

Threats Against Me Personally

I have a divorce client who was the victim of domestic violence yesterday.

I appeared with her for a protection from abuse hearing today, and she indicated that her husband had made death threats against me personally.

This guy has a history of violence, and was once charged with attempted murder for shooting at his brother.

Does this just go with the territory, or would you make a separate report to the police?

I think a certain amount of it comes with representing DV survivors but I would not dismiss it out of hand. If the husband says anything to you personally or there are anonymous threats made directly to you then I would make a report.

Grace Crivello

I'd make a separate report to the police just in case he tries to turn threats into action so that the police know who to suspect.

Matthew Rosenthal, California

As a criminal defense attorney, I have had threats or solicitations of my murder from disgruntled clients. I make police reports. I also make sure that I can protect myself, if necessary. My sheriff encouraged me to make reports in the eventuality that I do have to protect myself.

Domestic cases are far more dangerous. Relationships turn to insanity and seething hatred. Far more divorce attorneys are the victims of violence than any other.

Make a report and be very wary of your surroundings at all times.

Eric C. Davis, Alabama

A - make a report yourself. You need it in case something happens.

B - talk to our own David Kaufman, who is an attorney but also a self-defense expert. He has helped other Sezzers in the past.

Jonathan G. Stein, California

I don't handle divorce but a) it seems like it goes with the territory and

b) I would report it to the police because c) too many lawyers get shot.

Justin Meyer, New York

If you think it is credible, YES - BOTH. The better alternative would be for your client to tell the police about the threat against you.

Plus carry a firearm.

Frederick G. Irtz, II, Kentucky

Oh, hell no, I'd call the cops right now. Not necessarily 911 but main business line, speak to them and have them send out an officer/deputy to make a report. Be up front, tell them what you know, don't

exaggerate, don't speculate, but tell them you're representing woman in divorce, spouse has history of violence and you are told that he has made a threat against you.

Look, I get that people are blowhards, but this bozo has history of violence. And, I can tell, police will take report, look him up, see that he has history of violence and was charged with attempted murder and the police will be HAPPY to pay this guy a visit. They always love talking to possible felons and eyeballing and seeing what they can find; that's what police do. Odds are he'll deny it, but odds are the local police will also indicate to him that they're going to keep an eye on him; and if he's got any sense he'll chill out; if he doesn't then at least the police have a lead if you wind up dead.

As far as other protection goes, there's lots of advice out there. But I'd DEFINITELY call the cops and let them know.

Ronald Jones, Florida

Not sure which way to go.

Hopefully you made friends with the local DA and /or the police Perhaps a gentle reminder that the police department wants you to stay healthy and based on the information they have he will be getting a visit if for some reason you sustain any non-accidental injuries.

So far I've only be threatened once to my face. Probably because while I'm old I'm not small. That and I carry at walking stick. While it would be sad to have to replace the stick because I had to use it to beat the bejzus out of my attacker. So what? A replacement from Mast General Store will cost me less than \$10.

John Davidson, Pennsylvania

Did she indicate it on record?

If he has an attorney, invite him (the attorney) to meet you to the police station for you to file the complaint,, or get a restraining order.

He shouldn't have any guns if he has a record of DV or pending DV.

If he was convicted, particularly if a felony and particularly if involving any family member, he shouldn't have guns.

Take this seriously.

James Moriarty, Iowa

I have been personally threatened in a probate case, but so has every other lawyer and all the judges who were connected with the case, so I had plenty of good company. One day in court the Sheriff plus 6 of her deputies were in court. 4 of the deputies were on each side of the guy one of whom always stayed between him and the judge.

Needless to say, I have had a firearm here at the office ever since.

Most of you cannot relate. But in a past life I was in combat. So I have had plenty of experience with the workings of firearms plus other related "toys". My staff has had training on what actions to take should a hostile threat occur.

I suggest that each of you who practice in an area where volatility exists, especially when individuals are unstable, have an office plan to deal with potential hostile situations. This not only affects us as attorneys, but also our staff personnel and our families.

