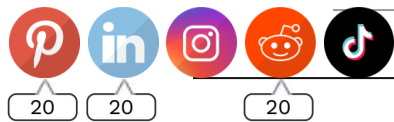




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Guest Post

What Really Happens in Court – and How is Justice Impacted

by Dick Leonardo | No Comments



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I Was a Lawyer for 55 Years. My Mission As a Novelist is to Show What Really Happens in Court – and How Justice is Impacted

By [Norman Shabel](#)

The U.S. justice system is considered by many to be the cornerstone of democracy, designed to ensure that everyone is treated equally under the law. The idea of “innocent until proven guilty”—whereby individuals accused of a crime should be presumed innocent until the state or prosecution proves their guilt beyond a reasonable doubt—is enshrined in the law. To many, this means it is the bedrock of fairness and justice, protecting individuals from wrongful punishment.

This, however, is an idealized view of our justice system. While I wish it held true, having devoted 55 years to a career as a class action and personal injury plaintiff’s attorney as well as a criminal prosecutor, I can say with confidence that a multitude of factors converge in the courtroom and behind the scenes that impact whether and how justice is ultimately served.

This reality, and my apprehensions about the situations I witnessed where the paradoxes of our justice system were on full display, compelled me very early in my career to write fiction inspired by what I saw. Although I was very busy building a career and raising a family, I was so determined to write about and share these truths that I often squeezed writing in while I was hunched over my desk waiting for a jury verdict to come in. Ultimately I penned seven plays and eight novels. Many of them give a vivid, behind-the-scenes look at our justice system in action and shine a spotlight on the events that take place behind the scenes during trials that impact justice, unbeknownst to most people. At 87, I am more committed than ever to sharing this behind-the-scenes look.

Why?

First, my inspiration for writing was initially sparked by seeing the prejudices and injustices while I was practicing law. These include judges' and juries' unconscious biases. There are guide the decision-making process, and alliances between judges and defense lawyers, may power. All of this can shape what a jury hears in a case, therefore greatly influencing the ou writing legal thrillers, I wanted to show this to the world. And I did.

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These are:

Bias

If a judge is prejudiced against the defendant, his attorney or vice versa, whether consciously or not, much of his decisions are in line with those prejudices. I demonstrate this with a passage in my book *Four Women* that accurately reflects a courtroom scene I once witnessed. In it, the main character is a lawyer serving as the plaintiff's attorney to a young father who fell into a vat of boiling sulfuric acid at the factory where he worked. During the trial, the judge agrees with the defense attorney's request to strike the plaintiff's attorney's opening statement from the record simply because they don't like what the plaintiff's attorney said. It was unwarranted and extremely unfair, especially since the jury would never believe another word from the plaintiff's attorney in that trial. But it happens. Every day.

The bias can have all sorts of roots: the judges personal opinions or political leanings; their relationships with the attorneys; connections with other parties such as mayors or industry leaders whose interests might be impacted by the trial's outcome, and more. Regardless, it's a fact of life in our justice system.

