

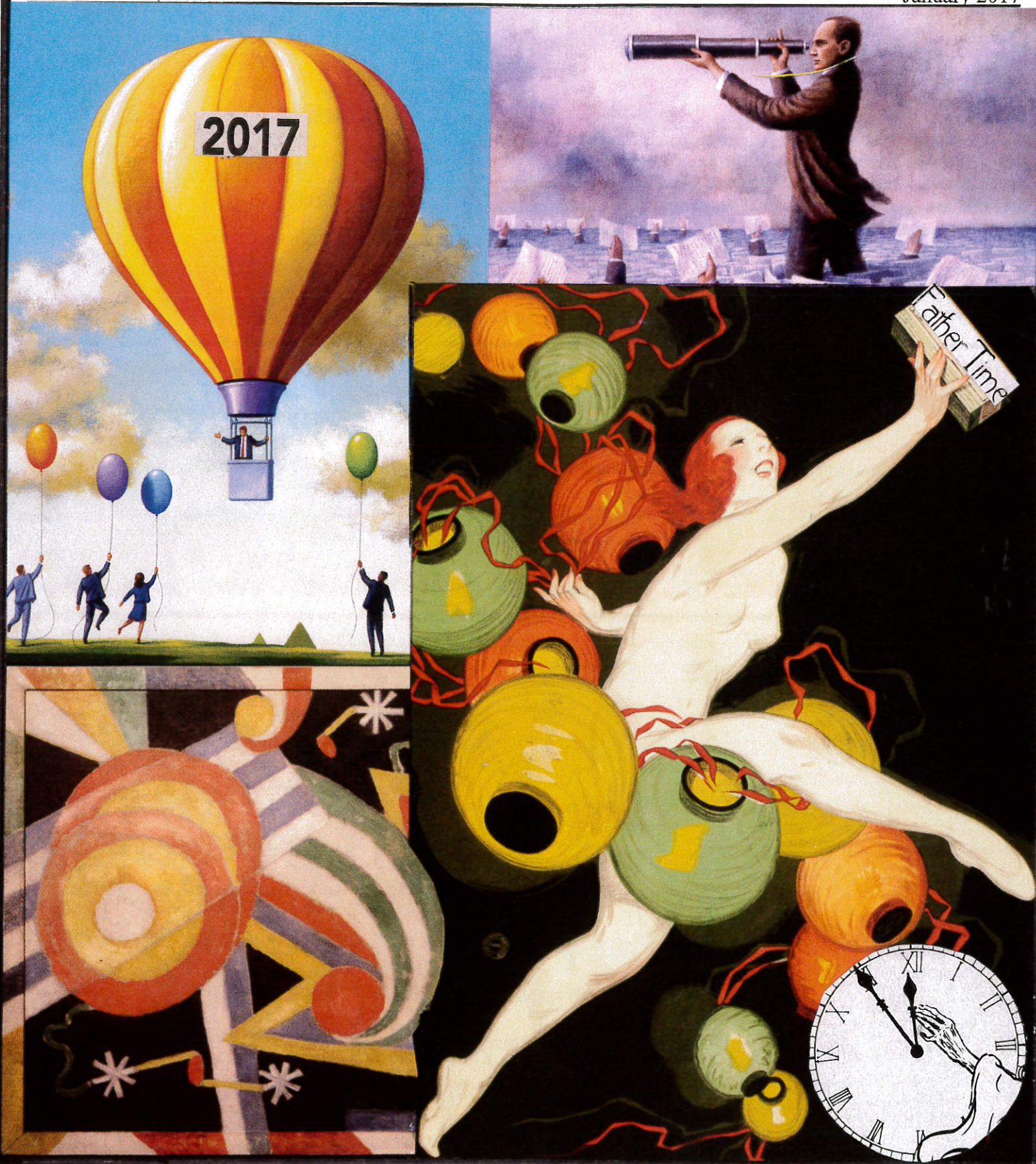
American Board of Criminal Lawyers



THE ROUNDTABLE

Vol. MMXVII, No.1

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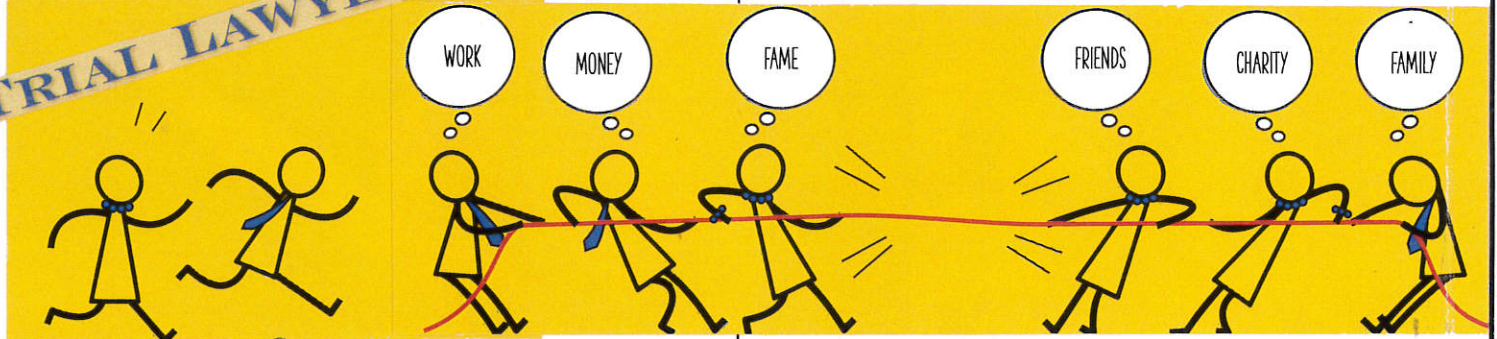
From: Helen LaCheen (helenlacheen@gmail.com)
Sent: Tuesday, December 6, 2016 5:16 p.m.
To: slacheen@concentric.net
Subject: HOW AMAZING IS THIS!

On the Standing Rock Sioux Reservation in North Dakota, Wes Clark Jr., the son of the retired U.S. Army general and former supreme allied commander of NATO, Wesley Clark Sr., led military veterans in a ceremony Monday to ask forgiveness from Native Americans for the crimes of the U.S. military. Thousands of Native and non-Native veterans have descended on Standing Rock to support the water protectors fighting the \$3.8 billion pipeline in recent days. This is Wes Clark Jr.

