

Criminal & Capital Defense Materials of Note
(updated irregularly at <http://capitaldefenseweekly.com/defense.pdf>)

Best of the Net

CapDefNet.org (<http://www.CapDefNet.org>) The HAT/FDPRC site saves lives & saves valuable hours of labor. CapDefNet.org is the top "must visit" site on the net for every death penalty lawyer. The site focuses primarily on the federal system and offers a large collection of well written direct appellate briefs in the federal system, to case law updates, and guides to various areas of the criminal law

Probono.net (<http://Probono.net>) The American Bar Association in conjunction with the Association of the Bar of the City of New York offers the broadest range of state materials on any one site. Password access is required, but readily given.

Ninth Circuit Capital Punishment Handbook (<http://www.ce9.uscourts.gov/dph>) Although aimed at judges & practitioners in the Ninth Circuit, this manual contains a solid introduction to both issues in capital litigation & federal habeas corpus, amply documented with case law & secondary sources, on almost every issue likely to be encountered by an advocate. This a great companion to "Federal Habeas Corpus Practice & Procedure" by Liebman & Hertz, but in no way supplants that text.

How Appealing (<http://legalaffairs.org/howappealing/>) A solid wrap-up of every major law related story available on the web. How do he do it? Don't ask.

CrimProf Blog (http://lawprofessors.typepad.com/crimprof_blog/) Daily updates covering criminal law, exonerations, and evolving theory.

Sentencing Law and Policy (<http://sentencing.typepad.com/>) Highly detailed analysis of criminal sentencing issues, focusing chiefly on the sentencing guidelines and the death penalty.

Habeas-I discussion list By and away the best death penalty discussion list for lawyers is habeas-I run by Prof. Eric Freedman. To subscribe send an e-mail to Prof. Freedman stating your interest at lawemf - at - Mail1.Hofstra.edu.

Supreme Court Materials:

Supreme Court Blog (<http://www.goldsteinhowe.com/blog/index.cfm>) The upstart law firm Goldstein & Howe currently has the leading internet coverage on the Supreme Court, including substantial links to most of the SCOTUS resources on the net.

Findlaw.com Supreme Court Center (http://supreme.lp.findlaw.com/supreme_court) The Center contains certs granted, issues in pending cases, briefs and other

materials, many of which I have not been able to locate on Westlaw & Lexis.

Supreme Court Briefs (<http://www.abanet.org/publiced/preview/briefs/home.html>) ABA presents briefs for cases currently before the Supreme Court, often not otherwise available.

Briefs:

Eight Circuit Briefs (<http://www.ca8.uscourts.gov/cgi-bin/new/briefs.cgi>) The United States Court of Appeals for the Eighth Circuit has placed all of their briefs online & provides a great quick resource to see what others are doing.

Federal Public Defender for the District of Columbia (<http://www.dcfpd.org>) The best collection of motions and briefs for noncapital cases on the web. An invaluable tool for litigation and a must try site. Good navigation & excellent quality. Training & CLE opportunities catalogued.

Florida Supreme Court Briefs (<http://www.law.fsu.edu/library/flsupct/index.html>) All briefs since 1998 are available on the net including innumerable briefs from capital cases. The relative high quality of legal counsel in Florida's death cases make these briefs especially appealing. The downside is that there is no readily searchable but rather filed by docket number. When I am looking for a brief on point I generally use a legal research database (<http://Westlaw>, Lexis, or Versuslaw) to find a Florida Supreme Court case that has mentioned the issue I want, get the docket number, and then simply go download the brief. Note the briefs are in PDF format.

Louisiana Indigent Defense Board (<http://www.lidab.com>) The largest single collection of pretrial motions for capital cases on the web with the Louisiana Capital Defense manual. Another great site to visit.

Tennessee Capital Case Information (<http://www.tsc.state.tn.us>) The Tennessee Supreme Court has created a special section on its site for the capital cases in which a "serious" execution has been set at least once. The Philip Workman stay materials are also included on the site and are a must read for anyone preparing to fight for a stay following exhaustion of all normal means of appeal.

Briefreporter.com (<http://briefreporter.com>) A pay site that deserves some mention. Although the prices for briefs are excessively high, the site contains a good search engine for searching their database and a nice selection of death penalty briefs (<http://although> Florida, noted above, is highly over represented).

