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## Taking a Risk in Law:

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# CHRISTOPHER DOUGLAS ADAMS

FOUNDING PARTNER, ADAMS BUCHAN & PALO, LLC

**Taking a Risk in Law: The Story Behind Being a Legal Game Changer  
The Keys Behind Starting Your Own Firm and Marking Your Legal Footprint**

Christopher Adams is the Founding Partner of Adams Buchan & Palo, LLC in Holmdel, New Jersey. Adams Buchan & Palo is a litigation boutique firm that services criminal defence, family law, civil litigation, professional disciplinary and ethics matters, and municipal law.

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Christopher Adams has been practicing law for 19 years and he always knew he wanted to practice criminal law. Christopher takes the time to speak to us about his landmark cases and his motivation behind his sheer dedication to his role as a criminal defence lawyer, and it is clear to us at *Lawyer Monthly* why he is a game changer in his field.

"Growing up in a law enforcement household there was always something about a criminal defence attorney that was attractive to me. I always wanted to be the person to defend someone. I always knew that the prosecution held all of the cards - so to speak - and the odds are stacked against a defendant. On one side you have prosecutors, investigators, police officers and other agents all trying to win their case. The only thing standing between those insurmountable odds and the defendant would be me. I know it sounds a bit strange, but I like those odds", explains Christopher.

His expertise in this area has seen him partake in landmark cases, such as an odd, yet highly prominent case, involving abolishing hypnosis as a method of gaining witness testimonies.

"Also, maybe it is my upbringing and I can thank my parents for this, but there is something about being the person that gets to say something good about someone. What I mean by that is that in a criminal case that ends in a conviction, or even in a plea agreement, the prosecutor and a whole host of others get to say what a terrible person or what terrible things the defendant did; and people do line up from far and wide to do that. For me, as a criminal defense attorney, if I can find one good thing – one positive thing about a person – and I can say it and advocate for that person on that one good thing, I feel better about myself being positive.

"That is not to take a swipe at prosecutors and law enforcement, like I said I come from a law enforcement family. But it is just my nature – I would rather be the one saying something good about someone, than lining up to lock him up.."

This exclusive interview with Christopher surely projects his passion for his role and will motivate any individual following the legal industry.

**What has been the biggest challenge you have faced in order to be established as you are now? What advice would you offer aspiring lawyers in order to help them overcome potential hurdles?**

I think the biggest challenge and fear was always to go out on my own and start my own firm. Even though it was highly exciting, after having practiced in established and highly successful law firms that have incredible amounts of support and people there to support you, the fear of starting my own firm was paralyzing. That fear was heightened by the fact that I decided to start my firm in 2013 when the legal market was still on a downturn. At that time firms were making less money, fees were getting reduced and the number of qualified criminal defence lawyers was growing. You are in constant competition for work, so having a successful practice that relies solely on my contribution as opposed to what would be a guaranteed and reliable income was scary. But, because of my experience in the practice and the confidence to ultimately do it, I knew I was ready.

The advice that I would offer to lawyers considering doing the same would be to not let your fears paralyse you or keep you from reaching out for what you want in this career. You are far more than what you do for a living. For me, my job is a criminal defence lawyer and I love it, but that does not define me. I am a father to three great kids, and a husband to an amazing wife. I coach soccer and am active in my town. I have spectacular and supportive friends and family. I always had that support network and that is very important – everyone needs to rely on that. My wife, who is a successful litigation attorney at a national law firm, one day looked at me and said if you don't do this you are going to regret it for your entire life. So I would tell other lawyers who are contemplating doing the same thing: life is too short to regret not going out on your own. It's okay to be afraid of

the unknown, but just go and jump out of the airplane once you know your parachute is packed and ready.

