

TABLE 10.1

Significant Court Cases Related to the Judicial Process

CASE	FINDING
<i>Powell v. Alabama</i> (1932)	Defendants have right to counsel in death penalty cases.
<i>McNabb v. United States</i> (1943)	If there is an unreasonable delay in the period between arrest and initial court appearance, then a confession obtained during that delay would be inadmissible.
<i>Stack v. Boyle</i> (1951)	Bail must be set at an amount no greater than would ensure that the defendant would show up for future court proceedings.
<i>Gideon v. Wainwright</i> (1963)	Those charged with a felony in a state court have the constitutional right to counsel.
<i>Estes v. Texas</i> (1965)	Court found that the media had prevented a thorough search for the truth and denied Estes a fair trial.
<i>Klopper v. North Carolina</i> (1967)	Struck down law allowing judges to place cases on inactive dockets.
<i>Mempa v. Rhay</i> (1967)	Defendants have the right to be represented at sentencing.
<i>Duncan v. Louisiana</i> (1968)	Right to jury trial applies in state and federal court cases involving felonies.
<i>Williams v. Florida</i> (1968)	Juries do not have to include 12 jurors.
<i>Baldwin v. New York</i> (1970)	Defendant has right to jury trial if facing six or more months incarceration.
<i>Argersinger v. Hamlin</i> (1972)	No person can be imprisoned for any offense, misdemeanor or felony, without representation by counsel at trial.
<i>Strunk v. United States</i> (1973)	Delay of 10 months until trial violates right to speedy trial.
<i>Nebraska Press Association v. Stuart</i> (1976)	Judges could not issue gag orders that prohibit the press from reporting about a criminal case, as long as the defendant's right to a fair trial and an impartial jury was provided.
<i>Gannett Co. v. DePasquale</i> (1979)	Denying the public access to a trial did not violate First, Sixth, or Fourteenth Amendment rights.
<i>United States v. Salerno</i> (1987)	Bail Reform Act defined as a way to prevent further danger or harm to the community and not as a way to punish dangerous individuals.
<i>Maryland v. Craig</i> (1990)	Child abuse victims could testify using closed-circuit television if a determination was made that face-to-face confrontation with the accuser would traumatize the child.
<i>County of Riverside v. McLaughlin</i> (1991)	Arraignments that were held within 48 hours of arrest, excluding weekends and holidays, satisfied the Speedy Trial standard.
<i>Doggett v. United States</i> (1992)	Delay of eight and a half years between indictment and arrest is prejudicial.