

MICHIGAN LAWYERS WEEKLY

A sidebar with ... Michael Nichols

By: Thomas Franz in News Stories January 4, 2019

East Lansing attorney Michael J. Nichols is best known for his work in drunken driving defense.

For his accomplishments, the Ingham County Bar Association recently gave Nichols the 2018 Leo A. Farhat Outstanding Attorney Award.



Nichols

Nichols spoke with *Michigan Lawyers Weekly* to discuss his practice at The Nichols Law Firm PLLC and how he entered the field of drunken driving law.

First off, what hooked you into the area of drunken driving law?

The opportunity to rise up to a challenge because the cases are very challenging. By doing them in a unique fashion, I figured if I could learn how to challenge forensic evidence at this level where it's almost always because the government says it is, it is, if I could learn how to do that, I could learn how to challenge forensic evidence in any case.

Have you had other opportunities to adapt this practice in other areas?

I have tried to do that, and there is some cross-application, certainly not perfectly but I have tried to do that. Reckless driving causing death is certainly one where there have been cross-applications.

What new strategies have developed for defending clients in your field of cases?

In terms of the alcohol cases, I think what's evolved is the paradigm shift in the science where I think judges, and to an extent juries, are starting to understand that there is always an uncertainty in any kind of measurement. There's going to be a variation, and you can only express a result in a confidence interval as our best estimate of what the true value of what somebody's blood alcohol content was, and there's got to be a probability that whatever came from the lab could be completely wrong.

You're a professor at WMU-Cooley in the area of drunken driving, how did you end up gaining that position?

When Marge Russell was at Cooley, she kind of facilitated that by suggesting that I could do a class at the Lansing campus and it sort of evolved from there. It's very difficult because as an adjunct professor, the pay isn't really worth doing it, but the reward is the interaction with the students. That's definitely something that when I get the motivation and time to do it, I do enjoy doing it.

How did you develop your teaching style at WMU-Cooley?

I'm very laid back. In going to conferences and seminars, I find that when the presenter is having fun, getting us on our feet as well and having us do even a practice cross-examination, that's always the most rewarding for me.

You're a frequent author of legal articles, how did you get into writing in addition to your normal work?

I just got into writing by virtue of something I did a lot in my first career as a journalist and I just got into it. I worked in TV and radio for 10 years and put myself through law school with that.

Your wife Wendy is also your law firm partner, how did you two decide to pursue a practice together?

We were both associates at a different firm, and it was just a matter of wanting more control, more control over the building, the revenue and expenses.

Sometimes, it's awesome and perfect, but other times it's more difficult. We've done it for 12 years now and it seems like we've made it long enough that we'll do another couple decades hopefully.

Tagged with:

DRUNKEN DRIVING LAW

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