

# A SWORD FOR THE CONVICTED

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Representing  
Indigent Defendants  
on Appeal

David T. Wasserman

# Sword For The Convicted Representing Indigent Defendants On Appeal

**David T. Wasserman**



## **Sword For The Convicted Representing Indigent Defendants On Appeal:**

*A Sword for the Convicted* David Wasserman, 1990-09-18 This book offers the first study of indigent criminal appellate representation in the United States Using New York City as a research model it explores the organizational tactical and ethical challenges of providing zealous advocacy for every convicted indigent wishing to appeal The author a former staff attorney with New York's Legal Aid Society examines the impact of the Supreme Court's Douglas decision on appellate courts and representation presents an empirical study of criminal appeals in New York and discusses the implications of this research for indigent appellate defense

Convicting the Innocent Brandon L. Garrett, 2012-09-03 On January 20 1984 Earl Washington defended for all of forty minutes by a lawyer who had never tried a death penalty case was found guilty of rape and murder in the state of Virginia and sentenced to death After nine years on death row DNA testing cast doubt on his conviction and saved his life However he spent another eight years in prison before more sophisticated DNA technology proved his innocence and convicted the guilty man DNA exonerations have shattered confidence in the criminal justice system by exposing how often we have convicted the innocent and let the guilty walk free In this unsettling in depth analysis Brandon Garrett examines what went wrong in the cases of the first 250 wrongfully convicted people to be exonerated by DNA testing Based on trial transcripts Garrett's investigation into the causes of wrongful convictions reveals larger patterns of incompetence abuse and error Evidence corrupted by suggestive eyewitness procedures coercive interrogations unsound and unreliable forensics shoddy investigative practices cognitive bias and poor lawyering illustrates the weaknesses built into our current criminal justice system Garrett proposes practical reforms that rely more on documented recorded and audited evidence and less on fallible human memory Very few crimes committed in the United States involve biological evidence that can be tested using DNA How many unjust convictions are there that we will never discover Convicting the Innocent makes a powerful case for systemic reforms to improve the accuracy of all criminal cases

**Public Defenders and the American Justice System** Paul B. Wice, 2005-06-30 Eighty to ninety percent of the nation's urban criminal defendants are defended in court by public defenders Thus understanding how these defender programs operate their effectiveness and the quality of professional life for these beleaguered and often underpaid attorneys is a critical factor in improving local criminal justice systems What is it like to practice law in such an inhospitable environment where clients often revile their counsel and prosecutors hold defenders in contempt How does a public defender maintain self esteem and dignity What are the particular problems and obstacles of public defender offices And how might such departments overcome these obstacles so that defendants and defenders as well as the public benefit In vivid prose and with vignettes and quotes from the lawyers themselves Wice answers these questions and paints a truer picture of the state of public defenders offices than most of us have from television and the media Through a colorful profile of a reform minded public defender's office Newark N J one of the nation's most crime ridden smaller cities Wice examines the public defender system and shows how even the smallest

reforms especially those that address quality of life and work for public defenders can make a big difference Comparing the smaller defender s office to larger ones in such cities as New York and Chicago which have not instituted significant reforms the author illustrates the successes that can be found when change is implemented Flaws remain but with improved services and work environments this important component of the overburdened criminal justice system can function more effectively creating a system that benefits lawyers defendants and the community alike

**Fundamentals of American Law** New York University. School of Law,1996 The American legal system today is the most significant in the world yet until the publication of *Fundamentals of American Law* there has been no book that provides both the basic rules on the theoretical understanding necessary to comprehend This book is not simply the work of a single author but a collection of especially written essays each by an expert in the field all of whom are on the faculty of New York University School of Law which is recognized as one of the elite law schools in America and which offers this book as an element of its unique Global Law School Programme The book is written specifically for foreign lawyers and law students who have a need to deal with American Law generally but are not seeking to become specialists in any one area For them it is vital to understand the basic principles of a wide range of American legal fields so they can act as informed intermediaries between their public or private clients and their American counterparts The book not only provides the reader with a solid foundation in American law but will also serve as a basic reference book for the fundamentals even as some of the details change over the years Although initially conceived to fill a void for foreign lawyers the book is also ideally suited for others who have a significant need to understand the basic principles of American Law and to interact with American lawyers For this reason it will be an ideal course text for students of business accountancy political science or public administration where the enquiring student will constantly find intersections with the law The book is more than a compendium of legal principles Each chapter explains not only what the law is but why it is that way It sets forth the policy considerations in institutional factors that produce a particular law so the reader can make an independent judgement about its wisdom and perhaps its adaptability to other cultures

*Handled with Discretion* John Kleinig,1996 This collection of essays examines the nature of police discretion and its many varieties The essays explore the kinds of judgment calls police officers frequently must make When should they get involved Whom should they watch What constitutes a disturbance of the peace What resources should be devoted to a situation Does social welfare take precedence over law enforcement Under what conditions if any may police officers engage in selective enforcement of the law Each essay or pair of essays is followed by a response presenting contradictory or supplementary views

**Moral Issues in Global Perspective - Volume 2: Human Diversity and Equality - Second Edition** Christine Koggel,2006-03-27 Now available in three thematic volumes the second edition of *Moral Issues in Global Perspective* is a collection of the newest and best articles on current moral issues by moral and political theorists from around the globe Each volume seeks to challenge the standard approaches to morality and moral issues shaped by Western liberal theory and to

extend the inquiry beyond the context of North America Covering a broad range of issues and arguments this collection includes critiques of traditional liberal accounts of rights justice and moral values while raising questions about the treatment of disadvantaged groups within and across societies affected by globalization Providing new perspectives on issues such as war and terrorism reproduction euthanasia censorship and the environment each volume of Moral Issues in Global Perspective incorporates work by race class feminist and disability theorists Human Diversity and Equality the second of the three volumes examines issues of equality and difference and the effects within and across borders of kinds of discrimination on the basis of race ethnicity gender disability class and sexual orientation Nine essays are new four of which were written especially for this volume Moral Issues in Global Perspective is available in three separate volumes Moral and Political Theory Human Diversity and Equality and Moral Issues