Wes Clark Jr.: "We came. We fought you. We took your land. We signed treaties that we broke. We stole minerals from your sacred hills. We blasted the faces of our presidents onto your sacred mountain. And we took still more land. And then we took your children. And then we tried to take your language. We tried to eliminate your language, that God gave you and that the creator gave you. We didn't respect you. We polluted your earth. We've hurt you in so many ways. And we've come to say that we are sorry, we are at your service, and we beg for your forgiveness."

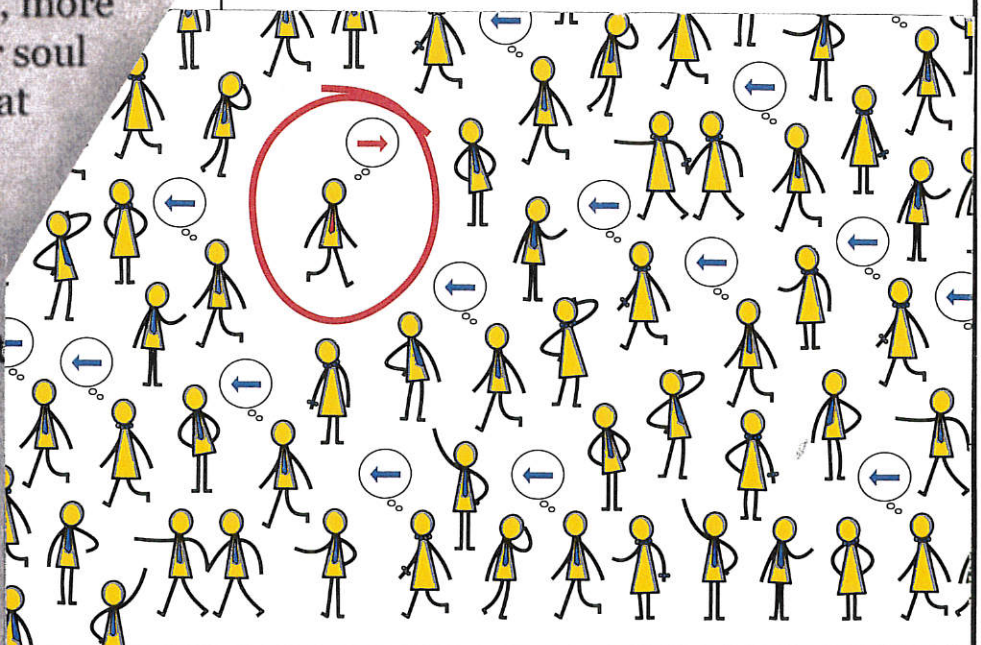


TRIAL LAWYERS



"As democracy is perfected, the office of the President represents, more and more closely, the inner soul of the people. On some great and glorious day, the plain folks of the land will reach their heart's desire at last, and the White House will be occupied by a downright fool and a complete narcissistic moron."

