

Playing Chicken With Church's

Is It Live or Is it Laser?

# TODAY

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## TOO MANY LAWYERS

Scrambling for  
Survival in a  
Crowded Field





Goldstein in his office: "I'm making too much," he says glibly. "I'm overpaid, as are most recognized attorneys."

Photos by Brian Kelly

## Gerry Goldstein: Protecting the Minority S.A.'s leading civil libertarian is not a national name — yet

Gerry Goldstein is afraid. Not of the dark, or dogs that bite or things that go bump in the night. He's afraid of the future under Ronald Reagan.

"As a lawyer, I'm concerned that four more years of Reagan will mean the rest of my life. If he wins, he can appoint U.S. Supreme Court justices who can change the direction of American jurisprudence in ways that will mean some tough times for civil libertarians," he says.

It is a frightening prospect for an attorney who has gained fame and wealth defending a liberal interpretation of the U.S. Constitution. "I guess I'm going to have to learn how to make a living if it happens," Goldstein nods half-seriously, brushing back with his hand the curly, unkempt mop of hair that makes him appear much younger than his 40 years.

Goldstein's reputation as a fighter for liberal causes is well known in San Antonio and, in fact, throughout much of the country. He earned that reputation defending draft resisters and alleged drug offenders and is a prominent member of the American Civil Liberties Union. His willingness to take on enormously unpopular clients, such as

the Iranian students who burned the American flag on the Bexar County Courthouse steps, has made him the bane of local conservatives and even a few liberals who think he sometimes goes too far in defending the U.S. Constitution.

But for Goldstein, those kinds of cases just add zest to life. "If all you did was represent a popular point of view . . . well, what a dull way to live," he says.

Of course, Goldstein's motivations are deeper than the pursuit of thrills. He can talk eloquently and at some length about the importance of constitutionally protected freedoms and the constant struggle between the forces fighting to contain them and those pushing for them. It is a struggle he characterizes essentially as "the protection of the minority from the majority."

Goldstein's reputation is such that he plays on a different stage from most lawyers in San Antonio. Although he isn't a household name in the same sense as Raeburne Haynes or F. Lee Bailey, the self-described "little Jewish kid from San Antonio" is known and respected by his peers, getting major drug cases from all over the country. He makes so much money that he refuses to

discuss it, but he has a large home in exclusive King William and, until recently, drove a classic 1956 Bentley. He sold the car to State Senator Craig Washington of Houston after the legislator-lawyer had won a lucrative lawsuit.

"I'm making too much," he says glibly. "I'm overpaid, as are most recognized attorneys." There's a hint of guilt in his voice, but mostly just recognition of reality. Legend has it among local law circles that he won't take a case for less than \$25,000.

Goldstein shares a law practice with his father, Ell, 73, who has been an attorney for 51 years, and credits his father with giving him the luxury to take on politically volatile cases soon after graduating from The University of Texas law school in 1968. "Even when I was down in Kames City defending guys who had been caught with marijuana, I knew I would have a job when I finished. My father was always supportive and helpful, even when he didn't agree with me."

It was Goldstein's college years in the tumultuous sixties that forged his liberal views. He went through undergraduate school at Tulane University majoring in

business, before events at the time moved him to become a lawyer. "The political turmoil then turned a whole generation around," he recalls. "You had a whole bunch of Spook babies growing up together, and all of a sudden, everybody was being sent off to Vietnam to kill or be killed. It was hard not to get involved," he explains.

Even now, Goldstein speaks wistfully of those days "when there was a real camaraderie among young people." He half-jokingly describes himself as "an aging hippie" and admits that his part-ownership in the Beauregard Cafe, an artsy King William hangout where he often can be found, may represent a desire to hold on to that sixties chumminess. "Also, I couldn't run a tab in any other bar in town," he says with a grin.

The Goldstein reputation among his fellow attorneys in San Antonio is not as exalted as media attention might lead one to believe. He is regarded as very intelligent and a master at "preserving error" — which means he's good at spotting and creating judicial mistakes that can get an unfavorable verdict reversed in the appellate courts. But many attorneys claim that Goldstein isn't that strong before a jury.

He admits that his favorite plays in the

legal eat-and-mouse game is that old defense attorney axiom: delay, delay, delay. The theory is that if a client doesn't go to trial, he doesn't go to jail; and the longer a case goes unresolved, the greater the possibility witnesses will die or leave town or just forget what happened, which may work in the defense's favor.

Goldstein and his stunningly beautiful wife, Christine, enjoy the good life provided by his success. Their marvelous old house in King William, with its Spanish-tile-themed swimming pool, has been the site of some famous parties and dinners, with fresh crabs flown in from New Orleans for the occasion. The two are ardent sailors who frequently join in races off the Texas Gulf Coast.

Goldstein says he has mellowed a lot since the firebrand days of the sixties and adds that the day-to-day life of an attorney sometimes makes him forget to put into practice the things he believes in so strongly. But his conscience, he says, brings him back to earth. "I think we've got to learn to live with each other in this world," he says. "We have to be tolerant of difference. Otherwise, it can become so easy, homogeneous and comfortable, it's boring."

— Jeff Franks

Goldstein and wife Christine at poolside: "We have to be tolerant of difference."