Hidden agendas

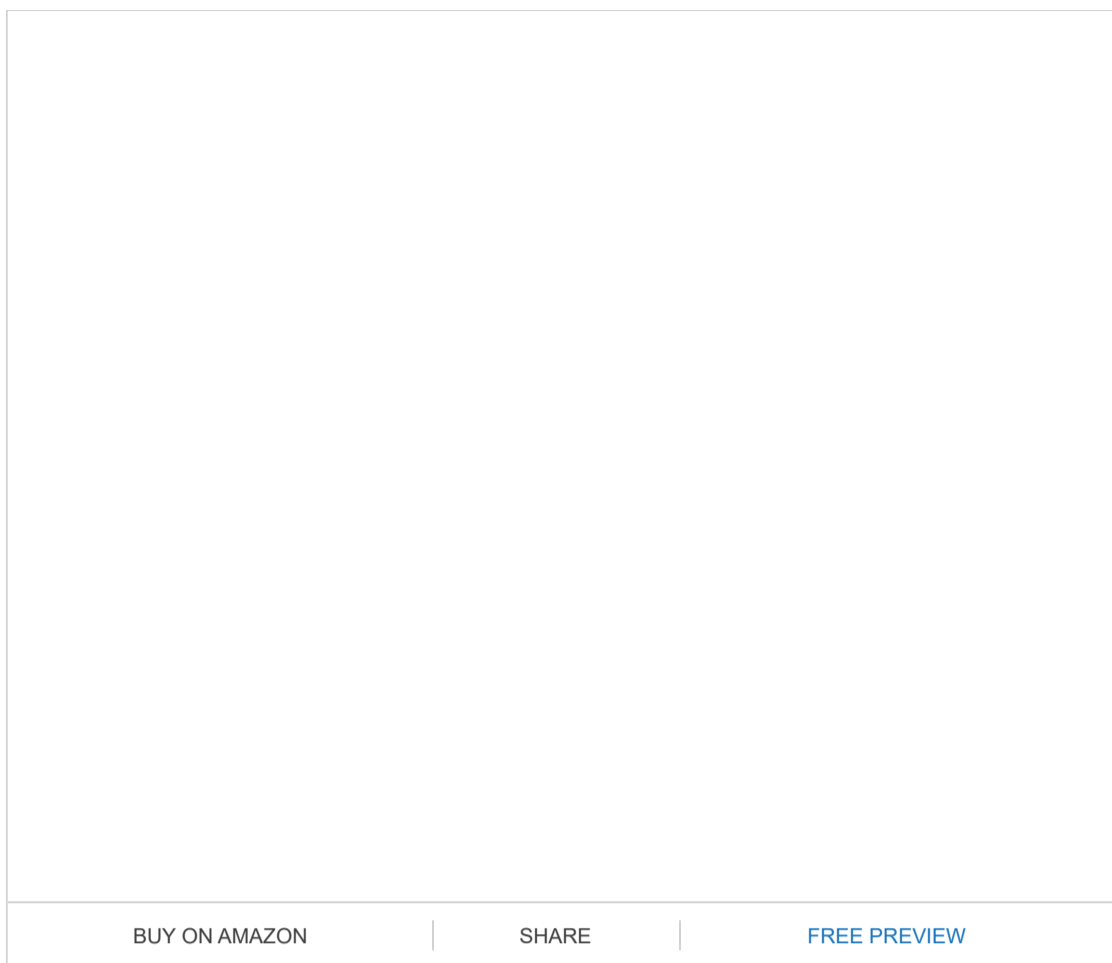
Beyond bias, hidden agendas can guide the decision-making process, often rooted in alliances between judges and defense lawyers, mayors, police and others in power. And there's a fine line between hidden agendas, corruption and a thirst for power. My novel *The Badger Game*, based on a true case I was involved in representing the State of New Jersey against accused murderers, shows this in action and sheds light on how this systemic issue can shape outcomes. *Four Women* also shows how hidden agendas— in this case tied to greedy developers attempting to remove four elderly women from their homes in the name of profit—come into play.

Unethical behavior

The stakes of achieving one's desired outcome in court are high. There's money on the line, reputations, career considerations and potential fallout for a community from the decision that's ultimately made. Neither attorneys or judges are immune to the temptation to receive gifts or political favor, falsify documents, make false claims in court, tamper with evidence, intimidate witnesses or engage in deceptive business practices in relation to clients or opposing parties. These and myriad other actions are clear violations of legal ethics and the rule of law, and yet they occur not just in the movies or on TV: they happen in court every day.

My novel *God Knows No Heroes* shows this in detail. It is based on a true case of a Rabbi in New Jersey who was accused of murdering his wife. The judge, prosecutor and sheriff had underlying political goals. They gave in to all of the above temptations—and more—in pursuit of those goals.

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Reviewers have commented that only an attorney could have written some of the multifaceted courtroom scenes featured in my books. I would add that only an attorney like myself, passionate about shedding light on the many injustices rampant in our justice system, could have written eight novels and seven plays while juggling my extremely demanding career in order to help people everywhere understand the implications of what I have seen.