**What was your main aim as president-elect of the Association of Criminal Defence Lawyers, how do you settle to accomplish this?**

It was a great honour to not only be a trustee of the association but to serve as its president. When I began my term as president I set out my goals to increase the professional relationship between the Bench and the Criminal Defence Bar in this state, as well as the prosecutors in both the state and federal systems. However, my main goal was to create a Veterans Diversion Programme in the State of New Jersey. New Jersey has a high concentration of veterans and the numbers across the country of those veterans being charged with crimes and being imprisoned is staggering. Posttraumatic stress disorder - whether diagnosed or undiagnosed - is a significant component especially with the number of military conflicts that have occurred since 9/11. I have read stories and met soldiers with repeated tours of duty that saw horror and conflict that no person can reasonably be expected to put out of their mind. I have met soldiers and veterans who talk about the horror they have seen and I can't imagine what it would be like. And then I think that we as citizens ask these men and women to sacrifice themselves, their families and their futures for us, and we train and create these soldiers who are expected to go into these war zones or even places that are not exactly war zones and see the horror that is there and defend us and fight for us. And when it is over we expect they will come back and just rejoin society and be "normal". That is simply unreasonable. So, when our soldiers come back and develop a dependency issue or when they come back and they have anger issues, or when they come back and they are just emotionally crippled, they deserve more than



to be charged with crimes and for us to turn our backs on them. They deserve treatment and a second chance.

What I set out to do was to start a Veterans Committee of the Association of Criminal Defence Lawyers headed by a veteran who was also a lawyer and trustee, and said that we as a defence bar should push for a Veterans

State prosecutors and the threat of losing everything – not just a criminal charge which could result in only probation – but also a doctor's livelihood, is a daunting challenge. Doctors who have been practicing for 30 years, who have discrepancies in their medical bills, are being treated like the common criminal or thief. That is not to say that there are not problem doctors, but I look at

New York. Dr Felix Roque was charged in a massive indictment that alleged that he was being paid kickbacks by the owner and family members of an MRI facility. Dr Roque, an honorable man who immigrated to the US from Cuba, became a doctor and joined and served in the military until he retired a Major, denied any such conduct. The State, however, fully accepted the story of a known repeat criminal – the owner of this MRI facility. This MRI facility owner was a man who had a criminal past doing the exact same thing: bribing people. He was in the country illegally from Pakistan and began doing the same thing all over again. When he was caught, he was offered the opportunity to reduce his ultimate time in jail if he turned in doctors that he bribed. His entire family – including his 80-year-old father was facing deportation and jail. The State offered this man a cooperation deal that amounted to a bounty hunter agreement but was based entirely on his word. That is exactly what he did against Dr Roque. In that case, Dr. Roque absolutely refused to

plead guilty and demanded to go to trial. He was actually offered a “slap on the wrist” of probation but refused. He was a client who told his lawyers I am not going to say I did something I did not do, in order to avoid the risk of the penalty. He empowered us to fight and go to trial in the face of what would seem to others to be insurmountable risk. The trial lasted from Thanksgiving to Christmas and ultimately the jury returned a verdict of not guilty on all charges in only a matter of hours. That was one of the more rewarding cases I have tried. It is important to note, that because Dr Roque stood up to the government, other doctors did as well, and they too were vindicated.

**Can you share with Lawyer Monthly significant case you argue to the Supreme Court and the impact this had in your legal career?**

I had the honour of representing as amicus curiae on behalf of the Association of Criminal Defence Lawyers, a gentleman by the name of Clarence Moore. Clarence Moore was imprisoned

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Diversion Programme in New Jersey. We did that – both directly and indirectly – and lobbied the legislature and the Governor to pass a Veterans Diversion Bill. The bill was ultimately passed shortly before my term was over. The bill was not everything we asked for, but everyone agreed that we should not sacrifice success in pursuit of perfection. Since then, I have set out with other lawyers to continue the goal of bringing Veterans Diversion Programmes to the forefront. Recently the Monmouth County Prosecutor's Office here in New Jersey instituted the first Veterans Diversion Program in the state. It is a collaborative process that will hopefully be the benchmark for all other counties in the state to follow. I will continue to volunteer my services for free to help veterans navigate the Veterans Diversion Programme.

**What would you say is key to defending medical professionals that are under allegations of misconduct?**

In the past several years the medical profession has been the target of both Federal and

defending medical professionals the same way I look at defending police officers. Sure, there are police officers who do wrong, and because they are police officers they attract attention and publicity, and that results in the public viewing all police officers as bad. We know that is not the case, but instead, progress on the whole can be made by routing out the bad ones. The same applies to the medical profession. Doctors have worked hard to care for communities and just because it has become a priority to prosecute medical professionals in order to achieve a financial goal, either federally or statewide, that does not necessarily make it right.

