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## High-profile cases catapult lawyer Roy Black back into spotlight

BY MIKE CLARY  
STAFF WRITER

In the years since he rose to national prominence by winning acquittal for a member of the Kennedy family accused of a Palm Beach County rape, criminal defense attorney Roy Black has collected a star-studded roster of clients while

becoming something of a celebrity himself.

While appearing frequently on television as a legal analyst, the Miami lawyer, known by colleagues as "The Professor," has defended not only William Kennedy Smith, but also actor Kelsey Grammer, sportscaster Marv Albert, artist Peter Max

and several notorious drug traffickers.

Now Black is back in the West Palm Beach courthouse on behalf of two other local residents in trouble, including one who transcends mere celebrity: talk show host Rush Limbaugh. The conservative icon is under investigation for

doctor shopping in order to acquire pain pills.

But his other local client, Jay Levin, had no public profile until October, when he was charged with manslaughter after fatally shooting 16-year-old Mark Drewes in

■ BLACK CONTINUES ON 16A



# Defense lawyer relishes challenge

## ■ BLACK

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the back. Black calls it "the kind of case I have always been attracted to."

"They are people living ordinary lives," said Black of clients such as Levin, a Boca Raton tax accountant. "And because of something that happens, their lives are turned upside down. They go from living an unremarkable life to being Public Enemy No. 1."

At 58, Black is riding the crest of an illustrious and lucrative career. For a decade he has been listed in the Best Lawyers in America rankings, and as an NBC legal analyst he shows up on *The Today Show* frequently to weigh in on high-profile cases involving defendants such as Scott Peterson and Kobe Bryant.

In an age of Court TV and 24-hour cable news, prosecutors and defense attorneys often launch their cases in the media well before trial gets under way. And like Mark Geros, Johnnie Cochran and other big-name lawyers, Black is a master at setting the stage.

"He begins his closing argument in his first press conference," said John Hogan, who took a trial techniques class from Black at the University of Miami and later opposed him in court as a prosecutor in the Miami-Dade State Attorney's Office. "So when trying to pick a jury against him, you have to keep that in mind."

In Black's two Palm Beach County cases, the spin from both sides has been tornado-like. After news reports linking Limbaugh to allegations of drug trafficking and money-laundering, Black has fired back with television appearances and news conferences to portray his client as a victim of physical pain, addiction and politics.

"It just so happens he lives in Palm Beach County . . ." Black said Monday during an interview on Fox News, "and he has what are perhaps minority political opinions in that community."

In the Levin case, which is not yet set for trial, the prosecution has released a videotaped interview in which Levin told police he responded to a noise at his front door with a .40-caliber semi-automatic pistol in his hand because he feared for his life.

According to police, Drewes was shot as he attempted to tie a fishing line to the door-knocker on Levin's front door as the teen and a friend played a game called "ding-dong-ditch."

Civil attorney Bob Montgomery, who represents Drewes' parents in a wrongful death suit against Levin, said: "Children do pranks. I don't think that's a transgression that deserves the death penalty."

During a recent interview in his book-strewn Miami office overlooking Biscayne Bay, Black leaned back in his desk chair and defended his client. "I imagine it would be somewhat frightening," he said, referring to the scene Levin described to police. "You open the door, see some dark figure there, and feel he has a weapon."

"If that is an ex-con with a pry bar in his hand, everyone would be treating [Levin] as a hero."

## CASUAL STYLE

Black, tall and almost as trim as when he entered the University of Miami on a swimming scholarship in 1963, favors Italian suits and a casual, understated style — thanks in part to the influence of his wife, Lea, 49. The owner of a cosmetics business, she was juror No. 1 in the 1991 Smith trial. They met socially within days of the verdict and married in 1994.

Lea and Roy Black pop up regularly in the society pages. She often accompanies him into the courtroom when he goes to work. They live in Coral Gables, in a 1924 home built by city founder George Merrick.