—

Norman Shabel (www.normanshabel.net) is the author of eight novels, praised by Judge Andrew P. Napolitano as “terrific, fast-paced reads about the dark side of law enforcement and the judiciary.” Many of his stories are inspired by his 55-year career as a plaintiff’s attorney and prosecutor, where he witnessed injustice and oppression on a daily basis; others draw on his experiences of Jewish family life and his astute observations of its unique, often hilarious, dynamics. His novels include [The Aleph Bet Conspiracy](#), [Four Women and The Badger Game](#). Also a prolific playwright, Shabel has written seven plays, three of which have been produced off-broadway in New York City, Philadelphia and Florida to rave reviews. Among them are A Class Act, Marty’s Back in Town, and Are the Lights Still on in Paris? Born in Brooklyn, NY, Norman is retired from law and splits his time between New Jersey and Florida. He finds much joy spending time with his adult children, and his grandchildren.

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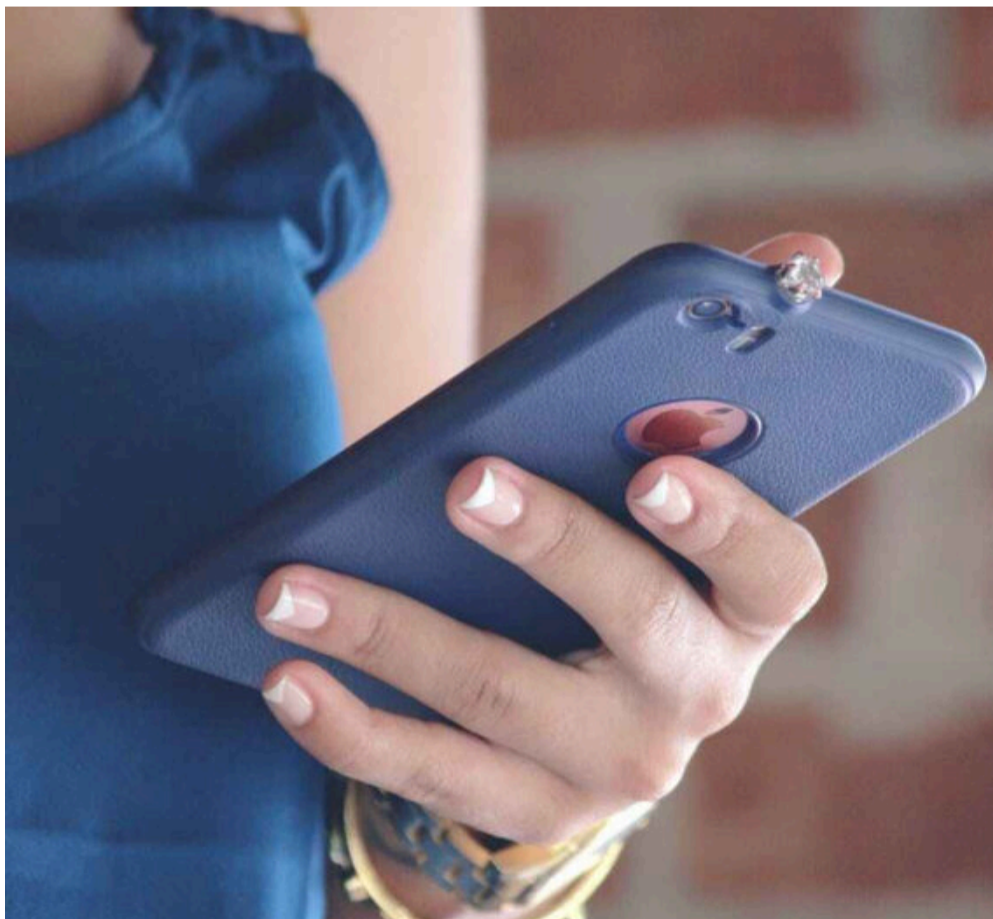
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