Index

ABSENCE OR PRESENCE

County attorney, absence of, § 3:5 Trial, presence of defendant, § 19:2

ACQUITTAL

Generally, § 19:3

ADMINISTRATIVE SEARCHES

Generally, § 37:6

ADMONITION TO JURY

Generally, § 19:3

ADVOCACY

Appeal and review, § 32:5

AGGRAVATIONS

Charging process, §§ 5:3; 6:3

AID OR ASSISTANCE

Victims' rights, § 13:3

ALIBI

Notices, alibi as defense, § 11:2

AMENDMENT

Trial information, amendments of, § 5:3

APPEAL AND REVIEW

Advocacy, § 32:5

Bond on appeal, § 32:3

Briefs, direct appeal, §§ 32:3; 32:5

Certiorari, § 34:2

Direct appeal

Generally, § 32:1 to 32:6

Advocacy, § 32:5

Bond on appeal, § 32:3

Briefs, §§ 32:3; 32:5

Frivolous appeals, § 32:5

Indigents' rights of, § 32:2

Initiation of review, § 32:3

Jurisdiction, § 32:3

Oral argument, § 32:5

Preservation of error, § 32:5

Procedures, § 32:3

Pro se supplemental briefs, § 32:3

APPEAL AND REVIEW-Cont'd

Direct appeal—Cont'd

Record on appeal, § 32:4

Remedies, § 32:6

Standard of review, § 32:1

Supplemental briefs, pro se, § 32:3

Theory of appellate practice, § 32:1

Federal review

Generally, § 34:1 to 34:3

Certiorari, § 34:2

Findings of law or fact, § 34:3

Habeas corpus, § 34:3

Findings of law or fact, federal review, § 34:3

Frivolous appeals, § 32:5

Habeas corpus, federal review, § 34:3

Indigents' rights of direct appeal, § 32:2

Initiation of review, § 32:3

Jurisdiction, § 32:3

Oral argument, § 32:5

Postconviction remedies

Generally, § 33:1 to 33:6

Direct appeal, above

Preservation of error, § 32:5

Prisons and prisoners, disciplinary proceedings, § 42:3

Procedures, direct appeal, § 32:3

Pro se supplemental briefs, § 32:3

Record on appeal, § 32:4

Remedies, direct appeal, § 32:6

Standard of review, § 32:1

Supplemental briefs, pro se, § 32:3

Theory of appellate practice, § 32:1

APPEARANCE

Arrest, § 4:2

APPELLATE COUNSEL

Generally, § 39:5

APPOINTMENT OF COUNSEL

Arrest, § 4:2

ARGUMENT OF COUNSEL

Generally, § 19:3

ARRAIGNMENT

Generally, § 5:4

ARREST

Generally, § 3:2

Appearance, § 4:2

Appointment of counsel, § 4:2

ARREST—Cont'd

Attorneys, appointment of counsel, § 4:2

Bail, § 4:2

Citation in lieu of arrest, §§ 3:3; 37:5

Conditions of pretrial confinement, § 4:2

Confinement, conditions of pretrial confinement, § 4:2

Consular notification, foreign nationals' right to, § 4:2

Defined, § 3:2

Foreign nationals' right to consular notification, § 4:2

Hearings, preliminary hearing, § 4:3

Material witnesses, arrests of, § 3:2

Notice, foreign nationals' right to consular notification, § 4:2

Post-arrest procedure, § 4:1 to 4:3

Preliminary hearing, § 4:3

Pretrial release, § 4:2

Probable cause, § 3:2

Release, pretrial release, § 4:2

Search and seizure

Arrest, search incident to, § 37:5

Citation in lieu of arrest, § 37:5

Warrants, § 3:2

ARREST OF JUDGMENT

Motion in, § 20:3

ASSEMBLING JURY POOL

Generally, § 17:2

ASSISTANCE OF COUNSEL

Ineffective assistance of counsel, § 39:5

ASSOCIATE COURTS

Subject matter jurisdiction, § 8:3

ATTACHMENT

Double jeopardy, § 38:3

ATTORNEYS

Appellate counsel, § 39:5

Appointment of counsel, § 4:2

Argument of counsel, § 19:3

Arrest, appointment of counsel, § 4:2

Assistance of counsel, § 39:5

County Attorney, this index

Essential duty of counsel, breach of, § 39:5

Ineffective assistance of counsel, § 39:5

Right to counsel, § 39:5

AUTHENTICATION

Evidence, § 29:1

AUTHORITY OR AUTHORIZATION

Jurisdiction versus authority, § 8:5

BAIL

Arrest, § 4:2

Excessive bail, § 40:2

BENCH TRIAL

Generally, § 16:2

Stipulated trials on minutes, § 16:3

Waiver of jury, § 16:1

BEST EVIDENCE RULE

Generally, § 29:2

BIAS OR PREJUDICE

Attorneys, § 39:5

Evidence, relevance, § 25:2

BILL OF PARTICULARS

Motions, § 10:3

BILLS OF ATTAINDER

Generally, § 35:4

BILLS OF EXCEPTION

Post-trial motions, § 20:5

BOATS

Search and seizure, § 37:5

BONDS

Appeal bond, § 32:3

BRADY vs. MARYLAND

