Bibliography: Criminal Discovery

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BIBLIOGRAPHY: CRIMINAL DISCOVERY

The use of discovery techniques in the field of criminal law is still in an embryonic stage, both in state and in federal procedure. In the civil field, however, discovery techniques have long been utilized effectively to eliminate the harshness of unwarranted surprise and to allow adverse parties a greater opportunity to gather information in order to better prepare for their respective roles in the judicial process.

In recent years, a movement for the adoption of discovery techniques similar to those currently utilized in civil procedure has come to the fore in the area of criminal procedure. Few actual changes have been accomplished, though the hue and cry has been gathering momentum.

This bibliography attempts to list all works in this field which have been published in legal periodicals since 1960.* These articles have been arranged under seven generic categories in order to facilitate the further research which is forecast in this area. They are:

I. DEVELOPMENTS AND DOCTRINES OF CRIMINAL DISCOVERY
II. GENERAL NATURE OF CRIMINAL DISCOVERY
III. CRIMINAL DISCOVERY IN FEDERAL COURTS
IV. CRIMINAL DISCOVERY UNDER VARIOUS STATE STATUTES
V. CONFLICT WITH PRIVILEGES
VI. RIGHTS TO PRE-TRIAL DISCOVERY
VII. COMPARATIVE LAW DEVELOPMENTS

*Lengthy student work is uniformly identified by the word "Comment". Short student work, primarily limited to a discussion of a single decision, is uniformly identified by the words "Case Note". The title of the case has been supplied in editor's brackets as a research aid.
I. DEVELOPMENTS AND DOCTRINES OF CRIMINAL DISCOVERY

II. GENERAL NATURE OF CRIMINAL DISCOVERY

28. Case Note, 32 Rocky Mt. L. Rev. 246 (1960) [Discovery—Pre-Trial Inspection of Grand Jury Testimony].
29. Case Note, 18 Vand. L. Rev. 1640 (1965) [Criminal Law—Discovery in Criminal Cases].
III. CRIMINAL DISCOVERY IN FEDERAL COURTS


36. Comment, Discovery in Criminal Antitrust Cases, 64 Colum. L. Rev. 735 (1964).


IV. CRIMINAL DISCOVERY UNDER VARIOUS STATE STATUTES


42. Tessner, Discovery in Texas Criminal Cases, 28 Texas B. J. 855 (1965).
47. Comment, Inadequacy of Pretrial Discovery in Missouri Criminal Cases, 31 Mo. L. Rev. 424 (1966).
50. Case Note, 4 Ariz. L. Rev. 291 (1963) [Criminal Law—Discovery Proceedings—Trial Court’s Inherent Discretionary Power not Limited by Rule 195].
52. Case Note, 48 Iowa L. Rev. 696 (1963) [Criminal Procedure—Pre-Trial Discovery Applicability of Iowa Rules of Civil Procedure].
53. Case Note, 14 Kan. L. Rev. 121 (1965) [Criminal Law—Discovery of Witness’ Prior Statements].
54. Case Note, 46 Ore. L. Rev. 231 (1967) [Criminal Procedure—Defendant’s Right to Discovery During Trial for Impeachment—Purposes].

V. CONFLICT WITH PRIVILEGES

VI. RIGHTS TO PRE-TRIAL DISCOVERY

63. Fletcher, Pre-Trial Discovery in State Criminal Cases, 12 STAN. L. REV. 293 (1960).
64. Redden, Right of the Defendant to Discovery in Criminal Prosecutions, 22 ALA. LAW. 115 (1967).
68. Case Note, 61 MICH. L. REV. 987 (1963) [Criminal Procedure—Discovery—Right of Prosecution to Pre-Trial Discovery].
69. Case Note, 47 MINN. L. REV. 693 (1963) [Criminal Procedure: Defendant Denied Discovery of His Pre-Trial Statements in a Federal Court].