

A5 Death penalty pro bono representation case studies: Ensuring quality legal services

Case Study

Peter Armstrong left the Sunshine Bar at 2 am. About two blocks from his apartment, he saw Mark Green, on the ground, bleeding and almost dead. Armstrong knew Green. Armstrong attempted to walk Green to a nearby hospital. Armstrong's shirt and pants got covered in Green's blood. Then he heard "Stop, Murderer!" Two people driving a van were shouting and called the police. Armstrong got scared and ran back to the Sunshine Bar. Green died. Armstrong was arrested at the bar. Armstrong never confessed. But Armstrong was charged with capital murder because of the blood on his clothes and the statements of the people in the van.

The entire process from arrest to criminal charge, to trial, conviction, and death sentence took just over six months. At first, Armstrong's pro bono lawyer was very excited to have the case. She was a young second year associate in a law firm. The senior partner recommended she take the case to "gain experience." But he added "don't let it distract you from your real work." She hired an investigator who spoke to the people in the van. She visited her client once, spending 10 minutes to get the power of attorney paperwork signed. She told him she came from a very expensive law firm. She spent a few hours in the evenings looking up the homicide statute and a book on cross-examination. She asked a senior associate to help but he was always busy.

The trial went very quickly. The lawyer was very loud when she asked her questions. She called Armstrong to the stand and he repeated he was not guilty. When the judge found Armstrong guilty, the judge asked the lawyer if she had any argument on sentencing. Since the lawyer believed the only possible sentence was death she said "Please show mercy on my client."

This was very hard on the lawyer. She was very sad about the outcome. She left the law firm shortly thereafter for a better job in another city. She thinks her firm filed the appeal.

ADEQUATE LEGAL REPRESENTATION ON DEATH PENALTY CASES

A Short Reflection of Reprieve's Experiences

The logo for Reprieve, featuring the word "REPRIEVE" in a bold, black, distressed, stencil-like font. The letters are slightly irregular and have a rough, hand-painted appearance. The logo is set against a white rectangular background.

REPRIEVE

Delivering Justice.
Saving Lives.

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REPRIEVE

PEOPLE FACING THE DEATH PENALTY OVERSEAS

USA | SOUTH EAST ASIA | MIDDLE EAST | NORTH AFRICA

Identify and assist foreign nationals facing the death
penalty

Help the government to provide effective consular
assistance

Provide support and resources to local lawyers

Identify violations of international human rights law and
increase awareness of including EU minimum standards
against the death penalty

Build capacity and resources of local organisations

5 **KEY AIMS**

COLLABORATION
for
ADEQUATE
LEGAL
representation



VULNERABLE

POOR & MARGINALIZED

NO DETERRENCE EFFECT

A photograph of a law office. On the left, a man in a light blue shirt and dark trousers stands by a window, talking on a mobile phone. In the center, a man in a dark suit sits at a desk, looking down at a large stack of papers. The desk is cluttered with many more papers and a small red object. The room has light green walls and two windows with white frames. The text 'LIGHTEN THE BURDEN OF THE LOCAL LAWYERS' is overlaid in orange boxes on the right side of the image.

LIGHTEN THE BURDEN OF THE LOCAL LAWYERS

NETWORKING

&

WELL-DEVELOPED
DATABASE



LACK OF WILLINGNESS.

LACK OF EXPERIENCED LAWYERS.

SCANT ATTENTION FROM BAR ASSOCIATION.

FRAIL ENGAGEMENT.

THANK YOU

Raynov Tumorang Pamintori

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The logo for Reprieve, featuring the word "REPRIEVE" in a bold, black, distressed, stencil-like font. The letters are slightly irregular and have a textured appearance, giving it a sense of urgency and grassroots movement. The logo is set against a white rectangular background.

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4th Asia Pro Bono Conference and Legal Ethics Forum Session

Presentation Plan Template

Name of Session: Death penalty pro bono representation case studies: Ensuring quality legal services

Session Description/Aim:

By focusing on death penalty representation case studies this session will explore the professional and ethical need and ways to ensure quality pro bono legal services.

Total Session Minutes: (75 min)

Facilitator:

(Bruce A. Lasky), (BABSEA CLE) blasky@babseacle.org

Co-Presenters

1. Jake Steves (Avocats Sans Frontieres) jake.stevens64@gmail.com
2. Raynov Tumorang Pamintori, (Reprieve) raynov@reprieve.org.uk

Session Plan:

Activity Step	Activity Description	Time (Min)	Presenters	Materials Needed
1	Introduce session and speakers	5	Bruce	
2	A lawyer's Bar Association oath is displayed for power point for all participants to read. Afterward participants are asked about the oath and what it means in regard to a lawyer being paid a lot of money or doing work pro bono when it comes to providing quality services	5	Bruce	Powerpoint slide
3	Participants are given a case hand out to read about a lawyer/law firm that provided pro bono services in a death penalty case but did not do so in a quality service way. The case study (1-2 paragraphs) can be read by the participants and then an open discussion about what the	15	Jake	Handout/case scenario

	lawyers did incorrectly/improperly.			
4	<p>Raynov presents on Reprieve and what Reprieve does and why. He also explains how they find pro bono lawyers to do the work</p> <p>At this point though he will not get into what criteria Reprieve uses when choosing lawyers to represent clients. This will be done after the following activity.</p>	10	Raynov	
5	Participants are then asked to create Must/May criteria for lawyers who are doing pro bono work. They will be divided into groups to do this	15	Bruce, Raynov & Jake	Flip char paper, pens/markers
6	<p>Raynov then discusses some of the criteria Reprieve uses when selecting lawyers on death penalty pro bono cases</p> <p>Participants are then asked to identify some criteria they would use in their own countries, based on local situations, to select/appoint pro bono lawyers.</p>	10	Raynov, Bruce, Jake	
6	Question and answer and open discussion	15	Bruce, Raynov and Jake	
Total Time:		75		