

REMARKS BY:

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YOUNG LAWYERS' SECTION  
FOURTEENTH JUDICIAL DISTRICT BAR (DURHAM COUNTY)  
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### TOPICS FOR DISCUSSION

1. A SUBJECT OF SPECIAL INTEREST TO ALL YOUNG LAWYERS, AND PERHAPS ONE OF TOPICAL SIGNIFICANCE TO DURHAM'S YOUNG LAWYERS, SEEMS TO BE THE CURRENT EFFORTS AT UPGRADING THE CRIMINAL LAW SYSTEM IN NORTH CAROLINA COURTS. POINT OUT THAT THE DELIVERY OF JUSTICE BEGINS AT HOME, THAT IS, IN ALL THE JUDICIAL DISTRICTS OF NORTH CAROLINA BUT THAT THE STATE, PRIMARILY THROUGH THE OFFICE OF THE ATTORNEY GENERAL, HAS BEEN ACTIVELY ENGAGED IN EFFORTS TO IMPROVE OUR CRIMINAL LAW SYSTEM.
2. GENERAL DISCUSSION OF THE PROBLEM OF THE LOGJAM IN OUR COURTS, THE OVERCROWDED DOCKETS, WITH PARTICULAR REFERENCE TO THE SIXTH AMENDMENT RIGHT TO A SPEEDY TRIAL FOR ALL CRIMINAL DEFENDANTS, ABUSE OF DOCKETING POWERS BY THE SOLICITOR TO GAIN UNFAIR ADVANTAGE OF DEFENSE ATTORNEYS, INCONVENIENCE WITNESSES, FRUSTRATE THE CONSTITUTIONAL RIGHTS OF CRIMINAL DEFENDANTS. YOU MIGHT WANT TO DISCUSS THE CONTROVERSIAL PROPOSAL THAT SOLICITORS BE RELIEVED OF THEIR DOCKETING POWERS AND THAT SUCH POWERS BE REPOSED IN A STATE COURT MANAGER FOR EACH JUDICIAL DISTRICT.
3. GENERAL DISCUSSION OF THE PRACTICE OF PLEA BARGAINING, THE PROS AND CONS, NOTING THAT THE SUPREME COURT IN SANTOBELLO V. NEW YORK, (1971) CALLED PLEA BARGAINING "AN ESSENTIAL COMPONENT OF THE ADMINISTRATION OF JUSTICE." POINT OUT THAT PLEA BARGAINING ENTAILS

SPECIAL RESPONSIBILITIES ON THE PART OF BOTH THE SOLICITOR AND THE DEFENSE ATTORNEY IN THAT A GUILTY PLEA IS A SERIOUS AND SOBERING OCCASION INASMUCH AS IT CONSTITUTES A WAIVER OF THE FUNDAMENTAL RIGHTS TO A JURY TRIAL, TO CONFRONT ONE'S ACCUSERS, TO PRESENT WITNESSES IN ONE'S DEFENSE, TO REMAIN SILENT, AND TO BE CONVICTED BY PROOF BEYOND ALL REASONABLE DOUBT.

4. GENERAL DISCUSSION OF EQUAL JUSTICE FOR INDIGENTS, THE PROS AND CONS OF COURT APPOINTED LAWYERS VERSUS A STATEWIDE PUBLIC DEFENDER SYSTEM.
5. JUSTICE DEPARTMENT EFFORTS TO IMPROVE THE CRIMINAL LAW SYSTEM:
  - A. POINT OUT THE VALUE OF SBI ASSISTANCE IN LAW ENFORCEMENT, PARTICULARLY IN THE AREA OF ORGANIZED CRIME AND DRUGS.
  - B. DISCUSS THE POLICE INFORMATION NETWORK AND ITS OVERALL USEFULNESS TO THE CRIMINAL LAW SYSTEM.
  - C. DISCUSS SPECIAL EFFORTS SUCH AS THOSE IN OBTAINING THE SERVICES OF PERSONS LIKE DALE JOHNSON TO ASSIST SOLICITORS THROUGHOUT THE STATE--AS A PRIME EXAMPLE OF HOW THE ATTORNEY GENERAL'S OFFICE IS TRYING TO ALLEVIATE SOME OF THE PROBLEMS IN THE CRIMINAL LAW SYSTEM.
  - D. YOU MIGHT WANT TO POINT OUT THAT THE OFFICE REPRESENTS THE STATE ON ALL CRIMINAL APPEALS SO THAT WE HAVE A VERY DIRECT INTEREST IN THE ADMINISTRATION OF JUSTICE AT THE LOCAL LEVEL.
6. FOR CONCLUDING REMARKS YOU MIGHT WANT TO STRESS THE CONTRIBUTION THAT YOUNG LAWYERS THEMSELVES CAN MAKE TOWARD UPGRADING THE CRIMINAL LAW SYSTEM IN NORTH CAROLINA COURTS. YOU MAY WANT TO STATE YOUR FAMILIARITY WITH THE SUSTAINED INTEREST AND THE COMMENDABLE EFFORTS OF THE YOUNG LAWYERS IN DURHAM TO MAKE

THE COURTS VITAL AND RESPONSIVE TO THE NEEDS OF ALL THE PEOPLE  
BROUGHT BEFORE THEM.