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Top Women Lawyers 2011

Cristina Arguedas

ARGUEDAS, CASSMAN & HEADLEY LLP

Location: Berkeley

Practice type: Litigation

Practice specialty: Criminal defense

Arguedas — accustomed to high-profile criminal cases and the glare of the media — got an extra helping of attention as she defended Barry Bonds against claims that he lied about his alleged use of steroid drugs.

Last month, the home-run star was found guilty of obstruction of justice, with a mistrial declared for three other charges against him.

While she declined to discuss the case, which is ongoing, Arguedas is upfront about how she handles the spotlight while she's in trial.

"The media adds an extra layer of pressure to a case," she said. "When you're a criminal defense lawyer, you live with a tremendous amount of pressure when no one is watching our cases. People's freedom is at stake."

Not that the media onslaught, in cases such as Bonds, can't be a pain, but she said that she tries to keep her priorities straight.

"It is true, when you hear that click, click, clicking when you're walking into the courthouse, it does add some pressure, but it's not as meaningful as the issue of freedom and prison that the case presents," she said. "When I'm in a case with a lot of publicity, I don't read a word of it. I read it later. You don't have time, and it's only a distraction. What matters is what the jury and judge think. If you start looking at what some reporter is writing about, it undoubtedly includes facts that didn't happen in the courtroom, and that can confuse and distract you."

What also concerns Arguedas these days is the information that some jurors are getting from sources outside of the courtroom.

"The biggest challenge I have is in the age of Google," she said. "How do you try a case in which

you've got to get a jury to pay attention to what is heard in the courtroom and not anything else?"

With the Internet, tweeting, and all the other high-tech bells and whistles available these days, it can be difficult keeping some jurors from indulging in a little self-assigned research of a case.

"Everyone thinks the first thing is to reach into your pocket and find out for themselves when they want to learn something," Arguedas said. "It's a challenge for the court system. It's not unique that many high-profile cases, and many cases written about that are not even on the front page, have a blog about them. A Googling juror can find the information."

But lapses like this can lead to mistrials, and sanctions for the errant juror, she said.

Arguedas is especially lauded for her skills in cross examinations, which attracted media attention during the Bonds trial, with her grilling of the star witness.

"I do a tremendous amount of preparation, and I draft and redraft the crosses about 20 times," she said. "The most important thing to think about is in what context do you want the jury to see the witness. It's not so much what the witness says, as much as the picture you paint with your questions. It's not about creating a 'Perry Mason' moment, as much as painting that picture and creating a context."

Arguedas said that she also uses as many exhibits and backup material as she can.

"It gives you credibility," she said. "Every time I ask a question, I have the paper to back it up at my fingertips."

— Pat Broderick