Discovery, § 9:1

BRANSTAD

Jurisdiction, Commonwealth of Puerto Rico vs. Branstad, § 8:8

BRIEFS

Direct appeal, §§ 32:3; 32:5

BRUTON RULE

Confrontation right, § 39:6

CAPACITY OR INCAPACITY

Notices, diminished capacity as defense, § 11:2

CAPITAL CASES

Generally, § 40:4

CASE IN CHIEF

Trial, § 19:3

CERTIORARI

Generally, § 34:2

CHAIN OF CUSTODY

Evidence, maintaining and preserving integrity of, § 30:1

CHANGE OF VENUE

Generally, § 8:6

Motions, § 10:3

CHANGE OR MODIFICATION

Judge, motion for change of, § 10:3

Trial information, amendments of, § 5:3

Venue. Change of Venue, this index

CHARACTER EVIDENCE

Relevance, § 25:2

CHARGING PROCESS

Generally, § 5:1 to 5:4

Aggravating circumstances, § 6:3

Enhancement of sentence, § 6:4

Joinder, § 6:1

Limitations or Restrictions, this index

Prior convictions, § 6:4

Special issues, § 6:1 to 6:4

CHECKPOINT STOPS

Nonlaw enforcement searches and seizures, § 37:6

CHILDREN AND MINORS

Juvenile Offenders, this index

Victims' rights, § 13:5

CHOICE

Counsel, choice of, § 39:5

CITATIONS

Arrest, citation in lieu of, §§ 3:3; 37:5

CIVIL REMEDIES

Attorney malpractice and misconduct, § 39:5

Postconviction relief, civil cause of action for wrongful conviction, § 33:6

CIVIL RIGHTS

Prisons and prisoners, conditions of confinement, § 43:2

CODE OF CRIMINAL PROCEDURE

Generally, § 2:1

Construction of statutes, § 2:3

Rules of criminal procedure, § 2:2

Rules of Electronic Procedure, § 2:4

Rules of Remote Procedure, § 2:5

Scope, § 2:1

COMMENCEMENT

Appeal and review, initiation of review, § 32:3

Representation, initiation of case, § 1:1

COMMUNICATIONS

Husband and wife, marital communications privilege, § 26:2 Interception of, § 37:7

COMPENSATION

Jury panelists, § 17:2

COMPETENCY OR INCOMPETENCY

Counsel, incompetency of, § 39:5

Notices, competency to stand trial, § 11:2

COMPLAINTS

Charging process, § 5:2

CONDITIONS

Arrest, conditions of pretrial confinement, § 4:2 Prisoners, conditions of confinement, § 43:1 to 43:3

CONFESSIONS

Involuntary confessions, § 38:4

CONFIDENTIAL INFORMATION

Warrants based upon, § 37:3

CONFINEMENT

Conditions, this index

Prisons and Prisoners, this index

CONFLICTS

Evidence, conflicting, § 31:2

CONFLICTS OF INTEREST

Attorney, withdrawal and removal of, § 39:5

CONFRONTATION RIGHT

Generally, § 39:6

CONSENT SEARCHES

Generally, § 37:5

CONSTITUTIONAL LAW

Tenth Amendment, § 35:8

CONSTRUCTION OR INTERPRETATION

Code of criminal procedure, construction of statutes, § 2:3

CONSULS

Arrest, foreign nationals' right to consular notification, § 4:2

CONTINUANCE

Motion for, § 10:3

CONVICTIONS

Witness credibility, impeachment of, § 27:2

CORPORATIONS

Charging corporate defendants, § 3:4

CORRECTIONS

Post-trial motions, correction of sentence, § 20:4

CORROBORATION

Witnesses, § 31:3

COUNTY ATTORNEY

Absence of, § 3:5

Discovery, county attorney investigation, § 9:2

CREDIBILITY

Witnesses, § 27:2

CRUEL AND UNUSUAL PUNISHMENT

Generally, § 40:4

CUSTODY AND CUSTODIANS

Chain of custody, maintaining and preserving integrity of evidence, § 30:1

DANGEROUS WEAPONS

Charging process, use of dangerous weapons, § 6:4

DEATH PENALTY

Generally, § 40:4

DEFECTS

Motions to dismiss, § 10:2

DEFENSES

Notices, §§ 11:1; 11:2

DEFINITIONS

Arrest, § 3:2

DELIBERATIONS

Jury deliberations, § 19:5

DEMONSTRATIVE EVIDENCE

Generally, § 24:4

DEPOSITIONS

Discovery, § 9:2

DESTRUCTION

Evidence, maintaining and preserving integrity of, § 30:2

DETAINERS

Jurisdiction, § 8:9

DIMINISHED CAPACITY

Notices, diminished capacity as defense, § 11:2

DIRECT APPEAL

Appeal and Review, this index

DISCHARGE

Release or Discharge, this index

DISCIPLINARY PROCEEDINGS

Prisons and prisoners, § 42:1 to 42:3

DISCOVERY

Generally, §§ 9:1; 9:2 County attorney investigation, § 9:2 Depositions, § 9:2 Maryland, Brady vs., § 9:1 Production, requests for, § 9:2 Requests for production, § 9:2

