

Roy Black

OF BLACK, SREBNICK & KORNSPAN, P.A.

From sea to shining sea, the name Roy Black is known for one spectacular case, the 1991 Palm Beach rape trial of William Kennedy Smith. It helped gain him the kind of fame that leads to last month's appearance on NBC's Today Show, analyzing the plight of the young American who fought with the Taliban.

In retrospect the Smith case looks like an easy win ("I wish I got a case like that," says another lawyer) but that is partly because Black made it appear so. The young Smith was an excellent witness for himself, and Senator Ted Kennedy was equally good, subtly turning the jurors' attention from the matter at hand to a nostalgic look at the tragedy-stricken Kennedy family.

"It was one of the first of the big TV trials," said Black last month, "so it's the most well-known case I've been involved in. Smith did a very good job under stressful circumstances."

Not far behind in terms of publicity, was the more recent representation of TV sports broadcaster Marv Albert in a sex case that had strange elements.

Black spoke in his dark, posh office overlooking Biscayne Bay in Miami. His firm has nine lawyers, huge as criminal firms go. His personal space is cluttered with so many books that they were wedged sideways across the top of rows on shelves and stacked in a corner of the office.

Although best-remembered for the Smith trial, the case is not one of the four featured in his 1999 book "Black's Law."

The book includes his first big victory in private practice after he worked in the Miami public defender's office.

It was the successful defense of police officer Luis Alvarez, accused of killing a black youth in 1982. The shooting sparked a riot, and the eventual acquittal—after two trials—caused another. Black defended William Lozano, another police officer

"I like to say I've been involved in every Miami riot for the last 30 years," says Black.

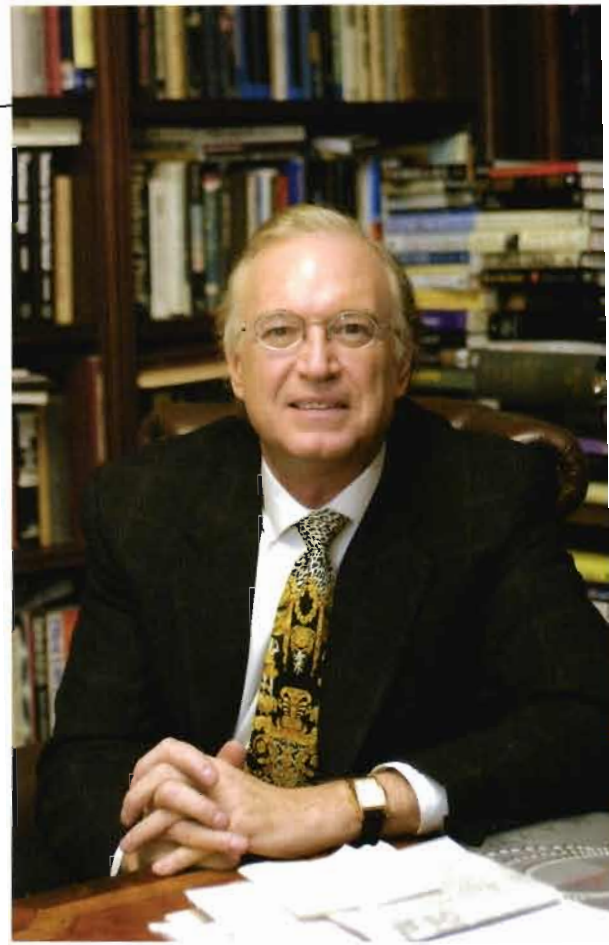
With the exception of a few feisty characters, criminal lawyers tend to convey a sense of conservative dignity in their dress and speech. But even among them, Black stands apart with an almost patrician bearing in court. Handsome and calm, he conveys the impression that such a decent chap couldn't represent a bad guy.

His demeanor may trace from his background. He started life in New York but was taken to Jamaica by his British stepfather. He returned to the U.S. to attend the University of Miami, and its law school, but retained a continental elegance.

It was a course in criminal law in law school that got him interested in the practice. "It's a course that I now teach, ironically," he says. "It was taught by Phil Hubbard who was running for public defender in 1970. The day after I passed the bar exam was the election day and I was driving on U.S. 1 and I saw him standing there waving to voters. I stopped to wish him luck and he offered me a job if he won."

Most of Black's successes have not been so fortuitous.

"We only get cases where people are desperate," he says. "They are fighting World War III. And you don't want to get involved in a case where the client doesn't have the resources to afford what you need to do to represent him. Our courts are heavily influenced by the capitalistic system. The government has all the resources it needs. Police officers, crime labs, all the



they have to pay for that."

An example: The recent case of the fatal speedboat crash on the Intracoastal Waterway in Fort Lauderdale. Black started out in the case and hired a world-renowned company as an expert in water accidents.

"I thought we could prove the accident wasn't his fault. Unfortunately, the client just couldn't afford it," says Black, who withdrew from the case.

"Today, I like cases that have something unusual to them," he says, citing a current case of a former Cuban prisoner who shot a man he thought was threatening his wife. "We're raising a post-traumatic stress defense. He thought he was acting in self defense. There are a lot of people in Miami who were in Cuban prisons and can be witnesses. What they suffered at the hands of Castro is just horrific. This will be an interesting case."

Asked who he'd choose to represent him if needed a lawyer, Black cited Miamian Jay Hogan.

"All the lawyers who get in trouble here go to Jay Hogan," said Black. "Especially if it's a problem with the