

James M. Shellow, criminal defense lawyer and masterful cross-examiner, dies at 95

By [Michael S. Rosenwald](#)

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James M. Shellow, a criminal defense lawyer renowned for his sharp cross-examinations and the pleasure he took in being a highly sought-after legal ace, including expensive wine and crisp \$100 bills, died Oct. 29 at his home in Milwaukee. He was 95.

The cause was covid-19, said his daughter Jill R. Shellow.

In Wisconsin courtrooms, where he defended mob members, drug offenders and anyone else facing time in a cage — his description of incarceration — Mr. Shellow was a legal legend and mentor to criminal defense attorneys who revered his tenacious advocacy and capacity for 20-hour work days.

“Jim was just at war with the universe,” said [Dean Strang](#), one of his proteges. “He was the sort of guy who knocked the planet a couple of degrees off its axis — just an audacious and irresistible human being. And he just absolutely detested the deprivation of liberty.”

Although he wasn't as well known as Alan Dershowitz, F. Lee Bailey or Leslie Abramson, Mr. Shellow was frequently hired by lawyers across the country to cross-examine key witnesses, especially in drug cases, a subject on which he literally wrote the book — [“Cross-Examination of the Analyst in Drug Prosecutions.”](#)

“The cross-examination must impeach the character of the witness,” he wrote in a legal journal. “He must give answers which are implausible or unreasonable. The jury must be encouraged from such responses to find that the witness is biased and untrustworthy and from this infer that his opinions are unreliable.”

One way Mr. Shellow accomplished this, Strang said, was by getting prosecution witnesses to admit they weren't qualified for their jobs or couldn't for certain say whether the drug in question — typically cocaine or heroin — was the chemical substance defined in the statute.

In one case Mr. Shellow cited in describing his methods, he asked a prosecution witness to name just one “recognized scientific treatise that says that what you were doing was the right way to do it.”

“No, I cannot name a book,” the witness said.

“Can you name a book in any language, English, German, French, any language at all,” Mr. Shellow continued, “that is the appropriate methodology for analyzing cocaine? One treatise in any language?”

“I cannot name a treatise,” the witness answered. “No, sir.”

James Myers Shellow was born on Oct. 31, 1926, in Milwaukee. His mother had a PhD in psychology and worked as a psychologist for the Milwaukee police. His father was a labor union accountant.

Mr. Shellow nearly followed both of their career paths.

After graduating from the University of Chicago in 1949, he stayed and received a master’s degree in psychology. While there, he dated fellow psychology student Gilda Bloom, marrying her in 1950. Mr. Shellow then worked as a systems engineer for Chance Vought, a military airplane manufacturer, and also became a certified public accountant. He found all of those experiences boring and unrewarding, so he went to law school, graduating from Marquette University in 1961.

Mr. Shellow’s first foray into criminal defense came during his third year at Marquette, when he read an article in Life magazine about a conspiracy trial involving Joseph Bonanno, Paul Castellano and several other known mafia members. The key piece of evidence on which they were convicted was a meeting the men held in Upstate New York.

But Mr. Shellow, in reading the news coverage and later the trial transcripts, noticed that prosecutors had presented evidence only of a meeting, not that a conspiracy was planned during it.

“Convinced that the argument was misframed at trial, Shellow tried to convince the defense attorneys that they should push his argument on appeal,” according to Wisconsin Lawyer magazine. “When his letters proved unpersuasive, he took a train to New York and asked for a meeting with one of the attorneys.”

It didn’t go well.

“After hearing Shellow’s spiel,” the magazine reported, “the lawyer told him to enjoy the sights and have a safe trip back to Milwaukee.”

Mr. Shellow persisted. He took a train to Cleveland to speak with Osmond Frankel, a civil rights lawyer working on the case.

“As the story goes, after an hour, Frankel was convinced,” Wisconsin Lawyer magazine wrote. “He immediately called the other attorneys and they changed the appellate brief to mirror Shellow’s theory. The Second Circuit Court of Appeals agreed, and all the convictions were overturned.”

Criminal defense law consumed Mr. Shellow's life, and not just by the sheer number of hours he billed. His wife became a criminal defense lawyer, and for years they practiced out of their home, where they raised two daughters who also became criminal defense lawyers.

Mr. Shellow luxuriated in his prominence. Strang, a prominent criminal defense attorney for Steven Avery, whose murder trial was chronicled on the hit Netflix show "Making a Murderer," remembers the evening Mr. Shellow hired him.

"Let's go have a great meal and get drunk," Mr. Shellow told him.

Sitting at dinner, with the wine flowing, Strang said Mr. Shellow predicted his success in the courtroom and out: "You're going to drink too much. You're going to chase women. And you're going to carry \$100 bills."

Mr. Shellow's daughter Jill said everything about her father's tastes were true.

"My father didn't stop smoking until the day before he died," she said. "He liked very good wine and he drank like a fish. And, frankly, he chased anything in a skirt."

In addition to his criminal defense work, Mr. Shellow worked pro bono for fair housing and desegregation advocates, Vietnam War protesters and civil rights activists, including Father James E. Groppi, a Catholic priest jailed for contempt after a protest in the Wisconsin State Assembly chamber. Lawyers from Mr. Shellow's firm took the case to the U.S. Supreme Court and won.

Mr. Shellow's wife died in 2005, and their daughter Robin Shellow died last year. In addition to his daughter Jill, of Hastings-on-Hudson, N.Y., survivors include a brother and a grandson.

Strang, in recalling Mr. Shellow's career, said his own life as a lawyer wasn't a complete copy of his mentor's.

"I don't drink that much," he said. "I can barely manage one woman. But I carry one \$100 bill in my wallet to this day. I will always have that \$100 bill in my wallet to remember Jim Shellow."