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Spector's lawyer skips trial to tape TV show



LOS ANGELES (AP) — Just when we thought we'd seen it all in celebrity trials, Phil Spector's bombastic lead attorney has decided the record producer's murder case can continue just fine without jurors seeing one key element — himself.

Bruce Cutler, the New York lawyer who opened the proceedings in April as the star performer, has taken a time out from the 10-week-old trial to film a new courtroom TV show, *Jury Duty*.

Promotional clips from the show's website depict people pleading their small-claims cases to *Judge Cutler* and a jury of three celebrities. If the celebrities — producers promise appearances by Phyllis Diller, Dick Van Patten and assorted lesser lights — can't decide the case, "Judge Cutler will render the verdict."

Cutler vowed Monday to deliver the closing argument in the Spector trial even though he will not have been in court for much of the defense case. He said he has been watching the trial on TV and reading transcripts of testimony.

"I'm not doing it to deprecate the significance of the case," Cutler said. "I don't need to be there every day."

Cutler might not be breaking any ethical rules by taping the show during the trial, but "it's certainly unorthodox," Loyola University Law School professor Laurie Levenson said.

"The ethical question is 'Can he still reach the level of competence needed to represent a client on a murder charge?'" Levenson said. "If he's super lawyer and he can do it, he won't be violating ethics, but he certainly will raise some eyebrows."

Others have pursued TV careers after a trial, notably O.J. Simpson prosecutor Marcia Clark and Simpson's late lawyer, Johnnie Cochran Jr., who had brief stints on TV following the trial but not during it.

"He is taking celebrity lawyering to a whole new level," Levenson said of Cutler, perhaps best known for representing the late mob boss John Gotti in New York. "It seems like just a sideshow. But you wonder how it will affect future cases."

Cutler sat by Spector's side and quietly conferred with him through the early stages of the trial. He has become a marginal figure in the case in recent weeks, however, and disappeared from the courtroom completely last week.

Jury consultant Kathy Kellermann, who has been attending the trial, said Cutler's absence may be a puzzle to the Spector panelists.

"Jurors notice when someone new is in the courtroom. They also notice when someone isn't there. The issue is why do they think he's not there," she said.

Some jurors may be worried that Cutler has taken ill again, Kellermann said; a week's recess was called at the start of the trial because Cutler was ill.

Others may think he was banished because of his combative style at the start of the case, she said. After he was admonished for yelling at a witness in cross-examination at the outset, he never questioned another witness.

Cutler said he trusts the rest of the defense team to present evidence.

"Phillip is my first priority," he said. "I think it will be helpful for him in the end. Getting away from that pressure cooker is good for me. I can see the case more clearly."

One of Spector's four other lawyers, Roger J. Rosen, said Monday he knew about Cutler's TV career but declined to comment on it.

Spector, 67, is charged with shooting actress Lana Clarkson at his mansion Feb. 3, 2003. Clarkson, 40, was best known for her role in the 1985 film *Barbarian Queen*.

Spector was a leading music producer in the 1960s and '70s, rising to fame with a revolutionary recording technique known as the "Wall of Sound." If convicted, he could face 15 years to life in prison.

The case is in recess this week but resumes with defense testimony next week. Taping for *Jury Duty*, whose producers hope to syndicate it, runs through July 19, according to a schedule posted online.

Cutler said Spector is aware of what he's doing and they have daily phone conversations. He said he's not sure if Judge Larry Paul Fidler knows the details of why he is away but said he told the judge he would be absent for a while "on assignment."

Cutler said he feels "rejuvenated" and "reinvigorated" by his TV work.

"I decided to do this because it's motivational and educational and it's fun," he said. "It's good to have fun sometimes."