

What Does A Criminal Attorney Do?

Article by: John Williams

A criminal attorney basically represents someone accused of a crime in court. Let me give you a little background before explaining what it is exactly that a criminal attorney does. Sometimes the law allows a person to use physical force against another, whether it is in self-defense or the protection of another, or even to protect one's property, these are all acceptable uses of self-defense. You and your criminal defense attorney are going to have to show at least four instances of why you had to defend yourself in such an extreme way. Your attorney will have to show the judge or jury that (1) your confrontation was unprovoked by you, (2) that you were in immediate danger of bodily harm, (3) that your use of force was necessary in preventing that harm, and (4) that the amount of force you used was reasonable.

If you were in a position where you had to defend yourself against an attack from someone you think meant you bodily harm, it is up to your criminal attorney to prove that you had a reasonable belief the actions you used to defend yourself were necessary and just to prevent either your own death, the death of another, or serious bodily harm. The force used against you must be unlawful or improper, and directed toward you without your consent.

Battered Wife Syndrome is a good example of self-defense. This defense is when a women has been subjected to physical and mental abuse continually by their husbands or significant others. Courts may find this case somewhat confusing because in most cases, women who kill their husbands also planned to kill them. If this is your situation, then your criminal attorney will have to prove to a jury or judge that under circumstances such as these, you had two choices--You can wait until your husband finally kills you or, kill your husband before he gets the opportunity to kill you. In this case, it will be up to the state prosecutor to prove beyond a reasonable doubt that killing your husband was not the only way out. For example: Why didn't you just leave your husband and go stay with a friend or relative and file for divorce? Or, you could have gotten a court order to restrict your husband from approaching you within so many feet. If Battered Wife Syndrome is your defense, then your criminal attorney will prepare you for this type of questioning.

What does a criminal attorney do? The answer to that is, a lot. They will fight for your defense because he or she believes in your innocence and constitutional rights, no matter what you have done. If you were charged with a serious crime in the past, but today you are sleeping in your own soft bed and not a concrete slab, you have your criminal defense attorney to thank. John Williams writes about criminal defense issues at <http://www.criminalattorneysweb.com> This article should not be taken as official legal advice.