

I always wanted to be a criminal lawyer! Shortly after I entered law school at the University of São Paulo in 1990, I worked as an intern at a few law firms, but one of them struck me in particular. It was the internship with Adib Yazbek and his daughters, Selma and Eleonora. It was a civil law firm at Rua Riachuelo, in the Santa Francisca building, one of those old buildings downtown, where the elevators still have hinged manual doors. As Mr. Adib knew that I was very interested in criminal law, he asked Mr. Rafael Potenza for an internship. Mr. Potenza was a typical Italian man, extremely kind. He was a criminal lawyer and had an office in the same building. He won everybody over with his charisma. His fatherly style, gray hair, chubbiness and a big mustache on his face. However, he did not want an intern.

- Adib, I don't like interns. I go to the courthouse by myself and handle things.

After some insistence, he agreed to let me accompany him on his trips to the police station and the Criminal Courthouse. For me, that was awesome, everything I ever wanted. I worked with Potenza for a short time, but it was enough to know that I had chosen the right field

DEMAREST & ALMEIDA

At this stage in the game, the fourth year of college was coming and I needed to join a firm where I could build a career. The firms of good criminal lawyers were small (still are) and the prospects of being hired on as a lawyer were low. I did not want to risk it and chose to go to work at Demarest & Almeida, in civil litigation.

There were some police investigations into traffic accidents among the civil cases which I oversaw. Of course, I volunteered to monitor these investigations. The Federal Constitution had been changed recently (1988), increasing prosecutorial powers. Concurrently, several laws emerged in the early 90's, creating what is called the White Collar Crimes. This included Law 8137 - dealing with crimes against the Tax System, against the Economic System and against Consumer Relations - Law of Crimes against the Environment, among others. This created a demand for legal services in the criminal area by companies. I was in the right place at the right time.

Then, I.T.'s case came. He was an executive of a multinational company arrested at the scene for drunk driving. Although I was still an intern, I volunteered to handle the case. The partner in charge of litigation at Demarest, Mr. Lauro Ayrosa, agreed, since I would be under the supervision of Mr. José Celso Camargo Sampaio - retired appellate judge who was a consultant for the firm at that time. I gave the case all the care in the world, until judgment was rendered. The defendant was... found guilty. When I picked up a copy of the judge's decision, I saw my career as a criminal lawyer end there. I took a copy to Mr. Lauro, who got furious. I said that we could appeal and Mr. Sampaio added that we had a good chance to win. I drafted the best appeal I could. Later, the Criminal Court of Appeals granted the appeal to acquit our client. At that very moment, fresh life was breathed into my career. I never met I.T. He was Japanese and lived in Japan. Certainly, he has no idea how important his case was to me.

The fact is that, with the new laws, with the confidence Mr. Lauro had in me and with the support of Mr. Sampaio, work in the criminal area became intensifying. The work in the civil area taught me a lot and was important to me to have more extensive training. The demand in the criminal field was growing, and soon afterwards, it took over 100% of my time.

I always felt a good criminal lawyer had to work with every type of case. That was how I applied for court appointed attorney positions. I worked in several cases in the criminal courthouse and enrolled to argue before the 1st Jury Court. For me, the jury court has always represented the highest embodiment of criminal law. There is no real and complete criminal lawyer who has not worked there.

LEANDRO FALAVIGNA, ANDREA VAINER AND RAFAEL SAGHI

I always loved playing soccer, although my talent for the British sport was quite limited. It was playing soccer that I met Leandro Falavigna, an intern in the tax department at Demarest. As the criminal area was growing and I needed an intern, I asked Leandro to work with me. Overcoming the resistance of Demarest, Leandro accepted and changed area.

One case in particular left a mark on us in our first stage. It was the case of the aunt of Mr. Antônio Carlos Vianna de Barros, the partner responsible for the labor area at Demarest. Aunt Nica was a praiseworthy woman who lived in Ipauçu. A strong hardworking woman, Aunt Nica worked at a public elementary boarding school and was adored in the quiet town in the State of São Paulo. She devoted much of her 85 years to educating children throughout the area, whose parents had no means to support them.

