

Questions & Answers:

**Criminal Procedure —
Prosecution and Adjudication**

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Questions & Answers:
**Criminal Procedure —
Prosecution and Adjudication**

*Multiple Choice and Short Answer
Questions and Answers*

FOURTH EDITION

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Preface

This book will assist your learning and exam preparation for the Criminal Procedure — Prosecution and Adjudication (a.k.a. “bail-to-jail”) course and the bar exam. The book contains both multiple choice questions and answers and short essay questions and answers.

As the following Table of Contents reflects, the book addresses the broad gamut of issues concerning the criminal adjudication process, including prosecutorial discretion, bail, initial appearance, preliminary hearing, grand jury, indictment and information, the right to counsel and the effective assistance of counsel, plea bargaining, joinder and severance, motion practice, discovery, time limitations, jurisdiction and venue, jury trials, double jeopardy, sentencing (including the death penalty), and post-conviction remedies.

Ideally, you should try to answer each question before consulting the corresponding answer. This approach will facilitate your learning and alert you to any areas perhaps requiring further study and understanding.

The book seeks to balance brevity with the need to provide realistic, useful questions. The answers to short essay questions vary in length, none being more than a few paragraphs. Do not worry if your answer is slightly longer or shorter than that provided. As long as the substance is adequate, your answer is just fine. If your answer is longer, you may want to consider whether you could have provided a shorter response. On some law school exams, where time is limited, brevity can be a valuable asset.

This Q & A benefits from the work of former contributing authors Professors Neil Cohen and Michael Benza, especially Professor Cohen, who was the driving force behind the project and whose dedication to teaching and scholarship remains an inspiration.

Professor Wayne A. Logan
Florida State University
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About the Author

Wayne A. Logan, Steven M. Goldstein Professor, Florida State University College of Law, teaches and writes in the areas of Criminal Law, Criminal Procedure, and Sentencing. He is the recipient of a university-wide teaching award and is the author of several dozen law review articles, with work appearing in such publications as the *Georgetown Law Journal*, the *Michigan Law Review*, the *Pennsylvania Law Review*, the *Vanderbilt Law Review*, and the *Texas Law Review*. His books include *Knowledge as Power: Criminal Registration and Community Notification Laws in America* (Stanford University Press, 2009), *Florida Search and Seizure* (LexisNexis, 2020 & 2021), *The Ex Post Facto Clause: Its History and Role in a Punitive Society* (Oxford University Press, forthcoming 2022), and *Sentencing Law, Policy, and Practice* (Foundation Press, forthcoming 2022) (with Professor Michael O’Hear). Professor Logan is an elected member of the American Law Institute and a past chair of the Criminal Justice Section of the Association of American Law Schools.