DISCREDITED EVIDENCE

Generally, § 31:2

DISMISSAL

Motions, § 10:2

DISPOSITION

Seizure and forfeiture of property, § 22:2

DISTRICT COURTS

Subject matter jurisdiction, § 8:3

DNA PROFILING

Postconviction remedies, § 33:5

DOCUMENTS

Evidence, §§ 29:1; 29:2

DOUBLE JEOPARDY

Generally, § 38:3

DUE PROCESS

Generally, §§ 38:4; 41:2

EIGHTH AMENDMENT

Generally, **§ 40:1 to 40:4** Bail as excessive, **§ 40:2**

Cruel and unusual punishment, § 40:4

Death penalty cases, § 40:4

Excess or excessiveness

Bail, § 40:2

Fines, § 40:3

Fines as excessive, § 40:3

ELECTION OR CHOICE

Counsel, choice of, § 39:5

EMERGENCY AID

Nonlaw enforcement searches and seizures, § 37:6

ENHANCEMENT OF SENTENCE

Charging process, § 6:4

ENTRAPMENT

Notices, entrapment defense, § 11:2

EQUAL PROTECTION

Generally, § 41:3

EVIDENCE

Generally, § 24:1 to 24:4

Authentication, § 29:1

Best evidence rule, § 29:2

Chain of custody, maintaining and preserving integrity of evidence, § 30:1

Character evidence, relevance, § 25:2

Conflicting evidence, § 31:2

Corroboration of witnesses, § 31:3

Custody and custodians, chain of custody, maintaining and preserving integrity of evidence, § 30:1

Demonstrative evidence, § 24:4

Destruction, maintaining and preserving integrity of evidence, § 30:2

Discredited evidence, § 31:2

Documents, §§ 29:1; 29:2

Hearsay, this index

Identification, § 29:1

Integrity of evidence, maintaining and preserving, § 30:1 to 30:3

Judicial notice, § 24:2

Maintaining and preserving integrity of evidence, § 30:1 to 30:3

Marital communications privilege, § 26:2

Motions to suppress evidence, § 10:3

Negotiations, relevance, § 25:2

Notice, judicial notice, § 24:2

Part or partial, remaining portions of evidence, § 24:3

Photographs, §§ 29:1; 29:2

Prejudice, relevance, § 25:2

Presentation at trial, § 19:3

Preserving integrity of evidence, § 30:1 to 30:3

Prior bad acts, relevance, § 25:2

Privilege

Generally, § 26:1 to 26:4

Marital communications, § 26:2

Professional communications, § 26:3

Sealed records, § 26:4

Probative value, relevance, § 25:2

Professional communications privilege, § 26:3

Protection of witnesses, maintaining and preserving integrity of evidence, § 30:3

