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Lawyers Have Duty to Take Tough Cases'

An attorney has a constitutional and a moral obligation to defend a person charged with a criminal offense no matter how heavily the evidence may weigh against him, the Exchange Club was told yesterday.

Thomas Wicker, a local attorney, speaking at the Exchange Club's weekly luncheon, said very rarely does an attorney have to defend a person he knows positively has committed the crime for which he is charged.

BUT HE INSISTED that even if he did have positive proof that the defendant committed the act, the lawyer would still be obligated to defend the person.

"One of the few ways," Wicker said, "the scale of justice can be balanced is to have an honest, courageous and competent lawyer," who is willing to accept tough cases.

Wicker said many times a defendant's mental capacity can be seriously questioned and that a lawyer is necessary to protect a mental incompetent from an unfair trial.

He also urged the general public not to prejudge a defendant involved in a criminal case. It is especially important, he said, for the public and the press not to have a prejudicial attitude toward some widely-publicized cases now coming to court, such as the trial of Sirhan Sirhan, the accused assassin of Sen. Robert F. Kennedy.

LAWYERS, JOURNALISTS and people who prejudge a criminal case, Wicker said, in effect deny the defendant the right of an impartial trial by jury, which is a constitutional right.

"To take away this trial by jury is not only unconstitutional but is also immoral," Wicker asserted.

Wicker said a lawyer must protect defendants who know little about the law. And, he said, many times a lawyer is the only friend a defendant may have, because his family and friends may have prejudged his case and deserted him.