Frederick G. Irtz, II

In addition to the many fine tips on this thread, I strongly recommend self-defense training, and this lengthy blog post about situational awareness. While it is the Art of Manliness Blog, ladies should take note as well.

<http://www.artofmanliness.com/2015/02/05/how-to-develop-the-situational-awareness-of-jason-bourne/>

Very good tips.

Matthew S. Johnston, Maryland

If credible, make a report to the cops.

Make sure you let court security know, too. When I clerked at a DV clinic, they were great about keeping the parties separated before, during, and after court. They would make sure one party got to their cars before the other left the building, that sort of thing. They even put a bulletproof vest on one of our clients once, though the attorney half-joked that she wanted one too.

Corrine Bielejeski, California

Make the report. Getting some sort of order to protect yourself is something that only you can decide on, but nothing wrong with do so.

The order may only be a civil issue and not lead directly to criminal charges for a violation. If divorce pending consider an order in the divorce action to stay away from you.

I think it unfortunately does go with the territory somewhat.

Phil A. Taylor, Massachusetts

I'm here. Call asap.

David Kaufman, Virginia

I would also call the police and make a report of the threat. Perhaps there's some law that criminalizes the making of threats that your local cops would be inclined to enforce. Perhaps I'm just unlucky, but the cops I encounter out here in CA tend to adopt the 'well, he hasn't done anything yet. Call us back when he does' philosophy.

I mention the Jason Cai story whenever a thread about threats to lawyers comes up. Short version: In 2008 in San Jose, CA, Cai was put on trial for allegedly drowning his wife in the pool of their home. I think he gets off or something. Wife's family hires a female lawyer named Xia Zhao to sue Cai for wrongful death. Cai threatens Zhao and demands she withdraw the suit.

She refuses. Cai ambushes her outside her office and kills her. Zhao was 32 and left behind a son and husband.

Cai, fortunately, gets convicted. I think he got life in prison. I googled it and found this story:

http://www.mercurynews.com/ci_20372089/san-jose-software-engineer-jason-cai-found-guilty

Cai was a software engineer, not someone who you would automatically assume as being capable of this.

Andy I. Chen, California

We had training for state hearing officers in December. The expert here in Virginia suggested never letting the person know where your true office is unless it has security. If you cannot, at least make sure that there is security there. Also, file a police report if a threat occurs.

Be safe and do not underestimate.

Mitchell P. Goldstein, Virginia

I recall seeing a clip on TV where a lawyer was gunned down right in front of Courthouse !. Also, maybe some thought about going in with other attorney and making the JUDGE AWARE....????

Thomas McShane

Thank you all for the wise replies. I have a call in to the trooper handling my client's case and I will make a report. I am also thinking about measures to protect myself, my employees, and my family.

Original Poster

I will never forget walking into my office one winter morning in the early 1990s, the day after restraining order had been entered, enjoining my client's husband from doing all of the usual things that are part of domestic violence. Three messages lit up the answering machine.

The first was from the lawyer representing my client's husband, telling me that he would be withdrawing from representation of the client, who was now in jail. And saying that he was sorry for what had happened. The professionalism that lawyer showed in delivering that message remains in my mind to this day.

The second call was from the county attorney, telling me that he would be filing charges against my client's husband.

The third call was from my client's brother, telling me that my client had been life-flighted to Omaha for emergency surgery, and her state was critical. She had been shot at close range in the chest.

The order for protection didn't keep my client's husband from shooting her.

Make the report to the police, but don't stop there. The report's not going to stop anyone who's determined to hurt you from doing so.

Take all reasonable efforts to protect yourself, your office staff, and your family.

jennifer j. rose, Mexico

On a more obvious note, if he directly communicated with your client then he likely violated any order in place. Around here, that's a crime all by itself. The problem is if your client heard this fourth-hand, the police aren't going to act unless they can trace it back to the actual person who heard it. By the time that happens the story has often changed.

Michelle Kainen, Vermont
