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by Sam Taylor

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Moscow attorney Tim Gresback might defend some of the most well-known murderers and criminals in the area, but that doesn't stop him from holding his utopian views.

"In a just society, the most despised citizen in the community gets the best lawyer," Gresback says of why he chose to be a defense attorney. He is also an adjunct professor in the University of Idaho College of Law.

Gresback is one of less than 30 lawyers in Idaho certified to handle capital cases, or cases where the death penalty might be used. Because of this, he was chosen to represent Larry Banderob, a St. Maries man accused of murdering 76-year-old Micky Waltch in February.

"If you concede that even the most despised citizen is entitled to a lawyer, wouldn't you want the lawyer to try his best?"

Born and raised in Minnesota with 11 brothers and sisters, Gresback grew up in a household where his parents had such little education that "proper English was a second language."

Since that time, he has become a trial lawyer who is certified to argue in front of the U.S. Supreme Court, and is also the regional director of the Idaho Trial Lawyers Association.

As an adjunct professor in the College of Law, he teaches practice court. At his private practice, Gresback specializes in criminal defense and personal injury litigation. The latter is generally what he teaches at the law school, he says.

Gresback is highly idealistic, and does not hold back when emphasizing his philosophies.

He believes even those accused of the most egregious crime deserve a defense, and he has no qualms about being the person to represent them.

"I get tremendous satisfaction from helping an otherwise powerless citizen," he says.

"Sometimes I provide \$10,000 of legal work for \$500. The client doesn't even know of my gift. That's extremely satisfying."

Gresback has represented some high-profile cases. He was co-counsel for Matthew Wells, who pleaded guilty to second-degree murder after shooting and killing UI cornerback Eric McMillan in 2004.

The attorney also represented Gerald Barcella, "the axe murderer," who killed his landlord with a Pulaski axe.

He has no clients on death row, and the majority ended up with under plea deals where they received lesser sentences than they could have.

Going into his sixth year as a UI law professor, Gresback tries to instill his teachings into students. Then again, he says, there are always a few students who might be too concerned with something he'd rather have them ignoring.

“What bothers me is when I have a student more concerned about a grade than my lecture,” he says. “It’s like I’m handing them the keys to the courthouse and they’re trying to figure out where to park the car.”

Gresback says he enjoys class, even though it’s theory-based. He says the point of law school is for students to understand the definitions of crimes, like burglary for instance, that they may come face-to-face with later in their careers.

“That’s what they learn in class. In practice they’ll learn how to prove it or defend it.”

Gresback says some of the things he wishes he could instill in students are lessons he’s learned in the courtroom – such as that losses and wins will both come, and it’s not an easy road.

“I’ve been ruled against by just about every judge I’ve ever been in front of,” Gresback says. “I hate being treated like a speed bump on my client’s road to prison. That hurts.”

Gresback says he fears that people in power have continually restricted the rights of the accused.

“(They) are continually trying to devise ways of limiting our freedom in the name of safety.”

Gresback says what scares him the most is “that often I can’t tell the difference between the cops and the robbers.”