Rape shield, relevance, § 25:2

EVIDENCE—Cont'd

Recordings, §§ 29:1; 29:2

Relevance, §§ 25:1; 25:2

Remaining portions of evidence, § 24:3

Sealed records, § 26:4

Sexual abuse offenses, similar, relevance, § 25:2

Spoliation, maintaining and preserving integrity of evidence, § 30:2

Sufficiency of evidence

Generally, § 31:1

Conflicting evidence, § 31:2

Corroboration of witnesses, § 31:3

Discredited evidence, § 31:2

Witnesses, corroboration of, § 31:3

Suppression of evidence motion, § 10:3

Witnesses, this index

Writings, §§ 29:1; 29:2

EXAMINATION OR EXAMINERS

Witnesses, examination of prior statements and writings, § 27:2

EXCEPTIONS

Bills of exception, § 20:5

Good faith exceptions, § 37:4

Hearsay, § 28:3

EXCESS OR EXCESSIVENESS

Eighth Amendment, this index

EXCLUSIONARY RULE

Generally, § 37:4

Hearsay, § 28:3

EXCUSE OR JUSTIFICATION

Jury service, excuse from, § 17:2

EXECUTION OF INSTRUMENTS

Search warrants, § 37:3

EXPANSION

Trial, expanded media coverage, § 18:1 to 18:3

EXPECTATIONS

Privacy, § 37:2

EXPERT AND OPINION TESTIMONY

Generally, § 27:1

EX POST FACTO

Legislature, § 35:4

EXPRESSION, FREEDOM OF

Generally, § 36:2

EXPUNGEMENT OF RECORDS

Sentencing, § 21:5

EXTRADITION

Jurisdiction, § 8:8

FEDERAL REVIEW

Appeal and Review, this index

FELONIES

Charging process, § 5:3

FIFTH AMENDMENT

Generally, § 38:1 to 38:5

Attachment of double jeopardy, § 38:3

Confessions, involuntary confessions, § 38:4

Double jeopardy, § 38:3

Due process, § 38:4

Grand jury indictment, § 38:2

Indictment by grand jury, § 38:2

Involuntary confessions, § 38:4

Miranda doctrine, § 38:4

Privileges, self-incrimination, § 38:4

Procedural due process, § 38:4

Same offense, double jeopardy, § 38:3

Self-incrimination, § 38:4

Sentence or punishment, double jeopardy, § 38:3

Substantive due process, § 38:4

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Federal review, § 34:3

FINES

Excessive fines, § 40:3

FIRST AMENDMENT

Generally, § 36:1 to 36:4

Establishment, § 36:4

Expression, freedom of, § 36:2

Free exercise, § 36:3

Overbreadth, freedom of expression, § 36:2

Restrictions, freedom of expression, § 36:2

Vagueness, freedom of expression, § 36:2

FOREIGN LANGUAGE

Interpreters, § 15:2

FOREIGN STATE OR COUNTRY

Arrest, foreign nationals' right to consular notification, § 4:2

Procuring trial witnesses, § 14:2

FORFEITURE

Seizure and forfeiture of property, §§ 22:1; 22:2

FORMER JEOPARDY

Generally, § 38:3

FOURTEENTH AMENDMENT

Generally, § 41:1 to 41:3

Due process, § 41:2

Equal protection, § 41:3

FOURTH AMENDMENT

Generally, § 37:1 to 37:8

Administrative searches, § 37:6

Arrest, this index

Automobile searches, § 37:5

Boats, search and seizure, § 37:5

Checkpoint stops, nonlaw enforcement searches and seizures, § 37:6

Citation in lieu of arrest, § 37:5

Communications, interception of, § 37:7

Confidential information, warrants based upon, § 37:3

Consent searches, § 37:5

Emergency aid, nonlaw enforcement searches and seizures, § 37:6

Exceptions, good faith exceptions, § 37:4

Exclusionary rule, § 37:4

Execution of search warrants, § 37:3

Expectations of privacy, § 37:2

Good faith exceptions, § 37:4

Identification procedures, § 37:8

Impoundment searches, § 37:5

Interception of communications, § 37:7

Inventory searches, § 37:5

Nonlaw enforcement searches and seizures, § 37:6

Nontestimonial identification procedures, § 37:8

Privacy

Generally, § 37:1

Reasonable expectations of, § 37:2

Probable cause, §§ 37:3; 37:5

Probationers, searches of, § 37:5

Public safety, nonlaw enforcement searches and seizures, § 37:6

Reasonable expectations of privacy, § 37:2

Roadblock stops, nonlaw enforcement searches and seizures, § 37:6

Search and Seizure, this index

Stop and frisk detentions, § 37:5

Students, nonlaw enforcement searches and seizures, § 37:6

Terry stops, § 37:5

Warrantless search and seizure, § 37:5

Warrants, § 37:3

FREE EXERCISE

Generally, § 36:3

INDEX

FRIVOLOUS APPEALS

Generally, § 32:5

GOOD FAITH

Exceptions, § 37:4

GOVERNMENT

Generally, § 3:1 to 3:5

GRAND JURY

Generally, § 5:3

Indictments, this index

GUILTY PLEA

Trial, resolution of case prior to, § 12:3

HABEAS CORPUS

Federal review, § 34:3

HEARINGS

Arrest, preliminary hearing, § 4:3

Prison disciplinary proceedings, § 42:3

Sentencing, this index

HEARSAY

