

# Legal Comm II

## *Plea Bargaining & Criminal Procedure*

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# Daily Objective

**Learning Target:** Students will understand the role of plea bargaining in criminal procedures.

# Bell Ringer/Let's Get Started

Define in your own words, list an example, or illustrate the following words:

- Criminal Law
- Plea Bargain
- Prosecution
- Trial By Jury

Next, rate your understanding of these concepts. If you think you've got it, give yourself a star. If you feel okay, give yourself a checkmark. Are these concepts new? Draw a box around the word or phrases that are unfamiliar.

# Lesson/Activity

Georgetown law professor Marc Morje Howard talked about the plea bargaining process in the United States and some of the problems with accepting a plea deal. He also spoke about ways to correct these issues.

As we watch a clip from his presentation, please respond to the following questions on your own paper:

- According to Mr. Howard, what is the percentage of criminal cases that actually go to trial? Why is this?
- Explain the problems with the way plea bargains work in the United States?
- What does Mr. Howard suggest are possible solutions to the problems with pleas bargains?

<https://www.c-span.org/video/standalone/?c4705553&noMax&nobookmark#>

# Practice

The Sixth Amendment guaranteed the right to legal counsel in criminal cases. In *Gideon v. Wainwright* in 1963, the Supreme Court ruled that an attorney must be provided if the defendant cannot afford one. Based on this decision, this right to an attorney was provided to all people accused of crimes regardless of income. It also strengthened the need for public defenders.

In your notes, take about two minutes to respond to this prompt. This is a free write.

**What rights do you have if you are accused of a crime?**

# Practice

## Vocabulary Activity

Take the following the list of terms and write them on index cards or small sheets of paper. Record the term and definition.

Find a partner. Have them either act out (like charades) or draw (like Pictionary) the words. See how many you can correctly guess!

- Prosecution
- Defendant
- Indigent
- Plea
- Caseload
- Legal Counsel

# Practice

View the following video explaining the Sixth Amendment and the Gideon. Wainwright case. For next class, it's important that you can explain the decision that was made in Gideon v. Wainwright.

**Video Clip:** [The Sixth Amendment and Gideon v. Wainwright](#) (1:19)

**EXIT SLIP:** Make a #TwitterStatus that explains

- What does right does the sixth amendment guarantee? Why is this important?

Remember that's 184 characters!

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# Additional Resources

Facts and Summary - Gideon v. Wainwright

[ps://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-gideon-v-wainwright](https://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-gideon-v-wainwright)

Gideon v. Wainwright

<https://www.law.cornell.edu/supremecourt/text/372/335>

Trial Bargaining

<https://ilr.law.uiowa.edu/print/volume-101-issue-2/trial-bargaining/>