March 3, 2020

Law Review Author Lunch:
Criminal Procedure and Prejudice

Time: 12:00pm - 1:00pm
Location: Gittis 214, Haaga Classroom

The Law Review has invited Professor Justin Murray from New York Law School to discuss his article “Criminal Procedure’s Law of Prejudice” that we are publishing in Vol. 168. Lunch will be provided and all are welcome!

“Criminal Procedure’s Law of Prejudice” examines effective assistance of counsel and the right to obtain favorable evidence from the government under Brady v. Maryland. Murray explains that it is not violative of one’s constitutional rights if there is ineffective assistance of counsel or if Brady evidence is suppressed, unless there is a reasonable probability that the outcome resulted in prejudice to the defendant. Murray describes these as “outcome-centric prejudice-based rights” and describes how, at the trial court level, the rules surrounding these infringe upon defendants’ procedural rights. Murray proposes a strategy to reform effective assistance of counsel and Brady to improve the fairness of criminal proceedings.

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