

Remain focused on sentencing, appeal after courtroom defeat: Stilman



Lawyers who lose a case must remain focused on the sentencing and the possibility of appealing, Toronto criminal lawyer [Jacob Stilman](#) tells [Lawyers Weekly](#).

“You can’t be demoralized because your client’s been found guilty when they shouldn’t have been. You still have to deal with the sentence,” he says in the legal publication.

Stilman, recalling a disappointing verdict he had in a jury case, says a woman was convicted of a drug offence in connection with a marijuana grow-op.

“The woman had been in an abusive relationship and was forced to participate in the operation. The Crown sought a four-year prison sentence; Stilman didn’t lose faith and, in the end, the judge delivered a conditional sentence and placed her on house arrest for 12 months,” says [Lawyers Weekly](#).

“We certainly salvaged the situation as much as possible,” says Stilman. “It would have been better to get the acquittal but at least we were able to take something away from that and avoid a catastrophe.”

He says the most difficult cases for any lawyer involve innocent people who are sent to jail, says the publication.

“When the jury has wrongly convicted the client, or the judge has dismissed a legal argument which you know was correct, the only way to deal with it is by maintaining faith in the process,” he says.

In these cases, it’s critical that defence counsel concentrates on the sentencing as “a lenient sentence in the face of an incorrect verdict will at least mitigate the damage and assist in counsel’s recovery from the initial setback.”

There’s a lot at stake during sentencing, Stilman emphasizes.

“The mental discipline of getting up off the floor and continuing to go to the job is probably the best therapy one can apply,” he says. “Lawyers need to stay focused on the rest of the job.”