Our firm's approach looks at the case as a whole. What I mean by that is we look at the criminal and the administrative part and try to work towards a resolution or ultimate defence that will help the professional survive the criminal justice system and not suffer a license revocation. A perfect example is the case I tried in 2016 in Bergen County, NJ where I defended a well-known physician who was also the Mayor of West



for many years in the State of New Jersey for crimes he claims he did not commit. An issue was whether or not hypnotically refreshed testimony was admissible in New Jersey and whether or not that was regarded as reliable science. In that case, two victims of otherwise heinous crimes – rape – were asked to identify their assailant. Initially they were either unable to identify Clarence as their assailant, or they identified somebody totally different as their assailant. Not accepting what the victims said, police in two New Jersey counties put the victims under hypnosis and they underwent what was referred to as hypnotically refreshed testimony. That meant that the witnesses sat with the hypnotist and underwent hypnosis in order to try and have them identify someone they said they couldn't, or they thought was someone else. If that process sounds absurd, you're right, it is. But that process was legal in New Jersey. I am sure you can imagine, but when the period of hypnotic suggestion was over, both victims identified Clarence Moore as the perpetrator.

“ *The concept of hypnotic suggestion to a witness to identify a victim who is then going to be prosecuted for crimes and serve decades in jail offends me* ”

The concept of hypnotic suggestion to a witness to identify an individual who is then going to be prosecuted for crimes and serve decades in jail offends me. I was able to participate in that litigation and argue at the Supreme Court that hypnotically refreshed testimony should not be admissible in any case in the State. After two arguments at the Supreme Court, in the middle of which the matter was remanded for a hearing at the trial level, the Supreme Court accepted our position and rejected hypnotically refreshed testimony in any case in New Jersey. Clarence Moore is free today and to me that was

one of the more meaningful cases I have ever been a part of.

#### **How do you guide yourself and your clients through complicated commercial litigation?**

Commercial litigation is a challenge because it sometimes lacks the emotional connection that comes with criminal defence. Often, people make decisions without thinking them through because there is not the emotional risk of jail or other criminal penalties. What we strive to do is explain the opportunities for resolution to all of our clients at every stage of litigation. Commercial litigation is incredibly costly and I think that is why you see so few civil trials. But just like with our practice, our driving force in this instance is to provide the best representation available to a client – whether it is an individual or an entity – at a reasonable price using cutting-edge technology and collaboration. We are young and energetic and have the ability and facility with new technology that replaces the old manner of litigation that required countless bodies and resources. That is not to say that the large litigations do not require such resources, but we are able to offer a more streamlined approach for our clients.

#### **Can you think of any other ways in which the legal sector could develop and address innovation in order to tackle big challenges?**

It has always seemed to me that the legal sector lacked the innovation and technological

advancements that are seen in the business community. Something as simple as e-filing and tracking cases online is so far behind what the business community has. Only recently New Jersey has begun on a more general basis to have e-filing and tracking online of cases. The federal system has been doing it for some time but it would seem to me that the courts and the legal community, as a whole, could make concerted efforts to increase technology to reduce costs and improve innovation. Similarly, court appearances are costly and burdensome to the clients. Video conferencing and CCTV appearances for status conferences and other appearances are something that should be available. It would seemingly cut down the backlog that plagues the judicial system and also spare litigants the expenses.

#### **Is there anything else you would like to add?**

None of this is possible without my partners, Kevin Buchan and Stephanie Palo, who have worked with me in the past. Kevin and I worked closely together on cases and know how each other think and act and react to cases. Stephanie Palo was a law student and law clerk that worked with both of us at that firm as well. Her work ethic and work product was second to none. Once I started my own firm I decided that I wanted to grow larger than a solo practitioner. What I didn't want to do was look for "strangers". I needed to find lawyers I would want to grow this practice with and those are people who think and act like me, that I can trust. Firm partnerships are like a marriage and you have to be open and trust each other. We have that ability and I believe it is why we have been successful. We remain close today both personally and professionally and that strength and bond is the base upon which this firm will grow in the future. **LM**

