



Prosecutorial Ethics (American Casebook Series)

R. Cassidy

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This book examines a prosecutor's ethical responsibilities throughout the criminal justice process, and explores legal and ethical constraints on prosecutorial discretion. Topics are ordered sequentially as they occur in the progression of a typical criminal case, including the prosecutor's role in the conduct of investigations, contacting and interviewing witnesses, grand jury practice, selecting charges, pre-trial discovery, plea bargaining, jury selection, trial conduct, sentencing, media contacts and post-conviction remedies. The focal point of discussion in each of these areas is a prosecutor's ethical responsibilities under the American Bar Association's Model Rules of Professional Conduct (through 2012) drawing frequent comparisons to significant state variations on the Model Rules, and supplemental guidance provided by the ABA's Criminal Justice Standards: Prosecution Function; the National District Attorneys Standards; and, the U.S. Attorney's Manual. The author also examines constitutional constraints on prosecutorial discretion (particularly under the 5th and 6th Amendments) that at times may deviate from or supplement ethical norms. Each chapter concludes with problems designed to promote discussion about the appropriate exercise of prosecutorial discretion in hypothetical situations.

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