

PENNSYLVANIA & DELAWARE / 2013

# Super Lawyers®

SUPERLAWYERS.COM

CRIMINAL DEFENSE ATTORNEY  
NIALENA CARAVASOS



THOMSON REUTERS

and the publishers of



**Philadelphia**  
MAGAZINE

Reprinted from the June 2013 issue of *Philadelphia* magazine.  
© 2013 Super Lawyers, a Thomson Reuters business. All rights reserved.

# FIERCE

## Criminal defender NiaLena Caravasos goes the extra mile for her clients

BY MICHAEL Y. PARK  
PHOTOGRAPHY BY LUIGI CIUFFETELLI

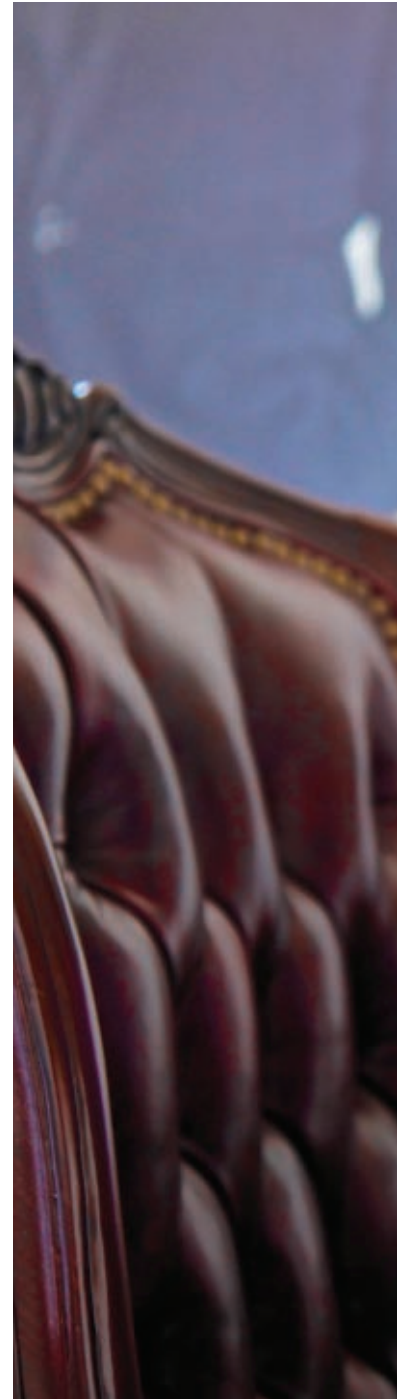
WHEN COLLEAGUES, FRIENDS AND ADMIRERS OF NIALENA Caravasos talk about her, there's one story that keeps coming up.

Only a couple of years into her legal career, Caravasos, a spunky outsider, was arrayed against a coterie of high-powered attorneys drawn from the old-boy network of lawyers tapped into service by Mafia dons.

The twist? They were supposed to be her allies.

*United States v. Joseph Merlino*, tried in 2001, was the biggest mob case to hit Pennsylvania in decades, the culmination of a federal campaign to decapitate a Philadelphia crime family by jailing its boss, Merlino.

"She always manages to get into these humongous cases," longtime friend Andrew Rochester, a Cherry Hill, N.J. matrimonial lawyer, says. "An attorney that young having her own defendant in the Merlino case—it's truly astounding."







**NIALENA CARAVASOS**

- FOUNDER / LAW OFFICE OF NIALENA CARAVASOS
- CRIMINAL DEFENSE
- PENNSYLVANIA SUPER LAWYERS: 2008–2009, 2011–2013

**“For some people, [the courtroom is] very frightening, and they don’t like it,” says professor David Rossman. “For NiaLena, it’s what she was meant to do.”**

But Caravasos, representing Frank Gambino, an elderly, alleged made member of the crime family facing a potential life sentence for attempted murder and for racketeering charges that were linked to him by RICO laws, wanted to buck the top-down strategy the rest of the defense team had devised.

“Some of the co-counsel were not even talking to me. ... I was going to do the right thing for myself and my client,” Caravasos says. “Let the chips fall where they may.”

