

## FEATURES

- 4 Can the Jury Trial Survive Google?**  
By Caren Myers Morrison  
It's doubtful the Founding Fathers envisioned the Internet, or blogging, or "friending" when formulating the Sixth Amendment's right to an "impartial jury," but it's a reality in today's courtrooms. How should the criminal justice system respond to tech-savvy jurors? In this article the author first looks at the four areas in which jurors most often interact with the Internet during trial: to investigate the facts of a case, to research the law, to publicize their experiences to the outside world, and to connect with others. She then suggests several methods to control juror misuse of social media.
- 16 Directors & Officers Insurance**  
FIRST STEPS TO OBTAINING CLIENT COVERAGE  
By William A. Schreiner, Jr.  
As a white-collar defense attorney, your focus is on getting your clients out of whatever hot water they've gotten themselves into—but it's also on getting paid, especially in the early days when an individual client may not have the resources to advance the funds needed to finance the case. Author William Schreiner discusses five steps to take to determine if a client's company has D&O insurance, whether or not it covers the client, and how to tap into that insurance so you can concentrate on the client's defense.
- 20 Ethical Issues for Lawyers in D&O Representations**  
By Thomas B. Mason
- 24 Battered and Convicted**  
ONE STATE'S EFFORTS TO PROVIDE EFFECTIVE RELIEF  
By Carrie Hempel  
California provides a leading example of a state that has revised its statutes to reflect the evolving comprehension in both the medical and legal arena of the impact of "battered women's syndrome." Where women who murdered their abusers in situations not considered "life threatening" were once sentenced as any other killer, today California recognizes the special circumstances that affect the psychology of the chronically abused individual. The statute was later amended to be gender neutral and allows the state to reach back and reduce sentences or release imprisoned offenders based on time served.
- 34 At a "Loss" for Justice**  
FEDERAL SENTENCING FOR ECONOMIC OFFENSES  
By Alan Ellis, John R. Steer, and Mark H. Allenbaugh  
The authors argue that the "fraud guideline" used in sentencing white-collar offenders in cases of larceny, fraud, and nonfraud offenses relies too heavily on the simple concept of "loss," creating gross disparity in the range of sentencing among defendants in white-collar cases as well as between these defendants and those who have committed other offenses such as violent crimes, while ignoring mitigating factors. The authors call on the Sentencing Commission to revisit the guideline and restore proportionality and fairness.

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RACIAL JUSTICE IMPROVEMENT PROJECT

*Criminal Justice* (ISSN 0887-7785) is published quarterly as a service to its members by the American Bar Association Section of Criminal Justice. Copyright © 2011 American Bar Association. Editorial, advertising, circulation, subscription offices: 321 N. Clark Street, Chicago, IL 60654-7598. Section offices: ABA, 740 15th Street, NW, Washington, DC 20005-1009.

The price of an annual subscription for members of the Section of Criminal Justice (\$20) is included in their dues and is not deductible therefrom. Any member of the ABA may join the Section of Criminal Justice by sending annual dues of \$40 to the Section; ABA membership is a prerequisite to Section membership. Individuals and institutions not eligible to join the ABA may subscribe to *Criminal Justice* for \$48 per year, \$57 for subscriptions addressed outside the United States and its possessions. Single copies are \$10 plus \$5.95 for postage and handling. For information on subscriptions and back issues, contact the ABA Service Center at (800) 285-2221.

Manuscript submissions and letters to the editor are encouraged. Articles accepted for publication are subject to editing and letters must run no more than 750 words. Opinions expressed in the magazine do not necessarily reflect the policies of the editorial board, the Section, or the American Bar Association.

Periodicals postage paid at Chicago, Illinois, and at additional mailing offices. **POSTMASTER:** Send address changes to *Criminal Justice* Member Records, American Bar Association, ABA Service Center, 321 North Clark St., Chicago, IL 60654-7598. **Members:** Go online at [www.abanet.org](http://www.abanet.org) and click on "Member Tools" and "Change Your Address."

Advertising Sales: Director, William McDonough, 312/988-6114; Business Manager, Anne Bitting, 312/988-6115. Address all advertising orders, contracts, and materials to ABA Publishing Advertising Sales, 321 N. Clark Street, Chicago, IL 60654-7598. Request reprint permission at [www.abanet.org/reprint](http://www.abanet.org/reprint).

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