Resources from State/Regional Sites:

California Appellate Project (<http://capsf.org>) California Appellate Project is a firewall

protected site covering the breadth and width of death penalty practice in California. Included on the site is Re-CAP which covers virtually all capital case and important habeas decisions from California and the lower federal courts .

Equal Justice Initiative of Alabama (<http://www.eji.org>) EJI's work on the web is no less impressive than their work in the court room. The site offers a good overview of their work and the materials available off-line from them.

F l o r i d a C o m m i s s i o n o n C a p i t a l C a s e s (<http://www.floridacapitalcases.state.fl.us/ccc/index.cfm>) FCCC covers the appointment process in Florida capital cases as well as contains the (in)famous Florida registry for capital attorneys, as well as Florida case handling guides.

Florida Public Defender Association (http://www.flpda.org/pages/life_over_death.htm) A number of capital defense motions downloadable in Word.

Georgia Indigent Defense Council (<http://GIDC.com/>) Covers Georgia indigent defense.

Georgia Multi-County Public Defender Office (<http://georgiacapitaldefenders.com/>) The Multi-County Public Defender Office serves as a trial resource center for attorneys handling death penalty cases. The site contains many of the basics for defending a Georgia capital case at trial

Gulf Region Advocacy Center (<http://www.GraceLaw.com>) GRACE a nonprofit providing quality representation to indigent persons charged with capital crimes in the state courts of Texas and Louisiana.

Illinois State Appellate Defender (<http://state.il.us/defender/dpenalty.html>) The ISAD site is the "go to" site for the Seventh Circuits. Included on the site are state & federal court opinions, relief grants by the state supreme court, summary of issues before the state supreme court and the Seventh Circuit, as well as a catalog of their off line information.

Kentucky Department of Public Advocacy (<http://dpa.state.ky.us>) The DPA site offers several unique contributions. Most notably is DPA's periodical the Advocate, the Preservation Manual & the Kentucky Evidence Manual. Although aimed at Kentucky practitioners. the applicability of the materials presented, especially the Preservation Manual, is well worth an examination.

Louisiana Indigent Defense Board (<http://www.lidab.com>) The largest single collection of pretrial motions for capital cases on the web with the Louisiana Capital Defense manual. Another great site to visit.

Missouri Public Interest Litigation Clinic (<http://www.pilc.net>) PILC's website offers a good collection of post-conviction motions and pleadings, including materials, such

as clemency petitions, that simply cant; be found anywhere else.

New York State Defender Association (<http://www.nysda.org>) NYSDA offers the best criminal defense and death penalty litigation in the northeast. The Hot Topics list is the best of its sort on the net and is among the leading post-9/11 sites for defense of those "rounded up" since the terrorist attacks.

Southern Center for Human Rights (<http://SCHR.org>) One of the best legal websites on the net from one of the most important nonprofits in the country. A good selection of articles written by Stephen Bright as well as useful general information on the death penalty. SCHR also has a "contact" list for legal resources and activists around the nation that is second to none.

Texas Defender Service (<http://www.texasdefender.org>) A must for Texas lawyers (or anyone involved in the fight in Texas), the TDS site offers one of the few Directory of Expert Witness Websites around, as well as their now famous report "Texas Defender Service Report - A State of Denial: Texas Justice and the Death Penalty"

T e n n e s s e e C a p i t a l C a s e I n f o r m a t i o n (<http://www.tsc.state.tn.us/OPINIONS/TSC/CapCases/CapCases.htm>) The Tennessee Supreme Court has created a special section on its site for the capital cases in which a "serious" execution has been set at least once. Stay materials are also included on the site and are a must read for anyone preparing to fight for a stay following exhaustion of all normal means of appeal.

Virginia Capital Case Clearinghouse (<http://www.vc3.org>) VC3 is a trial-level legal aid clinic assisting capital defense counsel throughout Virginia. Run by Prof. Roger D. Groot at William & Mary Law, the site contains numerous stock motions & explanations for those motions.

Federal Defender sites

Federal Public Defender for the District of Columbia (see above)

Texas Federal Defender (<http://fpd.home.texas.net/>) This defender site has downloadable instructions among other information.

