**Choose Excellence**

By Tim J. Cain

Back when I was a younger lawyer and beginning my career as a prosecutor I had occasion to reflect upon the question “how does a litigator win jury trials?” You see, I had lost my first two jury trials and my ego wouldn’t allow me to lose another. I pondered this matter and this is what I hit upon.

For better or worse, we have grown up in an era dominated by television and movies. The overwhelming majority of our fellow Americans too easily believe that what the newscasters tell them is the gospel truth, and that how Hollywood portrays cops and lawyers is reality. This fact stems from this same overwhelming majority having little, if any, contact with the criminal justice system. Most people are law abiding; that’s the good news.

The bad news is that without some frame of reference, without some contact with the criminal justice system, they believe that cop and lawyer shows and movies reflect the realities of life. I began to realize that ‘entertainment value’ was nearly as important as bringing out the truth. Stated differently, the lawyer who put on the best show was the one who got the verdict.

Then it hit me like I was wearing a red man suit in a patrol baton class full of rookie cops. In order to win a jury trial I had to meet the jury’s expectations based upon their perceptions from television and movies. Or, for my mathematics friends, this was the equation: meeting the jury’s expectations equals success.

The result for me in the courtroom was that I won the next fifteen jury trials in a row, and after over a hundred jury trials in state and federal courts I have won over 90%.

Now, if you think about it, this formula works in all matters in life. If you want a promotion, how do you get it? Smile at the gold badges and hope they like you? No, find out what their expectations are for the person they’re promoting and meet those expectations. If you work in sales, find out what your customer wants then show them a product that meets their expectations. The list is endless.

It was natural for me to next ponder the question “if success is meeting expectations, how does a person become great?” I am not a great man but I have known great men. I took time to study them and think about what made them great people. This is what I found.

Those LEOs I considered great had many attributes. Regardless of how many years they had on the force, regardless of the number of hours they had been working, and regardless of the nature of the call, they were first or second car on the scene. They were always the first to ask “how can I help?” They always had an encouraging word to their brother and sister LEOs, and they took the time (and effort) to mentor the rookies. Their paperwork, whether it was a case report or a supplemental report, logging in evidence, an inventory, a return on a search warrant, narrative for a crash report, or what have you, was completed in detail and, consequently, their testimony from the stand wasn’t cross-examined. In short, everything they did was better than what was expected of them.

For me, it was round two in the red man suit. I realized that greatness was exceeding expectations.

But why were they great? Were they born knowing how to draft an airtight case report? Certainly not. They chose to learn as much as they could about this profession, they chose to spend extra time to help their fellow LEOs, and they chose to do the extra work required to be great.

You see, then, that greatness isn’t something you’re born with and it isn’t something that’s thrust upon you. Greatness is a choice that each of us makes.

Choose now to be great. Be the cop that everyone turns to, the one that sets the example that others follow. Society has made this occupation a profession, but you have to make yourself the professional.