

Will Defense Lawyers Accept Help on High Court Criminal Cases?

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One by one, different segments of the bar have gotten the message in recent years: The Supreme Court is a scary place to be -- a place where novices, more often than not, should fear to tread.

That is, all segments but one: the criminal defense bar, where individuality and swagger persist, and where solo newbies hold to the romantic notion that if they can conquer a hometown jury, they can work the same charm on the nine justices of the nation's highest court.

"There is a real injustice," says Roy Englert Jr. of Robbins, Russell, Englert, Orseck & Untereiner, a veteran advocate before the Court. "There are often two experienced oral advocates on the prosecution side and one oral advocate -- usually not an appellate specialist, and usually presenting his or her first Supreme Court argument -- on the defense side."

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