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Ineffective Assistance of Counsel

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INEFFECTIVE ASSISTANCE OF COUNSEL

N.Y. CONST. art. 1, § VI:

In any trial in any court whatever the party accused shall be allowed to appear and defend in person and with counsel as in civil actions

U.S. CONST. amend VI:

In all criminal prosecutions, the accused shall . . . have the Assistance of Counsel for his defence.

COURT OF APPEALS

People v. Castillo⁷⁹¹
(decided December 22, 1992)

See case discussion under DUE PROCESS (*supra* page 771). The court found that the defendant was not denied his constitutional right to effective assistance of counsel when he was excluded from the suppression hearing examining a confidential informant, because his rights were protected by the court conducting the hearing as it is within the court's expertise to be "particularly diligent and consider all possible challenges that might be raised on the defendant's behalf."⁷⁹²

791. 80 N.Y.2d 578, 607 N.E.2d 1050, 592 N.Y.S.2d 945 (1992).

792. *Id.* at 585-86, 607 N.E.2d at 1054, 592 N.Y.S.2d at 949.

