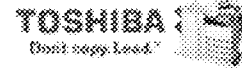




FORMAT FOR
PRINTING
sponsored by



March 17, 2007

PAGE ONE

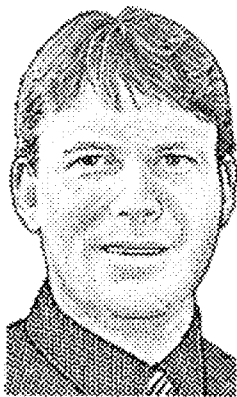
Spring Break Is A Legal Specialty For Ben Bollinger

**Florida Lawyer Enjoys
A Spike in His Business;
Defendants in Flip-Flops**

By SUSAN WARREN
March 17, 2007; Page A1

PANAMA CITY, Fla. -- This time of year, defense lawyer Ben Bollinger likes to stick close to his office between noon and 2 every afternoon. That's when the spring breakers begin to call from jail.

Free of classes and heading south to bask in the sun, tens of thousands of hard-partying youths are pouring into this tiny Gulf Coast resort town for their annual spring fling, crowding beaches, bars -- and courtrooms.



Ben Bollinger


In March and early April, hundreds of youths are arrested or issued citations for minor crimes such as underage drinking, balcony-climbing or public nudity. Sometimes sheepish, sometimes defiant, and almost always hung over, spring breakers parade through the courtrooms of the country's hottest party towns in swimsuits and flip-flops to answer to judges for their drunken misdeeds, praying that their parents don't find out.

A native of Panama City, one of the top spring-break destinations, Mr. Bollinger has been defending wayward breakers since he graduated from law school 10 years ago. At the age of 36, he can still relate to the kids. "I don't think of myself as a lawyer, I'm a redneck with an education," he says with a Southern drawl. "They come down here and act stupid and get into a little bit of trouble. I could be in their same shoes."

He advertises a 24-hour hotline so the newly arrested can reach him in the middle of the night. He runs ads during "Club Hour" on Beach TV, the local round-the-clock tourist channel, where he dispenses advice on how to stay out of trouble. "When they start reading you your rights," he cautions, "it's gotten serious."

Mr. Bollinger is among a handful of criminal defense attorneys who have developed a microspecialty in spring-break offenses. In South Padre Island, Texas, attorney Mike McNamara, a professed "major beach bum," posts fliers with the slogan, "Got drunk? Got caught? Call Mike."

DOW JONES REPRINTS

 This copy is for your personal, non-commercial use only. To order presentation-ready copies for distribution to your colleagues, clients or customers, use the Order Reprints tool at the bottom of any article or visit: www.djreprints.com.

- See a sample reprint in PDF format.
- Order a reprint of this article now.

He won't tell your mama!" The 65-year-old Mr. McNamara's Web site features a photo of himself lounging in a lawn chair on the beach in bathing trunks and sunglasses, with a beer in his hand.

SEE A PHOTO SLIDESHOW



Susan Warren

These students from Southern Illinois University at Carbondale rented an RV for their Spring Break trip to Panama City and plan to take cabs to and from the clubs at night.

At the height of spring break, South Padre's population of about 3,000 swells by up to 70,000 spring breakers. The municipal court, usually in session just one day a week, runs seven days a week processing 50 to 60 cases a day, says city prosecutor Stuart Diamond. Judges know the kids are in town for just a few days and usually assess a fine and let them go. Cops even give offenders a ride to the ATM to get cash to pay their fines, which run up to \$500 for Class C misdemeanors like public intoxication.

At the University of Florida's Student Legal Services, staff gather each March to watch MTV's raunchy 2001 movie "Spring Break Lawyer," about a refugee from law school who heads for Fort Lauderdale to help kids

with spring-break legal problems. "Spring Break is a big, big time of year for us," says attorney Daintry Cleary, director of the service that provides free legal help to students. Her phone starts to ring the day kids come back from the beach. "One of the first things they ask us is, 'Are you going to tell my parents?'" The answer is no.

Panama City Beach, with miles of white sands and sparkling emerald water, has a long-established reputation as one of the nation's premier spring-break capitals. And the Gulf Coast town has remained loyal to the 300,000 or so college students who spend more than \$60 million on goods and services during the month of March according to tourism officials.

