



Adversarial Justice: America's Court System on Trial

Theodore L. Kubicek

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Oh, those lawyers!

The legal profession in fact, the legal system certainly has a poor reputation in the United States. Proposed remedies, however, rarely go as deep as the ethics of the system. America's judicial system should not be a game that anyone can win, regardless of actual guilt or liability. Ted Kubicek, JD, describes the problems and proposes solutions. Above all, he condemns the adversary system of justice which is used to evade the truth and which makes winning the paramount goal.

Dr. Kubicek postulates that the attorney-client privilege of communication makes the truth more difficult, even impossible, to determine. The adversary system goes hand in hand with the privilege of communication since neither can exist without the other.

He advocates moving instead to an inquisitorial system, in which truth is the goal of both parties, not just of the party that would gain thereby. He then shows how the elimination of adversaryism would automatically remedy other problems endemic to the system of justice, too, such as the passiveness of trial judges and juries.

Scrapping the adversary system would abolish trial and pretrial procedures and evidentiary rules that confuse law enforcement and trial participants alike. Criminal verdicts would not then depend upon confusing evidentiary or technical matters having no connection to the guilt or innocence of the accused.

This book is intended to encourage the legal profession, the judiciary, and the organized bar to remedy America's counter-productive judicial procedures. The argument will also interest anyone who has ever had to go to trial.

"Kubicek here attacks the American adversarial system of criminal justice as a system that allows too many of the guilty to escape unpunished and urges the adoption of an inquisitorial system in which all parties are enjoined to seek the truth, thus eliminating what he sees as the contradiction between attorney's duties to serve as a zealous advocate and their duties as officers of the court. Other recommendations include eliminating attorney-client privilege, eliminating exclusionary rules concerning illegally obtained evidence, and putting voir dire and jury selection entirely in the hands of judges."

--Book News

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David Tillery:

Spent a free time for you to be fun activity to complete! A lot of people spent their down time with their family, or their particular friends. Usually they undertaking activity like watching television, likely to beach, or picnic inside the park. They actually doing same every week. Do you feel it? Do you want to something different to fill your own free time/ holiday? May be reading a book may be option to fill your cost-free time/ holiday. The first thing that you ask may be what kinds of guide that you should read. If you want to consider look for book, may be the guide untitled Adversarial Justice: America's Court System on Trial can be very good book to read. May be it could be best activity to you.

Tommie Payton:

Adversarial Justice: America's Court System on Trial can be one of your beginning books that are good idea. Many of us recommend that straight away because this publication has good vocabulary that can increase your knowledge in vocabulary, easy to understand, bit entertaining but nevertheless delivering the information. The author giving his/her effort to place every word into enjoyment arrangement in writing Adversarial Justice: America's Court System on Trial nevertheless doesn't forget the main stage, giving the reader the hottest and based confirm resource data that maybe you can be among it. This great information may drawn you into fresh stage of crucial pondering.

Margaret Velasquez:

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Nicole Norris:

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