— H.L. MENCKEN,
THE BALTIMORE EVENING SUN,
JULY 26, 1920



(courtesy of CHUCK WATSON)

Hi, Steve,

Being incorrigible, I here attach my latest contribution to the annual SDNY Courthouse Follies, performed last night. By way of reference, Colleen McMahon is the incoming SDNY Chief Judge, replacing the very popular Loretta Preska, and Elly Harrold is the Deputy Court Administrator. There's also a reference in the song to some guy named Billy Bush, whose official position in the incoming Administration is, I believe, Master of Tapes. All best, Jed (12/2/16)

Judges' Skit and Song for 2016 Courthouse Follies
by Jed S. Rakoff

[Judges Ellis, Rakoff, Smith, and Swain enter in robes. All are wearing white gloves, and the men are wearing top hats. The women are wearing wide hats and carrying parasols. Chief Judge McMahon is already seated in the front row of the audience.]

Smith: President Trump is going to name a new Supreme Court justice any day now.

Rakoff: According to Breitbart News, we are the four finalists.

Ellis: I guess Judge Garland just didn't have enough ... Merritt. *[Others groan and roll eyes.]*

Smith: I just know President Trump will pick me. I'm just like Sarah Palin *[blinks]*.

Why, from my apartment atop Trump Tower, I can see Russia ... and wave to President Putin.

Ellis: I think he'll pick me. I'm just like Clarence Thomas – and I won't say another word.

Swain: No, no, he'll pick me. I'm just like Rudy Giuliani – in drag.

Rakoff: Forget it folks, the President is sure to pick me. I'm a friend of Billy Bush. ... How's that grab you?

Swain: One thing's for sure. Given the critical support Trump received from his Manhattan neighbors, he's sure to pick someone from the Southern District of New York.

Smith: Anyone else would be chopped liver ... whatever that means.

Rakoff: So, maybe he'll pick our new Chief Judge? She's smart, she tough, she's savvy, she's ...

Swain: Too old.

Ellis : Too old? I can't imagine she's over ... over ...

Rakoff: Hey, from my perspective, she's just a kid.

Smith: And she never acts her age.

Ellis: Still, it might be a problem. Guess she'll just have to be satisfied with being Chief Judge.

Swain: Satisfied? Being Chief Judge of the SDNY is even better than being a Supreme Court Justice.

Ellis: You're joking. Give me three reasons why being Chief Judge is better.

Smith: Well, for one thing, you don't have to send out your own emails. Elly Harrold does it for you.

Swain: Second, you don't have to decide any cases, since all your time is spent on administrative duties.

Ellis: But, but ... no judge decides cases. That's what law clerks are for.

Rakoff: Yes, but the Chief Judge gets an extra law clerk. So she can not-decide even more cases.

Smith: Best of all, the Chief Judge gets to sing the Chief Judge Song.

Ellis: Ooh, yes, the Chief Judge Song. I get goosebumps every time I hear it.

Smith: Hands over your hearts, guys.

[They sing the Chief Judge Song, to the tune of "Mame" from the musical of the same name.]

(I)

Smith: You keep the cases running on time, Chief.

Ellis: You make the lawyers hew to the line, Chief.

Rakoff: You manifest maturity, You will never let us smirk or moan.

Swain: You reinforce security, Now no one can ever keep their phone.

Smith: You make the judges stick to the rules, Chief.

Ellis: No one will ever know that we're fools, Chief.

Rakoff: You run the greatest District Court, Isn't that the general belief?

Swain: You've got both strength and attitude,

Smith: You've earned our heartfelt gratitude,

All: Now let us have some latitude, Chief.

(II)

Swain: You keep the courthouse cozy and clean, Chief.

Rakoff: You keep the judges bossy and mean, Chief.

Ellis: You're so contemporaneous, Our computers never stop or pause,

Smith: You are the best and brainiest, Word is that you even know the laws.

Ellis: You're never nasty, angry, or rude, Chief.

Swain: You eat the cafeteria food, Chief.

All: You are so inspirational, You will never let us come to grief.

[music slows down as Judge McMahon rises from her chair and comes on stage]

McMahon: I'll never speak in gibberish,

 Your good will be my ev'ry wish,

[in trills] I'll be a true Loretta-ish

Chief.

All (without McMahon): Chief

McMahon: Chief

All (with McMahon): Chief

All & McMahon (harmony): Chief!!



