

Legal Ethics in a Time of Terror

LEGAL ETHICS IN A TIME OF TERROR

Prosecuting & Defending Terrorism Suspects
in the Guantánamo Military Commissions



A PRODUCTION OF THE NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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This program features a panel discussion with Joshua Dratel, lead civilian counsel for David Hicks and co-editor of The Enemy Combatant Papers, Charles Swift, lead military counsel for Salim Hamdan and former Visiting Professor of Professional Ethics at Emory University School of Law, and Lt. Col. Stuart Couch, lead prosecutor in the case of Mohamedou Ould Slahi and now appellate judge for the Navy-Marine Corps Court of Criminal Appeals. The discussion was moderated by Michael Price, National Security Coordinator for NACDL and director of NACDL's John Adams Project. The panel focused on the ethical considerations associated with participating in the commission proceedings from the perspective of prosecutors and defense attorneys who have worked in the system since its inception. The discussion addressed both universal and case-specific ethical problems involved in defending and prosecuting cases where evidence may have been obtained under torture or cruel, inhumane, or degrading treatment. It also explored the ethical obligations of the organized bar and the individual attorney when confronted with a new criminal justice system that tests the limits of international and U.S. constitutional law.

Moderated by:

Michael Price

Former NACDL National Security Coordinator

Panelists:

Lt. Colonel Stuart Couch
Lawyer and Officer in the US Marine Corps

Joshua Dratel
Defense Attorney for David Hicks

Charles Swift
Former Lt. Commander,
Office of Military Commissions

NOTE: Video is in DVD format. Written materials are in Adobe PDF Format.

NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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