

Appellate Judge Opinion on the Case of Anthony Ray Hinton - The Right to Effective Counsel

What constitutes the right to effective counsel according to court precedence and the Constitution?

Scenario: You are an appellate judge who has been given the case of Anthony Ray Hinton, the plaintiff, who is arguing that his counsel for his criminal case was ineffective. As the judge, you will hear the evidence presented, review the criminal case, and determine whether or not Mr. Hinton received effective counsel using court precedent. Remember, you are not judging as to whether Hinton committed the crime, but rather if he was prejudiced or not in his trial court case. Your letter should discuss the case, present both sides but defend your position on the issue.

Requirements

1. Your letter should be 5 paragraphs as described below:
2. Your letter should use persuasive language and should be as an appellate court judge in Alabama.
3. Your letter should be written in the 1st person, - "I"
4. Your letter should be persuasive by building arguments supported by evidence from your readings and the facts of the case.
5. Your letter should be formatted as a 5 paragraph essay and use legal language.
6. Each paragraph should be 4 to 6 complete and well-developed sentences.

Letter Format:

Paragraph 1:

In your first paragraph you will describe your role as an appellate court judge.

- What is an appellate court?
- What is your role as a judge to assist in the administering of justice?
- What are you ruling on in this case?

Paragraph 2:

In your second paragraph you will evaluate what constitutes effective counsel.

- What is effective counsel?
- Why is it important for defendants to receive effective counsel?
- What is effective counsel according to the Constitution and Supreme Court?

Paragraph 3:

Provide the most persuasive arguments you can for the plaintiff, Anthony Ray Hinton, to win this case.

- Why would this be the correct ruling ?
- Discuss two arguments or reasons using the facts of the case
- Discuss another argument that you believe is the most persuasive and use evidence to support the position on the case.

Paragraph 4:

Provide the most persuasive arguments you can against the plaintiff, Anthony Ray Hinton, to lose this case.

- Why would this be the correct ruling ?
- Discuss two arguments or reasons using the facts of the case
- Discuss another argument that you believe is the most persuasive and use evidence to support the position on the case.

Paragraph 5:

Now we want you to discuss (reveal) your position/ ruling and argument for whether Anthony Ray Hinton did or did not receive effective counsel at the trial court level.

- What is your position on the case? (Think of this as your thesis statement)
- How does the Strickland test support your ruling?
- What is the strongest argument and evidence to support your position and ruling on the case?
- Please include a strong concluding statement.