

MINNESOTA LAWYER

Brent Schafer - Schafer Law Firm

By: Nancy Crotti February 28, 2011 0



If you ask Koua Fong Lee and the folks at the Innocence Project of Minnesota, Brent Schafer should be 2010 Attorney of the Year. Schafer was instrumental in exonerating Lee, who had spent three years of an eight-year state prison sentence in the deaths of three people who were riding in a car that Lee's 1996 Toyota Camry struck in St. Paul in 2006.

The Eagan attorney represented the father of four at his sentencing hearing. Prodded by Pioneer Press reporter Emily Gurnon, who had covered the trial, to look into the possibility that Lee's Camry experienced the now infamous Toyota sudden unintended acceleration problem, Schafer and Texas attorney Bob Hilliard took on Lee's case, pro bono, and uncovered new evidence that led to Lee's release in August 2010.

At Schafer's request, Innocence Project attorneys interviewed about 50 people whose 1995 and 1996 Camrys had experienced sudden unintended acceleration. Twelve interviews were introduced as evidence, according to Julie

Jonas, managing attorney at the Innocence Project of Minnesota.

"He knew when to ask for help, which a lot of lawyers, especially in private practice, may not know when to do," Jonas said. She also described Schafer as "masterful" in controlling Lee's cross-examination. "It was pretty good craftsmanship and really good professional skills at that hearing," Jonas said.

Schafer cited those interviews, incorrect evidence about Lee's car and poor representation by Lee's previous attorney as deciding factors. He also recalled hearing someone apologize to Lee after his release for the American system of justice.

"Some people can feel that way, but I really feel that our system also gives us an opportunity to get it right, and this time we did," Schafer said.

Lee can't thank Schafer enough. "I have no money to pay him but he said, 'Don't worry about the money,' and 'If he can walk me out of jail, it would be a great day for him,'" Lee said recently. "Sometimes I listen to the words that he talked to me and I just cry and say, 'Wow. You are such a nice guy and I have nothing for you, but you say you are willing to help me,' and finally he did free me."