

FEATURES

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Minisymposium on White-Collar Criminal Law
By Sherri L. Schornstein
The issue editor for the minisymposium on white-collar crime summarizes for readers the issue's three articles—one that deals with the burden on in-house counsel; another that looks at the consequences of tax convictions; and a third that examines the state of the honest services fraud statutes.
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In-House Counsel and the Government's War on Corporate Fraud
By Jonathan N. Rosen
Stating that federal prosecutors have virtually "outsourced" corporate criminal investigations to company counsel, the author—a former prosecutor—warns in-house counsel to be on their toes when faced with the possibility of a government investigation. Due to a new "culture of waiver" the results of any internal investigation are likely to be shared with the government, putting company counsel who conduct and manage internal inquiries at significant risk. Rosen goes on to look at specific case studies, while discussing the impact on individuals of prosecutorial overreaching, corporate cooperation, and the government's focus on obstruction.
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Between a Rock and a Hard Place
IMMIGRATION CONSEQUENCES OF A CRIMINAL TAX CONVICTION
By Megan L. Brackney
A tax attorney, the author in this article looks at the general immigration consequences of a tax fraud conviction and specifically at the results of willful failure to report income from off-shore accounts. Spurred by the recent and unusual agreement of the Swiss Parliament to turn over to the United States the bank records of U.S. residents—both citizens and noncitizens—suspected of egregious tax offenses, it is likely such prosecutions will increase.
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Honest Services Fraud
A ROSE BY ANY OTHER NAME
By Ellen C. Brotman and Jo Rosenberger Altman
Using Pennsylvania's "kids for cash" case as a backdrop, the authors in this article explore the new landscape carved out by the recent U.S. Supreme Court decisions that test the bounds of honest services fraud statutes, while reviewing the historical discussion as to what Congress intended when enacting the law.
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Status as Punishment
A CRITICAL GUIDE TO *PADILLA V. KENTUCKY*
By Gabriel J. Chin and Margaret Love
An immigration expert and an attorney specializing in the area of collateral consequences, the authors explore the ramifications of this precedential decision that expands the Sixth Amendment right to counsel to consequences beyond those that are part of the court-imposed punishment. The authors caution the decision will affect how all participants in the criminal case conduct themselves—not just the defense.

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