**THROUGHOUT CARAVASOS’ CENTER CITY** office, you’ll find the milestones of her life. There’s the models of the Greek trireme and other ancient vessels and photos of Caravasos smiling broadly against the sapphire backdrop of the Aegean Sea—a proud nod to her Greek heritage and the fact that she has returned to the Greek islands each summer for every year of her life.

There’s the life-size cutout of Humphrey Bogart, one of her favorite actors, and a large *Casablanca* print, where Bogey portrayed an outsider who did the right thing. The print was a gift from Gambino, who walked every week from South Philly to her office, bringing Italian-American food for Caravasos to eat while they discussed his case.

There’s the replica of the White House chair used by Abraham Lincoln.

And, finally, the thing about Caravasos’ office that no one ever misses: the finest view you will find in all of Philadelphia of Independence Hall—the birthplace of both America and its legal system.

Caravasos was just 10, growing up in Swarthmore, Pa. and in Greece, when something about the idealism of the law—as portrayed by the TV show *The Paper Chase*—grabbed her and never let go.

“I asked my parents to take me to courtrooms every so often, so I could sit there and watch,” she says.

When it was time for college, she had to choose between following the scientific path of her engineer father—Caravasos was one of a handful of women admitted to MIT that year—or the path of her mother, who’d been a lawyer in Greece.

Her choice was clear. “If I had gone to MIT, I wasn’t sure how that degree was going to

help me with criminal defense,” she says.

She started at the Wharton School of the University of Pennsylvania in 1984. An economics degree with majors in multinational management and marketing, she reasoned, would come in handy with clients accused of white-collar crimes. After Wharton came Boston University School of Law, where she graduated with several awards in 1993.

“We call it becoming a litigation junkie,” says professor David Rossman, director of the school’s Criminal Law Clinical Programs. “In law school, you study, you take a course, write an exam. Four weeks later, you get a result. In a courtroom, you prepare, make an argument and then the jury comes back, and right then and there you learn if you succeeded or failed. For some people it’s very frightening, and they don’t like it. For NiaLena, it was what she was meant to do.”

Caravasos returned to Philly, and in the midst of a hiring freeze at the city D.A.’s office, began an internship in its homicide unit. Soon after, she was inspired by the courtroom work of Philadelphia’s former district attorney F. Emmett Fitzpatrick.

Caravasos knew she wanted to join Fitzpatrick’s private practice. The problem was, it was a two-man operation—him and his son. Undeterred, she wrote to him at his office in the Public Ledger Building, which is next door to the office Caravasos works in now, and he invited her to lunch. He told her he wasn’t looking for a new addition. She said he might change his mind once he got to know her.

In the meantime, she began clerking for Judge Lisa Aversa Richette in the Court of Common Pleas’ homicide program. “She said to me, ‘Open your heart to defendants. You’ll find they will embrace you, trust you,’” Caravasos says. “And then you will be able to help them, not just in their case but their lives.”

Meanwhile, Caravasos regularly phoned the man she came to call “the Captain”—a reference to *Dead Poets’ Society*—with updates on her career.

“When I first started there,” says Doreen Howley, who joined the firm as a paralegal in 1996, “Mr. Fitz said, ‘There’s a woman that calls every now and then.

She wants to work under me. If she calls you can put her through.' He said she was a little persistent."

In 1997, after three years of getting to know her, Fitzpatrick offered Caravasos a place in the firm as an associate. "When I first joined him, he sat me down and he said, 'I want you to know we do everything completely by the book here,'" she says. "'Reputation's the most important thing you will ever have. Money is secondary.'"

In 2003, Fitzpatrick made Caravasos a partner. In 2006, they renamed the firm Fitzpatrick & Caravasos.

But before her name went on the door, she had to prove herself. The Merlino case was the perfect opportunity.

Seeing that her client's alleged crimes didn't stack up to the offenses of the other defendants, Caravasos set out to prove Frank Gambino was a man of a different stripe than the others on trial. Though a judge knocked down the possibility of a separate trial, she laid out a strategy that didn't ignore the playbook for the rest of the defense team, but played off it.

