

JTIP Handout: Lesson 2 – Role of Juvenile Defense Counsel

BIBLIOGRAPHY

CASES

State v. A.N.J., 225 P.3d 956 (Wash. 2010)

The juvenile defendant pleaded guilty to first-degree child molestation but later filed a motion to withdraw the plea. The youth contended that his court-appointed counsel was ineffective because counsel failed to adequately investigate the case; did not consult with experts; did not fully inform the client of the consequences of his plea; and did not form a confidential relationship with the client independent of his parents. The client also argued that the trial judge did not adequately confirm that he understood the elements of the crime. As a result, the youth claimed that his plea was not knowing, voluntary and intelligent, and that he should have been allowed to withdraw it. The Supreme Court of Washington held that defense counsel was ineffective by failing to conduct meaningful investigation of the case before proceeding to a guilty plea. The Court also held that the youth's plea was involuntary because he was misinformed that a juvenile sex conviction could be removed from his record; moreover, the plea was involuntary absent evidence that the youth understood that any contact he had with the victim had to be for sexual gratification to constitute the crime with which he was charged. The case was reversed and remanded.

In re Gault, 387 U.S. 1 (1967)

The United States Supreme Court held that a youth has the right to notice of charges, to counsel, to confrontation and cross-examination of witnesses and the privilege against self-incrimination. The petition to the Supreme Court sought the release of Gerald Francis Gault, the appellants' 15-year-old son, who had been committed as a juvenile delinquent to the State Industrial School by the Juvenile Court of Gila County, Arizona. The Supreme Court stated, "The condition of being a boy does not justify a kangaroo court," and reversed the judgment of the Arizona Supreme Court, remanding the case for further proceedings.

Pate v. Robinson, 383 U.S. 375 (1966)

The respondent was convicted of murdering his common-law wife and given a life sentence. Defense counsel argued that the respondent was insane at the time of the incident and was not competent to stand trial. The trial court rejected contentions as to the respondent's sanity, which was challenged on appeal as a deprivation of due process of law under the Fourteenth Amendment. The State Supreme Court affirmed the conviction and the U.S. Supreme Court denied certiorari. The District Court denied respondent's subsequently filed petition for writ of habeas corpus. The Court of Appeals reversed, holding that the unduly hurried trial did not provide a fair opportunity for development of facts on the insanity issues, and remanded the case to the District Court for a limited hearing as to the sanity of respondent at the time of the homicide and as to whether he was constitutionally entitled to a hearing upon his competence to stand trial. The U.S. Supreme Court held that there was enough evidence to raise sufficient doubt as to the respondent's competence to stand trial and he was deprived of due process of the law under the Fourteenth Amendment by the trial court's failure to give him a hearing on the issue. Too much time had passed to determine the accused's competence to stand trial; therefore he was ordered to be released unless the State could give him a new trial within a reasonable time. The case was affirmed in part and remanded.

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Dusky v. United States, 362 U.S. 402 (1960) (per curiam)

The U.S. Supreme Court held that the record for the petitioner's case did not sufficiently support the findings regarding the petitioner's competency to stand trial. The conviction was reversed and the case was remanded to the District Court for a hearing to determine the petitioner's competency to stand trial. The petitioner was to receive a new trial if found competent.

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ORGANIZATIONS

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