

INTRODUCTION TO THE 2025- 2026 EDITION

Criminal Procedure in New York provides a comprehensive discussion of procedure and evidence in criminal cases. It discusses how to effectively gather, present, and attack evidence in a criminal case, and includes forms for every stage of a case.

New features and recent developments in this 2025-2026 Edition include:

- Recent amendments to COPL 245 and related changes to criminal discovery law.
- *People v. King*, in which the Court of Appeals addressed the issue of the amendment to the New York Discovery Law, CPL Article 245, and held that any amendments to discovery and statutory speedy trial rules, which required the People to file a certificate of compliance (COC) with discovery obligations for readiness for trial was not retroactive and did not apply prospectively in the circumstances of that case.
- *People v. Fredericks*, wherein the Court of Appeals held that the defendant's complaints about the appointed counsel were insufficiently factually specific and serious to require the trial court to engage in minimal inquiry as to the nature of the disagreement or its potential for resolution.
- *People v. Estwick*, wherein the Court of Appeals held that a Batson violation occurred during the defendant's trial when, in response to the prosecution's exercise of a peremptory challenge against a prospective African-American juror, the court stepped in to provide a race-neutral explanation and the prosecution remained silent. Accordingly, the defendant was entitled to a new trial.
- *People v. Padilla-Zuniga*, wherein the Court of Appeals held that Trial Court's error in failing to inform the defendant at the time of his guilty plea that the sentences for his offenses each included a mandatory fine amounted to a failure to ensure that the defendant, before pleading guilty, had a full understanding of the plea and its consequences and, thus, required vacatur of the guilty plea.
- Discussion of recent New York case law throughout.