"The whole thing is macho, the mob scene," says veteran crime reporter George Anastasia, who covered the trial for the *Philadelphia Inquirer*. "And the lawyers play to their clients. But she didn't do that. For example, there was a lot of talk about wives and girlfriends, and which witness was sticking it up the noses of the defendants by saying so and so had a girlfriend. And NiaLena got up and asked one question: 'Mr. Gambino isn't married and had no girlfriend, right?' She asked that one question and left."

"There's some very aggressive attorneys who attack the government, give fiery speeches, et cetera," says retired *Philadelphia Daily News* organized crime reporter Kitty Caparella, who also covered the trial. "She came on low-key and reasonable, trying to set Gambino apart from the others. The jury sat up and listened."

Caravasos' strategy ruffled feathers on the defense team, but Fitzpatrick, representing one of the other clients, supported her.

"She's not an Indian," says private investigator Diane Cowan, who was hired by the defense team for the Merlino trial. "She's a chief."

Defense meetings grew chilly. But when the sentences were handed down, Caravasos was vindicated. Gambino was convicted of theft-related charges but acquitted of the more serious charges.

"At her closing, she essentially said, 'I'm representing Mr. Gambino, and you're not,'" Howley says. "And her client winded up getting out of prison before any of the others."

Her client-first attitude hasn't abated. In 2004 and 2005, she represented Michael Jackson, a West Philadelphia man facing a life sentence on drug-trafficking and gun charges. Caravasos got him acquitted of weapons and the graver drug charges, and persuaded the judge to apply the lowest sentence possible for the remaining charge.

"She was fierce like a bulldog, for real," Jackson says.

Others, Jackson adds, had a different name for Caravasos, based on her customary dark attire. "The cops, they nicknamed her the Black Widow."

In 2009, Caravasos—now in practice for herself after the dissolution of Fitzpatrick & Caravasos in the wake of Fitzpatrick's retirement—represented Ali (not his real name), a New Yorker arrested in an FBI sting operation for receiving counterfeit cell phones and attempting to procure a fake Social Security number; he was charged with conspiracy to intentionally traffic counterfeit goods, among other charges. Ali's case was indicted along with another case involving alleged terrorist-related activities, and the federal government argued Ali might be connected to terrorists.

Ali, who was in reality a failed businessman trying to escape his bad credit history, was sent to the federal detention center in Philadelphia, where he attempted suicide multiple times.

Caravasos, hired by Ali's brother, found a client seemingly unwilling, possibly incapable, of assisting in his own defense. "He was hanging by a thread," she says of their first meeting.

She spent four hours with him, talking about her own life, growing up in both Greece and suburban Philadelphia, her relationships and career.

"She can talk the pants off you, and

you don't realize for half an hour you're not wearing any pants," Rochester says. "She has this way of just cutting through people's defenses."

In early 2011, Caravasos convinced prosecutors to drop nearly all the charges after spending hundreds of hours going through discovery to work out a plea deal for the one that remained—conspiracy to make false statements to government officials—and persuaded the government that its terrorism suspicions were unfounded. "I felt I had to do the best thing for my client," she says. "[Ali] was very fragile and couldn't withstand a trial, so I had to try to win the case for him without going to trial."

All the while, she worked on stitching together Ali's fractured personal life, got him psychiatric help and encouraged him to complete the college education he'd given up on. When she found he had an interest in astronomy, she had a star named after him.

"I've been doing this for 50 years, and I've worked with several hundred lawyers," says Dr. Robert Sadoff, a forensic psychiatrist and clinical professor of psychiatry at the University of Pennsylvania, who diagnosed Ali as bipolar during the case. "She goes the extra mile."

Ali was sentenced to three years probation.

"I don't refer to her as my attorney. I refer to her as Mama NiaLena," says Ali, who has since completed college and is now looking at master's programs. "I have my real mother that gave birth to me, and then I have NiaLena."

For Christmas one year, Ali hired a sketch artist to draw a picture of Humphrey Bogart from an old photograph he'd found. He framed it and gave it to Caravasos. She placed it in her office among all the other relics of her life and career, the photos of the waves in Greece, the tokens of thanks from the clients whose lives she changed.

"My greatest loves," Caravasos says, "are the Aegean Sea and criminal law." 