Generally, § 28:1 to 28:3

Exceptions, § 28:3

Exclusion rule, § 28:3

HISTORY

Criminal history data, § 22A:1

Trial, expanded media coverage, § 18:1

HUSBAND AND WIFE

Evidence, marital communications privilege, § 26:2

IDENTITY OR IDENTIFICATION

Generally, § 37:8

Evidence, § 29:1

Witnesses, identification testimony, § 27:1

IMMUNITY

Privileges and Immunities, this index

IMPARTIAL JURY

Generally, § 39:4

IMPEACHMENT

Witness credibility, § 27:2

IMPLEMENTATION RULES

Trial, expanded media coverage, § 18:2

IMPOUNDMENT SEARCHES

Generally, § 37:5

INCOMPETENCY

Competency or Incompetency, this index

INDICTMENTS

Generally, §§ 5:3; 38:2

Speedy indictment, limitations or restrictions, § 7:3

Trial, reading of indictment, § 19:3

INDIGENTS

Appeal and review, indigents' rights of direct appeal, § 32:2

Trial witnesses, procurement of, § 14:3

INEFFECTIVE ASSISTANCE OF COUNSEL

Generally, § 39:5

IN LIMINE MOTIONS

Generally, § 10:3

INMATES

Prisons and Prisoners, this index

INSANITY

Notice, insanity as defense, § 11:2

INSTRUCTIONS TO JURY

Lesser offenses, § 19:4

Preliminary instructions, § 19:3

INTEGRITY

Evidence, maintaining and preserving integrity of evidence, § 30:1 to 30:3

INTELLIGENCE DATA

Generally, § 22A:1

INTERCEPTION OF COMMUNICATIONS

Generally, § 37:7

INTERPRETERS

Generally, § 15:1

Foreign language interpreters, § 15:2

Sign language, § 15:3

INTERSTATE EXTRADITION COMPACT

Jurisdiction, § 8:8

INTOXICATION

Notice, intoxication as defense, § 11:2

INVENTORY SEARCHES

Generally, § 37:5

INVESTIGATION

Presentence Investigation, this index

Trial, resolution of case prior to, § 12:3

INDEX

JOINDER

Charging process, § 6:1

JUDGES

Motion for change of judge, § 10:3

JUDICIAL NOTICE

Charging process, judicial notice of statutes, § 6:5 Evidence, § 24:2

JUDICIAL REVIEW

Appeal and Review, this index

JURISDICTION

Generally, § 8:1 to 8:9

Appeal and review, § 32:3

Associate courts, subject matter jurisdiction, § 8:3

Authority, jurisdiction versus, § 8:5

Branstad, Commonwealth of Puerto Rico versus, § 8:8

Change of venue, § 8:6

Detainers, § 8:9

District courts, subject matter jurisdiction, § 8:3

Extradition, § 8:8

Interstate Extradition Compact, § 8:8

Juvenile court, criminal versus, § 8:3

Long-arm statute, § 8:7

Magistrate courts, subject matter jurisdiction, § 8:3

Native Americans, territorial jurisdiction, § 8:4

Puerto Rico, Commonwealth of, § 8:8

Requests for detainers, § 8:9

Statutes, long-arm statute, § 8:7

Subject matter jurisdiction, § 8:3

Territorial jurisdiction, § 8:4

Uniform Criminal Extradition Act, § 8:8

Venue, § 8:6

JURY AND JURY TRIAL

Generally, § 17:1 to 17:3

Admonition to jury, § 19:3

Assembling jury pool, § 17:2

Compensation of jury panelists, § 17:2

Deliberations of jury, § 19:5

Discharge of jury without verdict, § 19:5

Excuse from jury service, § 17:2

Grand Jury, this index

Impartial jury, § 39:4

Instructions to Jury, this index

Jury notes, § 19:3

Lesser offenses, instructions to jury, § 19:4

Notes, § 19:3

JURY AND JURY TRIAL—Cont'd

Preliminary instructions, § 19:3

Rights of jury panelists, § 17:2

Right to jury trial, § 17:1

Selection of jury, § 17:3

Submission to jury, § 19:5

Systematic exclusion from jury panel, § 17:2

Verdict, § 19:5

View of scene, § 19:3

JURY NOTES

Generally, § 19:3

JUSTIFICATION

Notice, justification as defense, § 11:2

JUVENILE OFFENDERS

Jurisdiction, criminal versus juvenile court, § 8:3

Victims' rights, § 13:4

LEGISLATIVE POWER

Generally, § 35:1 to 35:8

Bills of attainder, § 35:4

Congressional power, § 35:3

Ex post facto, § 35:4

Privileges, immunities, § 35:6

Separation of powers, § 35:2

Single subject rule, § 35:5

Supremacy Clause, § 35:7

Tenth Amendment, § 35:8

LESSER INCLUDED OFFENSES

Charging process, § 6:2

Instructions to jury, § 19:4

LIMITATIONS OR RESTRICTIONS

Charging process, generally, § 7:1

Expression, freedom of, § 36:2

Indictments, speedy indictment, § 7:3

Statutory limitation in criminal actions, § 7:2

Trial, this index

LONG-ARM STATUTE

Generally, § 8:7

MAGISTRATE COURTS

Subject matter jurisdiction, § 8:3

MAINTENANCE

Evidence, maintaining and preserving integrity of evidence, § 30:1 to 30:3

MALPRACTICE BY ATTORNEY

Civil remedies for, § 39:5

INDEX

MANAGERS AND MANAGEMENT

Seizure and forfeiture of property, § 22:2

MARYLAND, BRADY vs.