Aunt Nica was murdered by a former student from the school where she used to work. While she slept, she was asphyxiated and stabbed several times. The crime shocked the small city of Ipauçu and the trial had to be relocated to Ourinhos, because of the public commotion that the crime caused. Leandro and I participated in the jury trial as assistants to the prosecution. We returned victorious to São Paulo, and the defendant was convicted to 21 years in prison.

After that, we worked together for nearly four years, until the time came that Leandro graduated and I had to decide whether he would be hired on as a lawyer or not. Another intern graduated at the same time as him. Both of them were excellent, but there was only room for one of them in the team. I consulted other professionals who worked with me and the decision was not to hire Leandro on as a lawyer. Life has shown me that this choice was a terrible mistake.

Leandro left and set up his own firm. He started from nothing and began to grow. This experience made him a brilliant professional, which perhaps would not have happened if he was hired on as a lawyer at Demarest.

Leandro was building a solid career thanks to his hard work, honesty and undeniable results, while I continued in charge of the criminal law department at Demarest, which was considered one of the best in the country from 2007 to 2012. I was also acknowledged as one of the most admired criminal lawyers in the same period by Análise Editorial. What I am most proud of in receiving these awards was not being acknowledged, but the colleagues with whom I was included. There were all my idols from my early career. In 2012, I was elected one of the best in the criminal area by the respected Chambers and also by Latin Lawyer.

In that period, Demarest hired Andrea Vainer, an intern from Fundação Getúlio Vargas (FGV) who was interested in the criminal area. As the first years of law school at FGV were full time, Andrea worked only for a few months with us. When her summer internship ended, she asked me:

- Luis, when I finish the full time studies at FGV can I return and intern with you?

I said yes. One year later, there was Andrea again. For being tireless, I nicknamed her the "little machine". Andrea is the kind of person who brings together two important qualities: dedication and competence. The result is an impeccable job always praised by clients. In her second time working at Demarest, she showed interest in the compliance area, which has close ties to criminal law. With her fluent English and perfectionism, she became my right-hand woman in the area. Much of the credit we receive for our work in this area should be totally hers.

I do not remember exactly how I first came into contact with Rafael Saghi. He joined Demarest to work as an intern with civil law. The fact is that I soon realized that Rafael was a different intern. It is impossible not to like Rafael and his good people skills. He has an incredible ability to relate well with people. The criminal law happens for the most part in police stations and hearings, situations in which such characteristic is essential. Besides, Rafael has a rare quality in people: the ability to see the obvious. It helps a lot in defining a simple, objective and effective strategy to solve problems.

TIME TO START OVER

At a certain point, I realized that my career at Demarest had peaked. I had become a partner of the criminal law area, was respected inside and outside the office, but I saw that my professional path had stagnated.

For all these reasons, I decided to leave Demarest. My initial idea was to purchase a small room and work as a solo practitioner. When I told Andrea that I was interested in leaving the firm, she said:

- Luís, I am going with you!

Hearing that motivated me even more! I asked her if Rafael would also leave and she told me he would. I talked to Rafael and he confirmed it. If I chose to leave Demarest, he would leave too.

So I called Leandro and we arranged to eat a pizza at Camelo on Rua Pamplona. I told him I wanted to leave Demarest to set up a criminal law firm. Leandro also wanted to dedicate his time solely to criminal law and jumped at the thought. For me, this is what was missing. Leandro had a lot of experience with setting up a firm and had a much clearer view of how to run things.

I am very grateful to Leandro, Andrea, and Rafael for everything we went through up to now, and I am sure we will still have good times ahead. I have huge affection for them!

We know our origins, our qualities, and we acknowledge our faults.

Honesty, loyalty and dedication are our main values.

Health and success for all!

Luís Carlos Dias Torres