



Famed defense attorney Roy Black's courtroom victories may seem the stuff of magic, but in reality, they are based on genuine hard work and natural talent.

Black's Magic

BY CHRISTOPHER BOYD

Celebrated criminal defense attorney Roy Black loves a closing argument. He bookishly prepares, writes, rewrites, and delivers with stirring eloquence, focusing jury after jury on the elements of his expertly organized cases. For the many prosecutors who have faced him in court, Black is a devastating adversary.

Black's high-stakes defense of William Kennedy Smith in 1991 rocketed him to national prominence. The case received massive coverage, especially from television, and Black's cunningly successful defense and telegenic ease in the courtroom caught the eye of network TV. He subsequently became one of the most sought-after on-air legal commentators in the country.

But television appearances are just a sideline for the Miami lawyer, who has gone on to defend a string of the well-known in highly publicized cases. Black, who holds both a bachelor's degree and a law degree from the University of Miami, says he has far more interest in courtroom strategy than notoriety.

"The kind of cases I handle are the ones people can't afford to lose," Black said late last summer, just before traveling to Virginia to defend TV sportscaster Marv Albert in a closely watched sexual assault case. "Marv Albert can't afford to be convicted. It's his career and his life on the line. I represent people who want whatever can be done to be done. There are only a few lawyers who are willing to go as far as I do, strategically. My cases are World War III to me. I don't take prisoners when I go to trial."

Black never had the chance to deliver for Albert; the judge disallowed much of his evidence under Virginia's rape shield law. After the ruling and the damaging testimony of a surprise prosecution witness, Albert agreed to a plea bargain, ending the trial before the defense began its case.

"Roy might have won the case, had his client not taken such a terrible pounding in the

media ahead of time," says retired Florida appellate judge Phillip Hubbart. "Roy is the sort of attorney who works day and night before going to trial. He goes down every alley and gets all the facts. He's a brilliant strategist, who can organize a case around a theme and make his points."

Hubbart should know. As an adjunct instructor at the University of Miami School of Law, he taught a criminal evidence workshop that was a turning point in Black's life.

"It wasn't until I took Phil Hubbart's course that I knew the direction I wanted to go," Black says. Hubbart, who continues to teach at the law school, took his students to municipal court in North Dade, setting them loose as legal advisors to accused juvenile offenders.

"It was an eye-opening experience," Black says. "I found something I really enjoyed doing."

After graduating in 1970 and earning the highest score on the Florida Bar exam that year, Black ran into Hubbart again. While driving down South Dixie Highway Black spotted Hubbart holding a campaign placard at the corner of Bird Road. Black stopped and invited Hubbart, who was running for public defender, to coffee. Hubbart accepted-and offered Black a job as an assistant public defender if he won.

Hubbart did win, and Black went to work. He spent the next five years honing his skills as a defender on the public payroll. In 1973 he returned to the University of Miami as an adjunct professor, teaching the same criminal evidence workshop that Hubbart instructed. Black has continued teaching it ever since.

Black still seems a little amazed at the role chance has played in his life-even the roundabout way it led him to South Florida. Soon after his birth in New York in 1945, his parents divorced. When he was six, his mother married a British automotive executive who moved the family first to Connecticut, then to Jamaica. Black attended English school there, and continued his secondary education in the Bahamas. Though he considered enrolling at Columbia University as an undergraduate, he says his love of the tropics and the sea made the University of Miami seem a better choice.



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Legal Eagle (top left to lower right): Black facing reporters with client William Lozano, concentrating in court, defending William Kennedy Smith, and meeting the press with client Marv Albert.

Fate also played a big role in his personal life. Taking on the William Kennedy Smith case ended with an added unexpected benefit: his marriage to Lisa Lea Haller. Black and Haller, a cosmetics manufacturer who served on the Smith jury, bumped into each other the night after the verdict in Palm Beach. Soon after, they appeared on the Donahue show together, again by coincidence. Then, nine months later, they crossed paths again at Doc Dammer's in Coral Gables. Not long afterward, they began dating.

Black married Haller in 1995, and the two went to work renovating one of Coral Gables' most lavish homes, the erstwhile residence of the city's founder, George Merrick.

Unpredictability has been Black's ally, but careful planning has allowed him to exploit opportunities. His office in a downtown Miami skyscraper has a high ceiling, and nearly every inch of wall space rising to it is filled with books. Not just law books, but works on many topics. Black, a voracious reader, says his curiosity to learn has helped him in the courtroom.

"The great trials of the century are always dealing with something beyond the facts of the case," Black says. "They deal with social issues or social trends that resonate with people. A great trial lawyer understands what the issue is and plays to it."

So Black reads. And he attends legal seminars to stay current with the latest techniques. He also watches videotapes of trial footage, learning moves from other lawyers the way a musician absorbs technique by listening to his peers.

"Roy is one of the few lawyers I know who's always trying to improve," Hubbart says. "He's an intellectual and an idealist who believes in what he's doing and never rests on his laurels."

For as much as Black has become associated with defending public figures, he also has a strong penchant for representing the underdog. As his career synopsis puts it, he seeks out "the unpopular, the politically incorrect, and even the despised." His courtroom strategies have brought death threats and more. Following his victory defending Miami police officer Luis Alvarez, accused of manslaughter in the 1982 shooting of a black man in the city's Overtown neighborhood, a riot broke out.

Black later represented another Miami officer, William Lozano, who was accused of manslaughter in the shooting of a black motorcyclist. He lost that case, successfully appealed, and won acquittal in a retrial.

Both trials fit Black's touchstone: They had social consequences that transcended the facts of the case. But Black also has an interest in another sort of high-profile case, the kind that involves celebrity or big money. Starting with William Kennedy Smith, he went on to represent actor Kelsey Grammer, of television's *Frasier*, in a statutory rape investigation. In 1996 he won big for Salvador Magluta, a Miami power boat racer who was accused of smuggling 75 tons of cocaine. And, in 1997, the Marv Albert case.

With the Smith case, Black became a television personality. From the morning news shows to *Nightline* and *Larry King Live*, Black has delivered analysis along with such other legal pundits as Jerry Spence and Alan M. Dershowitz. During the O. J. Simpson trial, Black was seemingly everywhere and had a regular slot on Geraldo Rivera's *Rivera Live* show on CNBC.

What's ahead? Black is currently preparing a defense for 1960s cartoon/pop-art innovator Peter Max in an income tax evasion case. He also is writing a book on the major trials of his career. He's not saying when it will be completed. And he plans to continue to teach at the University of Miami, a decision that pleases legendary law school Professor Richard A. Hausler, who remembers Black well as a student.

"Roy Black has an incredible ability to analyze the rules of law," Hausler says. "He is a man with great humility and a lawyer who is aware that there is a good, which he seeks. He has brought this school honor and distinction, and I'm sure he will continue to do so."

Despite his recent entry into the national pantheon of celebrity, Black remains circumspect and even a little self-effacing.

"Lawyers as personalities will lose their appeal in time," Black says. "In the end, a lawyer is what he does as a lawyer. I tell people the main benefit of all the TV exposure to me is that now I can get a table at Joe's Stone Crab right away. No wait at all."

Christopher Boyd is a staff writer for The Orlando Sentinel in Orlando, Florida. Portrait photography by Donna Victor. Trial photography by The Palm Beach Post, The Miami Herald and AP/ Wide World Photos.