Washington/Idaho Federal Defender (<http://www.fdewi.org/>) This excellent defender site includes a motion bank; you'll have to call to get a password.

Colorado Public Defender (<http://www.state.co.us/defenders>) This defender site has downloadable noncapital motions among other information.

Death Penalty Manuals:

Ninth Circuit Capital Punishment Handbook(see above)

Louisiana (<http://www.lidab.com>) Louisiana Indigent Defense Board m's manual, slightly dated, much of the information contained

ProBono.Net (see above)

Federal Caselaw & Habeas Guides:
Capdefnet.org (see above)

Probono.net (see above)

Ninth Circuit Capital Punishment Handbook (see above)

Findlaw.com (<http://profs.findlaw.com/habeas/index.html>) Todd Maybrow's Federal Habeas Corpus Review: A Brief Overview and The New Habeas Act Checklist offers a good overview for those new to the field of post-conviction litigation of habeas corpus jurisprudence, especially, post - AEDPA litigation. Note that this material has quickly become dated.

Capital Defense Weekly (<http://capitaldefenseweekly.com>) Covers case "highlights" on weekly/biweekly basis & is available also in an email subscription format.

General Death Penalty Information:

Death Penalty Information Center (<http://www.deathpenaltyinfo.org>) The first site to click to for information about the death penalty. Dick Dieter and his staff have made the website the crown jewel of abolition on the web. The site also contains the a good selection of recent law review article titles.

Legal Press, Commentary & Blawgs:

National Law Journal (<http://www.law.com>) The electronic version of the nation's largest circulation legal newspaper. The online version offers email updates of the daily edition & a good searchable archive of prior stories.

Findlaw.com News and Commentary (<http://news.findlaw.com> & <http://writ.news.findlaw.com/>) from around the globe including numerous cutting edge examinations of developing case law.

Jurist: Legal Education Network (<http://jurist.law.pitt.edu/>) Academia from around the country writing and debating about issues impacting the procession.

Talk Left / CrimLynx (<http://talkleft.com> & <http://crimlynx.com>) Arguably the best defense blawg on the net, covering criminal defense issues from a progressive viewpoint.

Criminal Appeal (<http://crimblawg.com/>) Discussion of major criminal case law focusing on decisions from the Ninth Circuit

Legal Theory Blog (<http://lsolum.blogspot.com/>) Prof. Lawrence Solum's controversial legal theory blog which amply reviews contemporary legal theory & upcoming law reviews from a rightward leaning/libertarian viewpoint.

Discussion Lists

Discussion lists -- By and away the best death penalty discussion list for lawyers is habeas-I run by Prof. Eric Freedman. To subscribe send an e-mail to Prof. Freedman stating your interest at lawemf@Mail1.Hofstra.edu.

An alternative discussion list for legal professionals involved with capital litigation can be found at capitaldedfense@yahoo.com. With only the most limited of exceptions, you must be a lawyer or other legal professional to join the discussion list. Subscribe: capitaldedfense-subscribe@yahoo.com.

Other Tools & Sites of Note:

Abolish Archives (<http://maelstrom.stjohns.edu/CGI/wa.exe?S1=abolish>) Comprehensive archives search of most death penalty related news stories going back 8 years.

Campaign for Criminal Justice Reform's (<http://justice.policy.net/>) The first source to turn to for back round information on the national political discussion on the death penalty. CCJR is the home for the Liebman study on error in capital cases, and numerous other articles.

Clark County Indiana Prosecutor (<http://www.clarkprosecutor.org>) No discussion of death penalty resources on the web would be complete without discussing the enormous list of materials catalogued by the site. They may be on the wrong side of the issue but they are an invaluable catalog of resources.

Cornell Death Penalty Page (http://www.law.cornell.edu/topics/death_penalty.html) & Capital Jury Project (<http://www.lawschool.cornell.edu/library/death/>) Solid information on capital sentencing process. General information about federal habeas corpus review and capital punishment, a synopsis of recent federal court decisions on habeas corpus and capital punishment, and links to other pertinent sites.

