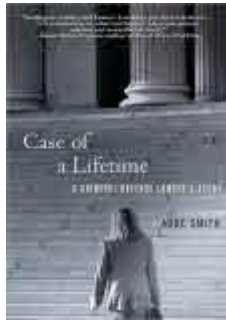
Case of a Lifetime: A Criminal Defense Lawyers's Story

By Abbe Smith
Palgrave Macmillan (2008), Hardcover

Reviewed by Rodney Uphoff

Case of a Lifetime is Abbe Smith's intensely personal account of her nearly 30-year struggle to achieve justice for her client, Patsy Kelly Jarrett. Despite her valiant efforts, Smith failed to right the wrong that she so strongly believes occurred when Jarrett was convicted of aiding in the murder of a 17-year-old gas station attendant in 1973. Although Smith may have failed to secure the exoneration she tirelessly pursued, her book is a smashing success.

This book traces Smith's relationship with her imprisoned client from initial contact with Jarrett — her very first client as a clinical law student at NYU's Prison Law Clinic — to her role in a protracted fight to secure clemency. The length and depth of Smith's relationship with her client is truly remarkable. Not surprisingly, the book reveals much about Jarrett and the case against her, and the reader is left with a powerful impression that it is highly unlikely that Jarrett was a knowing accomplice in her friend's murder spree. Nevertheless, as the book painstakingly highlights, once a person is convicted, the nature and structure of our current criminal justice system make it extremely difficult to secure an exoneration. Much of the book details the unsuccessful fight that Smith and other talented lawyers waged first to attempt to overturn Jarrett's conviction and then to gain clemency.



Perhaps even more compelling is what *Case of a Lifetime* reveals about Abbe Smith and criminal defense lawyers like her. As she blossoms from law student to public defender to clinical law professor at Harvard and then Georgetown Law School, Smith vividly describes her motivations and frustrations representing Jarrett and other clients. Smith finds it particularly frustrating, despite her growing expertise and best efforts, that she is powerless to free her innocent client who continues to languish in prison. The book does a marvelous job of capturing the essence of what it feels like to shoulder the awesome responsibility of representing someone in prison or facing a lengthy prison sentence.

For those of us who have walked in Smith's shoes and have defended both the innocent and the guilty, *Case of a Lifetime* will resonate as a forceful reminder of how hard the fight can be and why we fight fiercely on behalf of our clients. Undoubtedly, many clients and the public at large do not understand nor appreciate the role of the criminal defense lawyer. Many view public defenders with disdain. Admittedly, some public defenders and court appointed lawyers, especially those in jurisdictions with crushing caseloads and inadequate resources, do not provide quality representation. Nonetheless, some of the best lawyers in the country are indigent defenders who zealously and skillfully represent their clients despite long hours and poor pay. For many, then, this book offers an eye-opening look at the commitment that drives good public defenders to do what they do.

Finally, in this book Smith shares her insights into some of the most challenging dilemmas that confront criminal defense lawyers. For example, she uses Jarrett's decision to reject a plea bargain that would have led to her release as a vehicle to explore the question of how hard counsel should lean on a client to plead guilty in the face of a strong case against her despite her claim of innocence. Smith laments the fact that Jarrett turned down a deal and consequently spent 28 years and six months in prison. Unquestionably, wrestling with the decision to go to trial or take a deal — especially for an innocent client — puts incredible pressure on the defense counsel. This is true even though it is the client, not counsel, who will ultimately bear the direct consequences of such a decision. As *Case of a Lifetime* powerfully demonstrates, however, the conscientious lawyer also lives with the decisions her clients make.

The reviewer Rodney Uphoff is a professor at the University of Missouri School of Law.

Case of a Lifetime is available for \$22 in **hardcover** only from *JD's Bookshop*. Use the form on p. 21, or mail your order to: Justice Denied; PO Box 68911; Seattle, WA 98168. Or order online with a credit card at, <http://justicedenied.org/books.html>

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