Discovery, § 9:1

MATERIAL WITNESSES

Arrest, § 3:2

MEDIA COVERAGE

Trial, expanded media coverage, § 18:1 to 18:3

MILITIA

Right to bear arms, § 36:5

MINUTES

Bench trial, stipulated trials on minutes, § 16:3

MIRANDA DOCTRINE

Generally, § 38:4

MISDEMEANORS

Aggravated misdemeanors, charging process, § 5:3

Charging process, § 5:2

Serious misdemeanors, charging process, § 5:3

Simple misdemeanors, §§ 23:1; 23:2

MISTRIAL

Generally, § 19:3

MODIFICATION

Change or Modification, this index

MOTIONS

Generally, § 10:1 to 10:3

Acquittal, motion for judgment of, § 19:3

Bill of particulars, § 10:3

Change of judge, § 10:3

Change of venue, § 10:3

Continuance, motion for, § 10:3

Defects, motions to dismiss, § 10:2

Dismissal motions, § 10:2

In limine motions, § 10:3

Judge, change of, § 10:3

Post-Trial Motions, this index

Separate adjudication of law points, § 10:3

Specificity, § 10:1

Speedy trial, dismissal motion, § 10:2

Suppression motion, § 10:3

Time for filing, § 10:1

Venue, change of, § 10:3

MOTOR VEHICLES

Search and seizure, § 37:5

NATIVE AMERICANS

Territorial jurisdiction, § 8:4

NEGOTIATIONS

Relevance, § 25:2

NEW TRIAL

Motions, § 20:2

NONLAW ENFORCEMENT SEARCHES AND SEIZURES

Generally, § 37:6

NONTESTIMONIAL IDENTIFICATION PROCEDURES

Generally, § 37:8

NOTES

Jury and jury trial, § 19:3

NOTICES

Alibi as defense, § 11:2

Arrest, foreign nationals' right to consular notification, § 4:2

Capacity or incapacity, diminished capacity as defense, § 11:2

Charges, notice of, § 39:2

Competency to stand trial, § 11:2

Defenses, §§ 11:1; 11:2

Diminished capacity as defense, § 11:2

Entrapment defense, § 11:2

Evidence, judicial notice, § 24:2

Insanity as defense, § 11:2

Intoxication as defense, § 11:2

Judicial Notice, this index

Justification as defense, § 11:2

Self-defense, § 11:2

Victims' rights, notification responsibilities, § 13:2

OBJECTIONS

Trial, § 19:3

OPENING STATEMENTS

Generally, § 19:3

ORAL ARGUMENT

Generally, § 19:3

Appeal and review, § 32:5

OVERBREADTH

Expression, freedom of, § 36:2

PAROL AND PROBATION

Sentencing for violations, § 21:4

INDEX

PARTIES

Trial, this index

PART OR PARTIAL

Evidence, remaining portions of, § 24:3

PHOTOGRAPHS

Evidence, §§ 29:1; 29:2

PLEA BARGAINING

Trial, resolution of case prior to, § 12:3

PLEADINGS

Motions, this index

Seizure and forfeiture of property, § 22:2

POST-ARREST PROCEDURE

Generally, § 4:1 to 4:3

POSTCONVICTION MATTERS

Counsel, § 39:5

Remedies. Postconviction Remedies, this index

POSTCONVICTION REMEDIES

Generally, § 33:1 to 33:6

Appeal and Review, this index

Civil cause of action for wrongful conviction, § 33:6

DNA profiling, § 33:5

Procedure, § 33:3

POST-TRIAL MOTIONS

Generally, § 20:1 to 20:5

Arrest of judgment, motion in, § 20:3

Bills of exception, § 20:5

Correction of sentence, § 20:4

New trial, § 20:2

Sentence, correction of, § 20:4

PREJUDICE

Bias or Prejudice, this index

PRELIMINARY HEARING

Arrest, § 4:3

PRELIMINARY INSTRUCTIONS

Jury instructions, § 19:3

PRESENCE

Absence or Presence, this index

PRESENTATION

Evidence, presentation at trial, § 19:3

PRESENTENCE INVESTIGATION

Generally, § 21:1

PRESENTENCE INVESTIGATION—Cont'd

Trial, resolution of case prior to, § 12:3

PRESERVATION

Appeal and review, preservation of error, § 32:5 Evidence, maintaining and preserving integrity of evidence, § 30:1 to 30:3

PRETRIAL CONFERENCE

Resolution of case prior to trial, § 12:2

PRETRIAL RELEASE

Arrest, § 4:2

PRIOR CONVICTIONS

Charging process, § 6:4 Trial of, § 19:6

PRIOR MATTERS

Convictions. Prior Convictions, this index Evidence, relevance of prior bad acts, § 25:2

PRISONS AND PRISONERS

Actions against inmates, § 43:3
Civil rights, conditions of confinement, § 43:2
Conditions of confinement, § 43:1 to 43:3
Disciplinary proceedings, § 42:1 to 42:3
Hearings, disciplinary proceedings, § 42:3
Judicial review, disciplinary proceedings, § 42:3
Remedies, conditions of confinement, § 43:2
Sanctions, disciplinary proceedings, § 42:3