Black said he was inspired to take up law by New York trial lawyer Louis Nizer's *My Life in Court*. He graduated from UM law school in 1970, and then



**RIISING PROFILE:** Roy Black, the lawyer who won the acquittal of a Kennedy family member accused of rape, is defending Rush Limbaugh and Jay Levin, who is accused of shooting a teenager.  
Staff photo/Susan Stocker

racked up the year's highest score on The Florida Bar exam. Every year he teaches a workshop in criminal evidence at his alma mater.

Thoroughly prepared when he enters the courtroom, Black's calm command often presents a sharp contrast to the mannered flamboyance of other noted lawyers. He rarely raises his voice, but he can dig into a witness with a righteous ire that is both intimidating and effective.

In representing famous clients, "he has no peer," Montgomery said.

Criminal trial lawyer Richard Lubin of West Palm Beach called Black "a rock-solid guy, meticulous and professorial. But that doesn't mean he is not capable of creating emotion. He is an excellent cross-examiner."

Black's interrogation skills were much on display in the Smith trial. During seven hours of cross-examination he reduced Patricia Bowman, who had accused Smith of rape, to tears several times as he probed for inconsistencies in her testimony.

At the time, many legal ex-

perts said Black was damaging his defense by bullying the witness. But jurors acquitted Smith in 77 minutes.

## 'MASTER OF CASES'

Within Florida's legal community, Black's star rose in the 1980s and 1990s when he defended two Miami police officers involved in racially charged shootings. In separate cases, Black won an outright acquittal for Luis Alvarez. William Lozano prevailed in an appeal and retrial.

Hogan twice prosecuted Lozano as the chief assistant to then-State Attorney Janet Reno and is now in private practice. He said being across the courtroom from Black "gives you great inspiration to prepare well, because you know he will."

Although Black's schedule is hectic, and he has help from others in his 10-lawyer firm to prepare his cases, Hogan cautioned any rival counsel who might think the lawyer can't know the case as well as a prosecutor. "Because he does. He is a master of his cases."

## POLITICAL OPPOSITES

While insisting there is no evidence implicating Limbaugh in a crime, Black said he is braced for charges to be filed. "There is a great amount of pressure on the state attorney from various segments to do something on Rush," he said. "That's what's driving this."

Black described Limbaugh as "one of those guys, you either love him or hate him."

Before they met for the first time last year, Black said, he may not have hated the opinionated Limbaugh, but he was no fan. "We are certainly on different ends of the political spectrum," said Black. "I'm proud to say I'm a liberal Democrat."

As a professional talker, Limbaugh presents a particular dilemma for a defense attorney who routinely counsels clients

some discretion. "But you can't ask Rush Limbaugh to remain totally silent."

Asked if Limbaugh is fanning the flames of a potential prosecution by telling his radio audience of 20 million that Palm Beach County State Attorney Barry Krischer is conducting a politically fueled "wild goose chase," Black answered: "We have already crossed the Rubicon. If there was some way that calmness and rationality would descend on this case, then fine. But that day has passed."

## DAVID VS. GOLIATH

As Black's profile has risen, so too have his fees. Limbaugh, a wealthy man who lives in a Palm Beach mansion, likely has no trouble paying. As for Levin, whose father, a Baltimore dentist, asked Black to take the case, "fees vary," said Black's partner Scott Kornspan.

In a dedication that opens *Black's Law*, a 1999 book in which he discusses four of his courtroom victories, Black lionizes criminal defense lawyers as idealistic Davids, who "fearlessly tread into hostile courtrooms, armed only with their briefcases and their native wit" to confront the Goliath of government.

Black relishes the fight, and he doesn't mind the odds. But he also allowed that he is more willing than ever to forgo the thrill of taking a case to a jury if necessary.

"With maturity I've come to realize that the most important part of the case is trying to restore the client to the best possible outcome," he said. "It's not about me vs. the prosecutor or seeking notoriety."

"Go to trial, yes. But if there is some way to handle it another way, with less agony, less expense to the client, I'll do that."

Staff Writers Tal Abbady and Peter Franceschina contributed to this report.