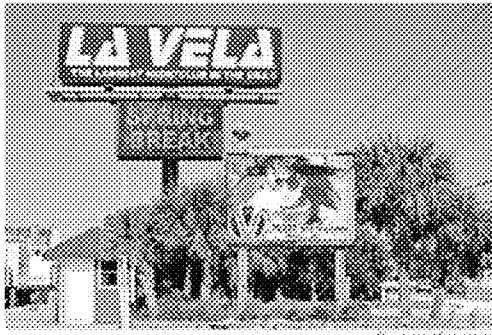
It's also big business for cops, lawyers and courts. On Friday, March 9, 54 people were arrested and packed into the Bay County jail overnight -- twice the number the jail normally accommodates. "Spring breakers," explained court clerk Kenia Martir. "That's a big number, but it's only going to get worse."

During especially busy years, spring breakers can make up 25% of Mr. Bollinger's caseload of accidents, drunk-driving arrests and traffic tickets. The business usually comes in two waves: when the students get arrested, and two months later when their parents find out about an impending court date. Thursdays and Fridays tend to be the busiest nights for arrests.

Mr. Bollinger knew from a private investigator that the jail was packed on March 9. Sure enough, as the offenders were allowed access to a phone to prepare for their court appearance at 2 p.m., Mr. Bollinger got a call. A Tallahassee college student had been picked up for a felony -- selling marijuana to an undercover police officer.

Mr. Bollinger walked to the courthouse, located across from his law offices, and entered a small courtroom wired with microphones and cameras where offenders make their first appearance before a judge via videoconference from the jail.

On a TV screen, a jailhouse camera telecast the fuzzy image of a downcast 25-year-old man standing meekly at a podium. Mr. Bollinger leaned over into a small



Panama City, Fla., is one of the nation's spring-break capitals.

microphone dangling on a wire over the defense table and shot off a few questions: Did the young man have a job? Was he a student? Did he have any priors?

The news was good: no priors. When his turn before the judge came up, Mr. Bollinger asked the judge to set a modest bail, arguing that the youth was a student in nearby Tallahassee and could be relied on to appear. Bail was set at \$7,500. Mr. Bollinger often doesn't charge spring breakers anything for a first appearance. If he's hired to represent someone in a felony case, his fees can run thousands of dollars, hundreds for a misdemeanor.

This was more serious than most spring-break cases. Misdemeanor offenders are often simply given a notice to appear in court at a later date, or are allowed to mail in paperwork, then pay a fine, write an essay, or perform community service.

Through the following week, Mr. Bollinger's phone continued to ring, often in the middle of the night. "They usually start at 1 o'clock in the morning," he said. One kid had been in a bar brawl; another had left the scene of a minor car accident; another was arrested for pulling down a young woman's shirt.

As Mr. Bollinger wrapped up in court, another day of heavy partying was just getting started on the beach. Students these days are well-versed in the risks of spring break. Many make careful plans with friends about what to do and whom to call if they land in jail.

On Saturday morning, Keegan Keeney, 24, and Jerad Busch, 23, arrived at the beach with four other friends from the Southern Illinois University at Carbondale, after driving all night. They were more than aware of the potential for trouble. "You know the cops are going to be watching, and you have to keep yourself halfway in control," said Mr. Busch. He and his friends had decided to play it smart: They had rented a recreational vehicle for the trip but planned to take taxis to and from the clubs at night.

But just in case, said Mr. Keeney, "We brought money for bail."

Write to Susan Warren at susan.warren@wsj.com²

URL for this article:

<http://online.wsj.com/article/SB117407617454939751.html>

Hyperlinks in this Article:

(1) OpenWin

('http://online.wsj.com/article/SB117406448494539582.html','wsjpopup','760','524','off',true,0,0,true);void
('');return false;

(2) <mailto:susan.warren@wsj.com>

Copyright 2007 Dow Jones & Company, Inc. All Rights Reserved

This copy is for your personal, non-commercial use only. Distribution and use of this material are governed by our **Subscriber Agreement** and by copyright law. For non-personal use or to order multiple copies, please contact Dow Jones Reprints at 1-800-843-0008 or visit www.djreprints.com.