

“I like being on the side where it is harder to win.”

When a criminal defense attorney like Bob Hartmann walks into a courtroom to try a case, the odds are immediately against him and his client.

That’s just the life of a criminal defense attorney – their clients are often presumed guilty initially, not innocent.

“When I was a prosecutor I won 98% of the time – it was quite easy,” says Hartmann, one of the top defense attorneys in the country.

He wanted more of a challenge so he ventured over to the defense side – “which is much more difficult than being a prosecutor, especially in Orange County, which is so conservative,” he says.

The constitution says an individual is presumed innocent until proven guilty, “but in reality, in this country, and especially in a conservative area like Orange County, it’s almost like you have to show your client’s innocence overwhelmingly,” Hartmann says.



By Rick Weinberg

Criminal Defense Attorney Bob Hartmann thrives on crafting arguments on the toughest cases -- and his success rate in winning is staggering.

“Here you have a client who is presumed innocent, then the jury hears the charges and goes ‘Whoa, maybe he is guilty.’ It’s clearly much more challenging on the defense side – and I like being on the side where it is harder to win.

“For me, I’d rather have it be harder than easier.”

Hartmann, a UCLA and Loyola Law School

graduate originally from Huntington Beach, California, is a masterful attorney with a grasp of the law that is close to being unprecedented in laws circles. And it’s not just California law either – Hartmann thrives on taking cases in any state, learning the laws of the state and creatively crafting his argument.

For nearly 30 years as an attorney, he has metic-

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ulously handled more than 3,000 cases – including murder trials – and as achieved a result satisfactory for the client nearly 100% of the time.

His areas of expertise run the gamut:

- Export Controls Violations – including cases involving Export Administration Regulations, International Traffic In Arms Regulations, the Commerce Department’s Bureau of Industry and Security and Commerce Control List;
- Securities Offenses – including Securities Fraud, Insider Trading and Third Party Misrepresentation;
- Immigration Offenses – Smuggling, Harboring, Transportation of Unlawful Aliens, Trafficking in False Identity Documents, False Statements Pertaining to Status and Illegal Reentry;
- Fraud — Wire and Mail Fraud, Mortgage and Bank, Healthcare and Medicaid/Medicare Fraud, Student Loan Fraud and Perjury;
- Laundering, Counterfeiting, Structuring, Financial and Tax Offenses;
- Environmental Crimes – Dumping, Storage, Transportation and Licensing Issues;
- Violent Crimes such as Murder, Homicide, Sexual Assaults, Three-Strikes, Robbery, Gangs, Kidnapping and Weapons;
- Property Crimes such as Residential and Commercial Burglary, Grand Theft, Identity Theft, Receiving Stolen Property, Extortion, Embezzlement and Gambling Offenses;
- Domestic Violence and Restraining Orders;
- Drunk Driving (first and multiple offenses, refusals, DMV matters);
- Child Pornography Offenses including possession and trafficking;
- Sex Offenses including Pandering, Pimping, Slave Trade, Child Molest, Sexting;
- Juvenile Offenses in both Delinquency (Crimes) and Dependency (Social Services) Courts;
- Violations of Probation/Parole/Mandatory Supervision;
- Felonies and misdemeanors;

- Expunging and Clearing Criminal Records.

Former Orange County Senior Deputy District Attorney Larry Yellin, who was recently elected Judge, has been opposing Hartmann in the courtroom for more than 20 years. Few people know Hartmann like Yellin.

“As an opponent, Bob is someone you can trust while still zealously representing his client,” Yellin says. “I admire him -- everything he tells you is true. You never have to question him. Being on the defense side is not the easiest thing to do — he has an innate ability to defend his clients impeccably well. It’s a serious challenge to be on the other side of him in court.”

Yellin is asked if it difficult for a District Attorney to go to trial against someone they have the upmost respect for – professionally and personally – like Hartmann? And how does a scenario like this impact a DA like Yellin?

“Someone with the kind of integrity Bob has is the kind of person who will get the best resolution for his client -- if it can be resolved without trial,” Yellin says. “He’ll tell you all the good things about his client and it’s believable because of the type of genuine guy Bob is.

“During a trial, Bob’s persona significantly helps him and his client -- the jury sees that he is a sincere person. As a defense lawyer, Bob is not espousing the most popular position in the courtroom. In fact it’s the most unpopular position. But Bob is incredibly impressive in the way he goes about representing himself and his client and the facts of the case.”

The most impressive, powerful and effective lawyers are the ones who are heard by the people in power -- the DA, who has the ability to charge; the judge, who has the ability to sentence; and the jury, which has the ability to judge.

“All three are impacted by someone like Bob in a very positive way,” Yellin adds.

Mark Geller, another DA in Orange County, says Hartmann “is a great lawyer with qualities that you like in an individual. He is fair and honest -- whatever he says you can take it to the bank. He works very hard for his clients -- and that’s the biggest compliment an attorney can get.”

Nothing excites Hartmann more from a professional standpoint than preparing for a case. He gets an absolute rush of adrenalin from start to finish.

“My job is listening to what the client says, and then do two things – getting them through the case without being charged,” he says. Since he handles mostly white collar crime, “being accused of a crime is very scary, so part of what I do is play a psychologist. I reassure them that everything will be ok, that their life is not over.

“Secondly, I have to do a great job of investigating what the accuser is saying, researching the accuser’s background, seeing if the accuser has made any statements that would contradict what they told police, and seeing if they changed their story.”

The next challenge is controlling the courtroom, something Hartmann does with incredible ease and skill.

“A big part of winning a case is how you act, how you’re dressed, do you make eye contact with the jury, do you take control of the courtroom,” he says. “The strategy of a good lawyer is being the lawyer who controls the courtroom. I want the jury to rely on me as to what’s right or wrong or whether something is important or not.

“That’s part of the strategy to get them to come over to your side. A lot of jurors perceive a trial as a competition between the defense attorney and the prosecutor. Right or wrong, that’s a debate for me. That’s competing.”

Hartmann’s love for the law evolved through his uncanny talent to debate. He relished the competition in high school and college, taking a side in a debate, researching it, and then present-

ing his position.

He would have preferred to compete as an athlete -- he has a serious love of sports -- but he simply wasn’t built that way. He was built to be a dynamic debater and attorney, a man of the law, someone who effectively and successfully helps people escape the biggest jams in their life.

He was a top-notch debater from the get-go at Edison High School in Huntington Beach, Calif. In college, he competed annually for the National Debate Championship – and he would up winning the title in 1981 with UCLA.

“I loved it – I wasn’t good enough to be an athlete, so this was my version of it,” Hartmann says. “I loved the competition -- it was about who did the best job of arguing and convincing the court, judge and jury of their position. Debating is exactly like being a lawyer in terms of researching, thinking on your feet, creating an argument -- no matter how tenuous your position is.”

During a Trial Advocacy class at Loyola Law School, Hartmann made up his mind – his future was as an attorney, period. That class is where he learned the intricacies of how a trial works -- what’s an opening statement, how do you prepare it, closing argument, how do you select a jury, how do you address the judge and the other lawyer.

“I knew at the moment that I wanted to be in the courtroom,” he says. “I didn’t want to be the type of lawyer who sat in an office all day doing depositions. I needed to be in the courtroom.”

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