Procedural Justice Klaus F Röhl, Stefan Machura, 2019-07-09 First published in 1997 this volume explores how procedural justice the fairness of the way decisions are reached is an important factor in human behaviour In this book we see the ways that it is important for the legitimacy of a political rule as well as for the acceptance of administrative decisions The volume also deals with the interrelation between procedural and distributive justice and helps to identify criteria of procedural justice This book provides a long desired overview of the multidisciplinary and international discussion of procedural justice It deals with social psychological insight and empirical studies as well as with the contributions of discourse and systems theories The books contributors also trace the roots of the present discussion to philosophical predecessors as well as formulate consequences for politics

Rights Robin West, 2017-03-02 Rights brings together the most influential essays of the last thirty years critiquing and defending the liberal rights tradition Modern rights critics have focused on the perceived conflict between liberal rights and progressive or egalitarian political objectives the preference of liberal states for negative over positive rights and also the dangers to community of the overly atomistic conception of human nature which is arguably at the heart of the liberal rights tradition

A Sword for the Convicted David T. Wasserman, 1990 *In Defense of Prisons* Richard A. Wright, 1994 This book reviews recent research on imprisonment and argues that punishments work in preventing crime and that prisons are at least a modestly successful means of social control However imprisonment is discussed as more than an instrument of social control and crime prevention Prisons also reflect the cultural sensibilities of the larger society and imprisonment is integral to the production and the reproduction of social norms values attitudes and beliefs

**Criminal Justice: Abortion - Fingerprint identification** Phyllis B. Gerstenfeld, 2006 Contains 625 alphabetically arranged entries that examine various aspects of criminal justice in the U S covering criminals codes and categories of law law enforcement agencies courts corrections the U S Constitution and Supreme Court rulings Includes a time line personages and subject indexes and other reference materials

Philosophical Dimensions of Public Policy William Galston, 2017-07-12 At the mid point of the twentieth century many philosophers in the English speaking world regarded political and moral philosophy as all but moribund Thinkers influenced by logical positivism

believe that ethical statements are merely disguised expressions of individual emotion lacking propositional force or that the conditions for the validation of ethical statements could not be specified or that their content however humanly meaningful is inexpressible *Philosophical Dimensions of Public Policy* presents thirty four articles written by research scholars numerous fields philosophy political theory medicine law biology economics ecology and sociology treating a broad range of topics in practical philosophy The Institute for Philosophy and Public Affairs has been home for these ideas pioneering a distinctive method of conducting inquiry into the moral dimensions of public life and contributing to public discussion and deliberation Members of the Institute reject the idea that public philosophy means reaching into the philosopher's tool kit and applying prefabricated theories to particular problems They set in motion a dialogue between the distinctive moral features of practical problems and the more general moral theories or considerations that seem most likely to elucidate these problems The volume is divided into five areas Politics Civic Life and Moral Education Diversity Identity and Equal Opportunity Human Rights Development Ethics and International Justice Biotechnology Genetic Research and Health Policy and Natural Environment Human Communities *Philosophical Dimensions of Public Policy* presents empirical data and philosophical arguments with the intention of informing public policy and public deliberation Scholars as well as graduate and undergraduate students are certain to find it useful to their research work

*Punishing Criminals* Malcolm Davies, 1993-07-28 *Punishing Criminals* is about sentencing theory and policy and the attempt to identify punishments other than imprisonment Davies argues for the need to develop more credible and effective community based intermediate sanctions that have the confidence of the public and the officials in the criminal system He shows how focus groups can be used to improve the process of consultation He sees the need to locate sentencing policy decisions within the wider context of the criminal justice process and presents empirical evidence from ten years study of the California criminal justice system He sets out a denunciatory retributive rationale for punishment which links sentencing aims with a community's confidence in different forms of punishment

*Sword v. Sword*, 399 MICH 367 (1976), 1976 56896 *The Effect of Methods and Rates of Compensation on Services Provided by Attorneys Representing Indigent Criminal Appellants* Richard E. Priehs, 1997

***People v. Bulger*, 462 MICH 495 (2000), 2000 112694** ***Michigan Law Review***, 1993 *Instructor's Edition for Criminal Justice in America* Cole, George F. Cole, 2001-06 ***Rutgers Law Journal***, 1990 *Personality and Peer Influence in Juvenile Corrections* Martin Gold, D. Wayne Osgood, 1992-09-17 This is an innovative study of 300 delinquent boys in a medium security institution and after their release This longitudinal field experiment shows how peers affect the rehabilitation of different group members how staff use those influences to lead to prosocial change after release from the institution and how different behavior values and feelings improved This well designed research has broad implications for use in graduate courses in sociology criminology and penology social and personality psychology and group dynamics The book is equally useful to administrators and policymakers dealing with delinquents and individuals with behavior problems

The field experiment was devised with both practical and theoretical purposes in mind to develop corrective programs for delinquent youth and to test social science hypotheses in the context of a longitudinal experimental research design. The study presents a typology of delinquent boys that guides differential treatment, focuses on peer group and staff influences, and identifies factors in residential treatment and in the open community that facilitate prosocial reentry. The findings test hypotheses about group and staff impact on anti-social behavior within the institution and after release.

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