Death Penalty News & Updates from Southern Methodist University. (<http://www.smu.edu/~deathpen/>) Up-to-date execution statistics and alerts; U.S. Executions since 1977 by name, date, state, and victim(<http://s/>); Death Row Inmate Homepages and Links.

Equal Justice USA (<http://www.quixote.org/ej/>) A good collection of materials relating to moratoria, execution of innocents, and the case of Mumia Abu Jamal.

Federal Defenders (<http://fd.org>) Homesite of the Defender Services Division Training Branch of the Federal Defenders. Site contains everything from CJA voucher information to handouts from some recent AOC trainings.

Illinois Governor's Commission on Capital Punishment: Report to Governor Ryan (<http://www.idoc.state.il.us/ccp/>) The final report from the Illinois Commission on Capital Punishment, established by Governor George Ryan shortly after he instituted a moratorium on executions in the state of Illinois in 2000, following the highly publicized "exonerations" of 13 death row inmates since 1976. The report concludes with several controversial recommendations, all restricting the ability of prosecutors to seek a death sentence and the judge and jury's power to deliver one.

Jeff Flax's Homepage (<http://www.jflax.com>) Links to other sites containing valuable information on all aspects of criminal law and procedure.

The Justice Project (<http://www.thejusticeproject.org>) The Justice Project is a campaign to educate the public about the scope of the problem of wrongful executions, and what reforms can be made to prevent them. Contains general information about the death penalty, and numerous studies on the inadequacies of the system. Includes testimony presented to the House Judiciary Committee on H.R. 4167, the Innocence Protection Act of 2000 & the Liebman study

National Association of Criminal Defense Lawyers (<http://www.nacdl.org>) The name says it all. The onsite death penalty materials are not as numerous and/or well put together as they could be, however, a solid site overall.

National Association Of Federal Defenders (<http://federaldefenders.com>) NAFD has summarized the many of the various reversible error lists from around the country at http://www.federaldefenders.org/revr_errors_2000.pdf

The Other Side of the Wall (<http://www.prisonwall.org>), A must for California practitioners, Arnold Erickson's site is one of the oldest criminal defense website on the net, and the oldest active site dealing with issues of postconviction that I am aware. In quality and endurance, Mr. Erickson is s true pioneer.

Prof. Geimer's Death Penalty Defense (<http://deathpenaltydefense.com>) Covering the basic motions through the details of nuts and bolts at trial & provides a good

understanding for post-conviction attorneys of what trial counsel should & must do.
(<http://password protected>)

Activist Organizations

National Coalition Against the Death Penalty (<http://www.ncadp.org>) -- The site of the nation's largest anti-death penalty groups offers some solid in depth resources on upcoming executions, as well as good information on ongoing legislative drives around the nation.

Canadian Coalition to Abolish the Death Penalty (<http://www.ccadp.org>)-- This site is the most information packed site on death row inmates, clemency campaigns and claims of innocence on the web. Although the not the easiest site on the web to navigate, it is a must see for activist, and lawyers should visit it to find out [1] what information it lists on their clients, and [2] to see how a web campaign for the client's life can be put together. Like the CUADP listed above, CCADP is run on a shoestring budget with impact well beyond its relatively meager economic resources.

Citizen United for Alternatives to the Death Penalty (<http://www.cuadp.org>) -- This site, as well as the related Abolition Action Committee , offer the best listing of ongoing anti-death penalty events in the nation. The CUADP and the AAC (<http://through Abe Bonowitz and others>) also provide an invaluable resource for attorneys wishing to get in contact with grassroots activists around the country.

Information Gathering Tools:

Google.com (<http://google.com>) Offers the best single source news tracking on the net & is one of the few major websites that permits searching of PDF files. As a plus it permits narrowing of queries to individual websites.

Google.com Newsgroups (<http://groups.google.com>) Google tracks all posting to usenet groups. The site provides a quick source for impeachment evidence, basic information, and even basic research into non-legal areas that members of a defense team may be unfamiliar.

Public Defender Investigator Network (<http://pdinvestigator.net/>) Links to just about everything needed to "run down leads" in a criminal case on the free-side of the net.

(Resources gathered by Karl Keys, [karl.keys -at- gmail.com](mailto:karl.keys-at-gmail.com))