

Publisher's Introduction to the 2026-2027 Edition

Handling a Criminal Case in New York takes you step by step through each stage of a criminal case, from undertaking representation through arraignment, motion and hearing practice, trial, sentencing, and appeal. Written in a concise outline style, this publication answers virtually any question that may arise, integrating statutes and caselaw with practice tips.

Among the changes that this edition covers are:

- Bail: requirement of judge making an “individualized flight risk determination.” *People ex rel. Welch v. Maginley-Liddie*, § 4:3.
- The proper standard for DWAI, *People v. Dondorfer*, § 4:36.
- Search and seizure: constructive entry under *Payton* occurs where police subject someone to a display of authority, inducing them to exit a home under coercion. § 9:36.
- Discussion of geofence warrants. § 9:95.
- The *Lopez* exception to a guilty plea does not apply to a defendant’s postplea statements made at sentencing. *People v. Rios*, § 17:66.
- Police officer not qualified to interpret rap lyrics. *People v. Reaves*, § 18:136.
- Video testimony is not the equivalent of in-person testimony. *People v. Grigoroff*, §§ 9:168, 18:71.
- Objections to admissibility of video testimony, based on “deepfake” artificial intelligence manipulation. *Matter of M.S.*, § 18:127.
- The declaration of delinquency is the only way to toll probation. *People v. Curry*, § 22:54.
- Interim probation steps, § 22:52.
- Increased scrutiny of what are proper and improper probation conditions. § 22:46.
- Waiver of a hearing to determine eligibility for an alternative sentence under the DVSJA. *People v. N.H.*, § 24:7.
- When consecutive sentencing is proper. *People v. Billups*, § 22:21.