

Crime or Sin: Abbe Lowell Discusses His Successful Defense of Senator John Edwards on rakontur Podcast, *For The Defense*

MARCH 30, 2021

How do you sway a jury when defending a client whose actions exist on the blurry line between a punishable crime and sin? In a recent episode of *For The Defense*, Winston & Strawn Washington, D.C. Partner Abbe Lowell discusses this topic with host David Oscar Markus, and how it relates to Abbe's defense of John Edwards during the senator's 2011 financial indictments.

Here are some key takeaways from their conversation:

Are trial lawyers born or made?

According to Abbe, they are a confluence of both nature and nurture. Positive reinforcement is important, but there is also an inherent X factor that calls trial lawyers to center stage. "To be a trial lawyer," Abbe said, "you have to have a desire to be a performer at some level. If I hadn't done this, it would have been Broadway."

Trial lawyers are often challenging to represent.

At the time of his trial, Senator Edwards was not only one of the best trial lawyers in North Carolina but also an accomplished public speaker and government official. However, due to the personal nature of the case, he lacked objectivity. While challenging, Abbe maintains that the senator's mindset was ultimately helpful because they could use each other as sounding boards. As the senator later told Abbe, for every moment of Abbe's representation he had 25-30 ideas a day and twice as many during the trial and maybe two of them were OK.

Defense attorneys are often proponents of cameras in the courtroom for appellate arguments, but skeptical about their inclusion during a criminal case.

Abbe believes cameras cause trial participants to play beyond the jury. There's also the issue of jurors being exposed to additional information and opinions regarding the case through friends, family, and the news. This places an increased pressure on jurors and "the opportunity for mischief."

Listen to the full episode [here](#).

1 Min Read

Related Locations

Washington, DC

Related Capabilities

Litigation/Trials

Government Investigations, Enforcement & Compliance

Related Regions

North America

Related Professionals



Abbe David Lowell