

Effective Counsel Case Analysis Chart

CQ: How should the US judicial system guarantee a fair trial in the twenty-first century?

-The 6th Amendment guarantees the right to a fair trial, including:

- A speedy and public trial
- An impartial (fair) jury
- The right to be informed of charges
- The right to confront witnesses
- The right to have the assistance of counsel for defense

-Strickland Test (Two-Prong Test):

- Deficient Performance
- Prejudice
- A defendant must prove **both** to win an appeal of ineffective counsel

Directions: Read over the Court Case Summaries. For each case, think carefully about how the defense attorney performed. Use the chart below to record your analysis.

Court Case	<u>Effective Counsel Examples</u> (If any – what did the defense attorney do well?)	<u>Ineffective Counsel Examples</u> (If any – what could have been done better?)	<u>Explanation</u> (Did the lawyer pass/meet the requirements of the Strickland test? Was this a fair trial? Explain.)
1. Scottsboro Cases (1931)			

2. United States v. Timothy McVeigh (1997)			
3. Bobby v. Van Hook (1985)			

4. Commonwealth v. Dew (2023)			
5. Modern Example			

