



Spring 4-1-1990

Introduction

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Recommended Citation

William S. Geimer, *Introduction*, 2 Cap. Def. Dig. (1990).

Available at: <https://scholarlycommons.law.wlu.edu/wlucdj/vol2/iss2/2>

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This issue of *Capital Defense Digest* focuses on salient points in the progress of capital litigation where the law may suggest or require a different approach than that taken in non-capital cases. In some instances, such as the penalty trial, there simply is no non-capital equivalent. At other points, jury selection for example, the capital nature of the trial greatly enhances the importance of a procedure also found in non-capital cases. Particular attention is given to pretrial motions practice, which can be a very useful component of capital defense. Finally, a very basic primer on the eight post-conviction steps common to capital litigation is included. Awareness of these steps is important because of the way they are shaped by the conduct of the trial.

For the first time, the *Digest* consists entirely of the work of the student editors of Virginia Capital Case Clearinghouse. The articles contain legal analysis and suggestions about capital litigation strategy. Obviously, these do not stem from the trial or appellate experience of the authors. The students, however, have studied and thought about the law. They have consulted the extensive capital defense library of the clearinghouse. They also have had the benefit of studying thousands of pages of documents and trial transcripts and participating in pretrial conferences with defense attorneys in cases in which the clearinghouse renders assistance. One of our distinguished alumni recently observed: "Nobody cares what law students think, except their mothers." Perhaps. But the work of these students is worthy of consideration. We look forward to your comments and to the opportunity to contribute in the future to the fund of knowledge in this important area of the law.

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Director