

Analyzing Case Scenarios

Directions: You will analyze different scenarios that depict ineffective counsel. For each scenario, you will apply the Strickland test to determine how a judge would rule. After applying the Strickland Test, you will then apply your own opinion to each scenario and take note of the differences.

Scenario	How would a Judge following the <i>Strickland</i> precedent rule?	In your personal opinion, do you think the individual received effective counsel?
Elijah was charged with car theft. His attorney mistakenly believed that a key piece of evidence could not be challenged and therefore never filed a motion to exclude it. The evidence was later shown to have been obtained in violation of Elijah's constitutional rights. Elijah was convicted.		
Maya was arrested and charged with selling vapes to minors. During her trial, her lawyer seemed to be unprepared to defend her case and didn't seem to know the details of Maya's arrest or any evidence to clear her of the crime. Her lawyer also was drunk and falling asleep during the trial. Maya was convicted.		

<p>During Adam's trial for burglary, his public defender met with him only once for ten minutes before court. In court, the attorney did not challenge any of the prosecution's evidence or call any witnesses. Adam was convicted after a short deliberation.</p>		
<p>Ana was charged with drug possession. Her attorney met with her several times and encouraged her to plead guilty to avoid a trial but did not investigate whether the police search was legal. Ana accepted the plea deal and received probation.</p>		
<p>Devon was accused of public inebriation. His lawyer advised him to plead guilty without explaining the possible sentence or discussing other options. Devon later learned he could have qualified for a diversion program that would have avoided jail time.</p>		