PRIVACY

Generally, § 37:1
Reasonable expectations of, § 37:2

PRIVILEGES AND IMMUNITIES

Evidence, this index Self-incrimination, § 38:4 Witnesses, § 27:3

PROBABLE CAUSE

Arrest, § 3:2 Search and Seizure, this index

PROBATION AND PAROLE

Searches of probationers, § 37:5

PROBATIVE VALUE

Evidence, relevance, § 25:2

PROCUREMENT

Trial witnesses, § 14:1 to 14:3

PRODUCTION

Discovery, requests for production, § 9:2

PROFESSIONAL COMMUNICATIONS PRIVILEGE

Evidence, § 26:3

PROPERTY

Seizure and forfeiture of property, §§ 22:1; 22:2

PRO SE

Appeal and review, pro se supplemental briefs, § 32:3

PROSECUTORIAL MISCONDUCT

Generally, § 19:2

PROTECTION

Victims' rights, § 13:3

Witnesses, maintaining and preserving integrity of evidence, § 30:3

PUBLIC SAFETY

Nonlaw enforcement searches and seizures, § 37:6

PUBLIC TRIAL

Generally, § 39:3

PUERTO RICO

Jurisdiction, § 8:8

QUALIFICATIONS

Witnesses, § 27:1

RAPE SHIELD

Evidence, relevance, § 25:2

REASONABLE OR REASONABLENESS

Privacy, reasonable expectations of, § 37:2

RECONSIDERATION

Sentencing, § 21:3

RECORD ON APPEAL

Generally, § 32:4

RECORDS AND RECORDINGS

Appeal, record on, § 32:4

Evidence, §§ 29:1; 29:2

Sealed records, evidentiary privilege, § 26:4

REFUSAL OR DENIAL

Necessary resources, denial of, § 39:5

RELEASE OR DISCHARGE

Arrest, pretrial release, § 4:2

Jury, discharge without verdict, § 19:5

RELEVANCE

Evidence, §§ 25:1; 25:2

REMEDIES

Direct appeal, § 32:6

Prisons and prisoners, conditions of confinement, § 43:2

REMOVAL OF COUNSEL

Generally, § 39:5

REOPENING OF SENTENCE

Generally, § 21:3

REPORTS AND REPORTING

Trial, reporting proceedings, § 19:1

REPRESENTATION

Initiation of case, § 1:1

REQUESTS

Discovery, requests for production, § 9:2

Jurisdiction, requests for detainers, § 8:9

RESTITUTION

Sentencing, restitution hearing, § 21:2

RESTRICTIONS

Limitations or Restrictions, this index

RIGHT TO BEAR ARMS

Generally, § 36:5

RIGHT TO COUNSEL

Generally, § 39:5

RIGHT TO JURY TRIAL

Generally, § 17:1

ROADBLOCK STOPS

Nonlaw enforcement searches and seizures, § 37:6

RULES OF CRIMINAL PROCEDURE

Generally, § 2:2

Remote Procedure, Rules, § 2:5

RULES OF ELECTRONIC PROCEDURE

Generally, § 2:4

SAME OFFENSE

Double jeopardy, § 38:3

SANCTIONS

Prisons and prisoners, disciplinary proceedings, § 42:3

SCHOOLS AND EDUCATION

Students, nonlaw enforcement searches and seizures, § 37:6

SCOPE

Code of criminal procedure, § 2:1

SEALED RECORDS

Evidentiary privilege, § 26:4

SEARCH AND SEIZURE

Administrative searches, § 37:6

Arrest, this index

Automobile searches, § 37:5

Boats, § 37:5

Checkpoint stops, nonlaw enforcement searches and seizures, § 37:6

Citation in lieu of arrest, § 37:5

Confidential information, warrants based upon, § 37:3

Consent searches, § 37:5

Emergency aid, nonlaw enforcement searches and seizures, § 37:6

Execution of search warrants, § 37:3

Impoundment searches, § 37:5

Inventory searches, § 37:5

Nonlaw enforcement searches and seizures, § 37:6

Probable cause

Generally, § 37:3

Warrantless search, § 37:5

Probationers, searches of, § 37:5

Public safety, nonlaw enforcement searches and seizures, § 37:6

Reasonable expectations of privacy, § 37:2

Roadblock stops, nonlaw enforcement searches and seizures, § 37:6

Stop and frisk detentions, § 37:5

Students, nonlaw enforcement searches and seizures, § 37:6

Terry stops, § 37:5

Warrantless search and seizure, § 37:5

Warrants, § 37:3

SECOND AMENDMENT

Generally, § 36:5

SEIZURE

Property, seizure and forfeiture of, §§ 22:1; 22:2

Search and Seizure, this index

SELECTION OF JURY

Generally, § 17:3

SELF-DEFENSE

Generally, § 11:2

SELF-INCRIMINATION

Generally, § 38:4

SENTENCING

Charging process, enhancement of sentence, § 6:4

Correction of sentence, § 20:4

SENTENCING—Cont'd

Double jeopardy, § 38:3

Enhancement of sentence, charging process, § 6:4

Execution of judgment, § 21:6

Expungement of records, § 21:5

Hearings

Generally, § 21:1 to 21:5

Execution of judgment, § 21:6

Expungement of records, § 21:5

Parol and probation violations, § 21:4

Presentence investigation, § 21:1

Reconsideration, § 21:3

Reopening of sentence, § 21:3

Restitution hearing, § 21:2

Parol and probation violations, § 21:4

Post-trial motions, correction of sentence, § 20:4

Presentence investigation, § 21:1

Reconsideration, § 21:3

Reopening of sentence, § 21:3

Restitution hearing, § 21:2

SEPARATE ADJUDICATION OF LAW POINTS

Motion for, § 10:3

SEPARATION OF POWERS

Generally, § 35:2

SEQUESTRATION OF WITNESSES

Generally, § 27:4

SERIOUS MISDEMEANORS

Charging process, § 5:3

SEVERANCE

Charging process, § 6:1

SEXUAL ABUSE

Offenses, similar, relevance, § 25:2

Victims' rights, § 13:6

SIGN LANGUAGE

Interpreters, § 15:3

SIMPLE COMPLAINTS

Charging process, § 5:2

SIMPLE MISDEMEANORS

Generally, §§ 23:1; 23:2

SINGLE SUBJECT RULE

Generally, § 35:5

SIXTH AMENDMENT

Generally, § 39:1 to 39:6

Appellate counsel, § 39:5

Assistance of counsel as ineffective, § 39:5

Attorney, right to counsel, § 39:5

Breach of essential duty of counsel, § 39:5

Bruton rule, confrontation right, § 39:6

Choice of counsel, § 39:5

Civil remedies for attorney malpractice and misconduct, § 39:5

Conflicts of interest, withdrawal and removal of counsel, § 39:5

Confrontation right, § 39:6

Denial of necessary resources, § 39:5

Incompetent of counsel, § 39:5