"Our Joan has more guts than any other Judge I have ever seen." Jerry Gold

Judge spares life of 21-year-old convicted of barbershop slayings

cshaffer@cleveland.com

A judge on Monday spared the life of Douglas Shine Jr., the 21-year-old member of the Heartless Felons gang who could have been sentenced to death by lethal injection over a 2015 barbershop massacre and a conspiracy to execute a witness.

Cuyahoga County Judge **Joan Synenberg** chose not to follow a jury's November recommendation that Shine be put to death, citing a "transient, non-nurturing and violent childhood" that left Shine with undiagnosed mental disorders and the emotional maturity of a 5 year old.

"The adults involved in Douglas's life failed him," Synenberg said as she handed down the sentence.

Synenberg sentenced Shine to four life sentences without the possibility of parole, plus an additional 380 years, shocking the courtroom packed with relatives of the victims of Shine's shooting spree.

"Say your prayers, Duke," one woman shouted from the back of the back of the courtroom as court security escorted Shine back to his holding cell after the sentencing.

Shine was convicted in November of killing three people inside Chalk Linez Barbershop in Warrensville Heights in 2015, and of orchestrating the killing of a witness to the shootings.

Jurors deliberated for two days before recommending on Nov. 16 that Shine be sentenced to the death penalty Shine spoke at the hearing for the first time since his trial began in September.

"All I gotta say is, I'll be back," Shine said as he rocked back and forth. His brushes with the law began when he was 10 years old.

Synenberg handed down the sentence after hearing from family members of Walter Barfield, Brandon White and William Gonzalez, who were killed Feb. 5, 2015, inside Chalk Linez Barbershop, and Aaron "Pudge" Ladson, the witness who was gunned down in his driveway several months later.

"This is a mother's worst nightmare," said Angela Ladson, mother of Aaron Ladson and Brandon White. "I never thought I would bury my sons before me."

Prosecutors at trial painted Shine as a coldblooded and vengeful gangmember.

During the penalty phase of the trial, Shine's lawyers argued that he had no clear role model growing up to pull him away from gang influence. He was coerced into joining the Heartless Felons in a youth prison and was threatened when he tried to leave, his attorneys said.

His mother spent four months in jail when Shine was just six months old and frequently abused him physically and mentally, psychologist Robert Kaplan testified. Shine told a psychologist that his mother berated him, called him names, refused to celebrate his birthday, threw skillet at him and once ordered Shine's older brother to beat him with a belt.

She also refused to sign the paperwork to approve a specialized education plan for Shine when he was in elementary school, and she pulled him out of football practice when he was 8 years old because she didn't want to take him to practice, Shine's stepmother, Stinner Shine, testified at trial.

A psychologist and a social worker who was tapped as a mitigation specialist by the court testified that they believed Shine suffered from undiagnosed mental and personality disorders and fell through the cracks of the social service safety net.

"If appropriately diagnosed and treated, ... Douglas could have been administered counseling, family preservation services and possible medication to change the trajectory of his life, possibly avoiding the criminal justice system all together," the social worker, Ceci McDonnell, testified.

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I hope your on
the field
in 2017
**JERRY
FROELICH**



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The RoundTable

Steve LaCheen, Editor

Rita Bognanni, Staff

Future Meetings

February 17-19, 2017: Cape Haze, FL

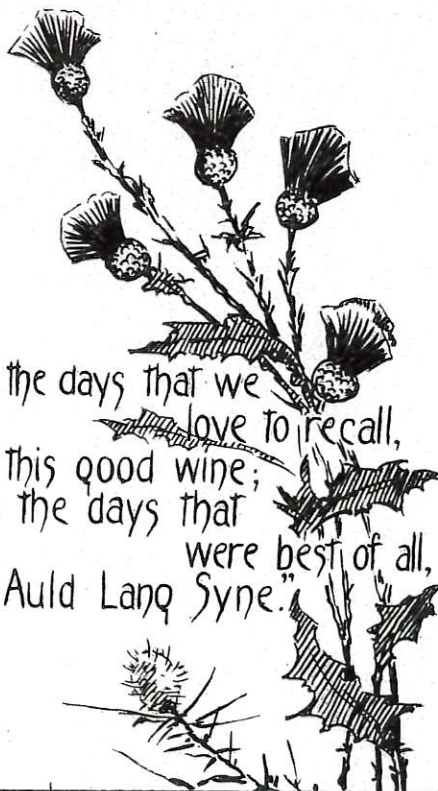
June 23-25, 2017: Montreal, Quebec

October 6-9, 2017: Greenbrier, WV



The RoundTable
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Philadelphia, PA 19102

To the Days of Auld Lang Syne.



Let's drink to the days that we
love to recall,
And pledge in this good wine;
Let's drink to the days that
were best of all,
"The days of Auld Lang Syne."