Ineffective assistance of counsel, § 39:5

Malpractice by attorney, civil remedies for, § 39:5

Notice of charges, § 39:2

Postconviction counsel, § 39:5

Prejudice, counsel, § 39:5

Public trial, § 39:3

Removal of counsel, § 39:5

Right to counsel, § 39:5

Speedy trial, § 39:3

Trial, this index

Waiver of counsel, § 39:5

Withdrawal and removal of counsel, § 39:5

SPECIAL ISSUES

Charging process, § 6:1 to 6:4

SPECIFICITY

Motions, § 10:1

SPEEDY TRIAL

Generally, § 39:3

Dismissal motion, § 10:2

Limitations or restrictions, § 7:3

SPOLIATION

Evidence, maintaining and preserving integrity of, § 30:2

STANDARDS

Appeal and review, § 32:1

STATEMENTS

Witness credibility, impeachment of, § 27:2

STATUTES

Charging process, judicial notice of statutes, § 6:5

Code of criminal procedure, construction of statutes, § 2:3

Limitation in criminal actions, § 7:2

Long-arm statute, § 8:7

STIPULATIONS

Bench trial, stipulated trials on minutes, § 16:3

STOP AND FRISK DETENTIONS

Generally, § 37:5

STUDENTS

Nonlaw enforcement searches and seizures, § 37:6

SUBJECT MATTER JURISDICTION

Generally, § 8:3

SUBMISSION TO JURY

Generally, § 19:5

SUBPOENAS

Trial witnesses, procurement of, § 14:1

SUBSTANTIVE DUE PROCESS

Generally, § 38:4

SUFFICIENCY OF EVIDENCE

Evidence, this index

SUPPLEMENTAL BRIEFS

Appeal and review, pro se supplemental briefs, § 32:3

SUPPRESSION OF EVIDENCE

Motions, § 10:3

SUPREMACY CLAUSE

Constitutional issues, § 35:7

SYSTEMATIC EXCLUSIONS

Jury panel, systematic exclusion from, § 17:2

TECHNICALITIES

Trial, this index

TERRITORIAL JURISDICTION

Generally, § 8:4

TERRY STOPS

Generally, § 37:5

TESTIMONY

Witnesses, this index

THEORIES

Appellate practice, § 32:1

TRAVEL

Privileges and immunities, § 35:6

TRIAL

Acquittal motion, § 19:3

Amendments of trial information, § 5:3

TRIAL—Cont'd

Argument of counsel, § 19:3

Bench Trial, this index

Case in chief, § 19:3

Charging process, trial information, § 5:3

Evidence, presentation of, § 19:3

Expanded media coverage, § 18:1 to 18:3

Foreign state, procuring trial witnesses, § 14:2

Guilty plea, resolution of case prior to trial, § 12:3

History, expanded media coverage, § 18:1

Impartial jury, § 39:4

Implementation rules, expanded media coverage, § 18:2

Indictment, reading of, § 19:3

Indigent defendants, procuring trial witnesses, § 14:3

Investigation, resolution of case prior to trial, § 12:3

Jury and Jury Trial, this index

Limitations or restrictions

Expanded media coverage, § 18:3

Speedy trial, § 7:3

Media coverage, § 18:1 to 18:3

Mistrial, § 19:3

Motions, this index

Objections, § 19:3

Opening statements, § 19:3

Oral argument, § 19:3

Parties, generally, § 19:2

Plea bargaining, resolution of case prior to trial, § 12:3

Post-Trial Motions, this index, § 19:2

Presence of defendant, § 19:2

Presentation of evidence, § 19:3

Presentence investigation, resolution of case prior to trial, § 12:3

Pretrial conference, resolution of case prior to trial, § 12:2

Prior convictions, trial of, § 19:6

Procuring trial witnesses, § 14:1 to 14:4

Prosecutorial misconduct, § 19:2

Reporting proceedings, § 19:1

Resolution of case prior to trial, § 12:1 to 12:3

Speedy trial, §§ 7:3; 39:3

Subpoenas, procuring trial witnesses, § 14:1

Technicalities

Charging process, technical requirements, § 5:3

Expanded media coverage, technical limitations, § 18:3

Waiver of presentence investigation, resolution of case prior to trial, § 12:3

Withdrawal of guilty plea, resolution of case prior to trial, § 12:3

Witnesses, this index

UNIFORM CRIMINAL EXTRADITION ACT

Jurisdiction, § 8:8

VAGUENESS

Expression, freedom of, § 36:2

VENUE

Generally, § 8:6

Change of Venue, this index

VERDICT

Jury and jury trial, § 19:5

VICTIMS' RIGHTS

Generally, § 13:1 to 13:6

Assistance of victims, § 13:3

Child victims, § 13:5

Juvenile offenders, § 13:4

Notification responsibilities, § 13:2

Protection of victims, § 13:3

Sexual abuse victims, § 13:6

VIEW OF SCENE

Jury and jury trial, § 19:3

VOLUNTARY OR INVOLUNTARY MATTERS

Confessions as involuntary, § 38:4

WAIVER

Bench trial, waiver of jury trial, § 16:1

Counsel, waiver of, § 39:5

Presentence investigation, resolution of case prior to trial, § 12:3

WARRANTLESS SEARCH AND SEIZURE

Generally, § 37:5

WARRANTS

Arrest warrants, § 3:2

Search and seizure, § 37:3

WEAPONS AND FIREARMS

Right to bear arms, § 36:5

WITHDRAWAL

Counsel, withdrawal and removal of, § 39:5

Guilty plea, resolution of case prior to trial, § 12:3

WITNESSES

Convictions, impeachment of credibility, § 27:2

Corroboration of, § 31:3

Credibility, § 27:2

Examination of prior statements and writings, impeachment of credibility, § 27:2

Expert and opinion testimony, § 27:1

Foreign state, procuring trial witnesses, § 14:2

Identification testimony, § 27:1

Immunity, § 27:3

INDEX

WITNESSES—Cont'd

Impeachment of credibility, § 27:2

Indigent defendants, procuring trial witnesses, § 14:3

Procuring trial witnesses, § 14:1 to 14:3

Protection of witnesses, maintaining and preserving integrity of evidence, § 30:3

Qualifications, § 27:1

Sequestration of witnesses, § 27:4

Statements, impeachment of credibility, § 27:2

Subpoenas, procuring trial witnesses, § 14:1

Writings, impeachment of credibility, § 27:2

WRITINGS AND WRITTEN INSTRUMENTS

Evidence, §§ 29:1; 29:2

Witness credibility, impeachment of, § 27:2