

WRITINGS OF PROFESSOR BYRON L. WARNKEN

Text for Attorneys (5)	1
Law Review Articles (2)	1
Law Review Articles in Progress (3)	1
Articles Other Than Law Review Articles (26)	2
Texts for Law Students (7)	3
Summaries for Law Students (12)	3
Materials for Educational Seminars (73)	4
Pro Bono Supreme Court Cases (6)	8
Pro Bono Federal & State Appeals (5)	8
Legislation & Written/Published Testimony (13)	9
Bar Review Materials (9)	10
Miscellaneous Writings (111)	10

Professor Byron L. Warnken has created more than 250 writings, some of which may be downloaded from Social Science Research Network (SSRN) at <http://ssrn.com/author=625664>. Any document may be used and distributed, but only as the whole document and not as “cut-up” portions, and the document must retain its Byron L. Warnken copyright. Thank you.

I. Text for Attorneys

Maryland Criminal Procedure (published by 27Legal 2013) (three-volume, 1,769-paged, 34 chapter treatise)

Maryland Criminal Procedure (published by 27Legal 2014) (first annual supplement, 50 pages)

Maryland Criminal Pattern Jury Instructions (Md. State Bar Assn 2d ed. 2012) (1200 pages) (jointly responsible for 190 jury instructions and solely responsible for the textual comment as Reporter from 1981 to 2005) (Member 2005-12) (recipient of “Dedication” in 2005 edition)

Appellate Practice for the Maryland Lawyer: State & Federal (Md. State Bar Assn 4th ed. 2014) (responsible for 41-page chapter titled “Preservation”)

Defending Allegations of Sexual Child Abuse in Maryland (MICPEL 2004) (“Foreward” only) (2 pages)

II. Law Review Articles

<http://ssrn.com/author=625664>. **“Forfeiture by Wrongdoing” after Crawford v. Washington: Maryland’s Approach Best Preserves the Right to Confrontation**, 37 U. Balt. L. Rev. 203 (2008) (52 pages) (cited in one judicial opinion, four articles, & two treatises)

<http://ssrn.com/author=625664>. **Law Enforcement Officers’ Privilege Against Compelled Self-Incrimination**, 16 U. Balt. L. Rev. 452 (1987) (86 pages) (cited in nine judicial opinions, seven appellate briefs (four in the Supreme Court), two treatises, and six articles; reprinted in House Report 102-112)

III. Law Review Articles in Progress

How the 1853 Supreme Court Ignored the Law, in Favor of Philanthropic Intent, Making Baltimore & New Orleans Beneficiaries of John McDonogh’s Legacy (32 pages)

Justice Antonin Scalia: The Six Themes of His Constitutional Criminal Procedure Jurisprudence During a Quarter Century on the Supreme Court (44 pages)

Right to Confrontation: Application of Crawford v. Washington & Melendez-Diaz v. Massachusetts to Documents (94 pages)

IV. **Articles Other Than Law Review Articles**

MTA Weighs in on Garrity Issue in Supreme Court of the United States & “Triggering” of Garrity Rights & LEOBOR Rights in MSP, The Trooper (2009) (12 pages) (reprinted in South Carolina Trooper Magazine)

Questions & Answers about “When Do You Want a Jury Trial in Maryland?”, Exhibit A - The Law – in Plain English (2008) (2 pages).

<http://ssrn.com/author=625664>. **“Consent Search” Exception to Fourth Amendment Prohibition Against Unreasonable Searches & Seizures**, The Trooper (2008) (15 pages)

Questions & Answers about “Police Stops of Vehicles”, Exhibit A - The Law – in Plain English (2008) (2 pages)

Criminal Appeals: Preservation & Plain Error, Md. Criminal Defense Attorneys Ass’n Newsletter (2008) (9 pages)

<http://ssrn.com/author=625664>. **Litigating “Forfeiture by Wrongdoing” after Crawford v. Washington**, 41 Md. Bar Journal No. 4 (2008) (11 pages)

<http://ssrn.com/author=625664>. **Constitutional & Statutory Protections for Police Officers Required to Give “Duress” Statements During Investigation**, The Trooper (2007) (12 pages)

Blackwater, Garrity, & Immunity: What Does It Mean?, University of Pittsburgh Legal News & Review (2007) (5 pages)

Proposed Changes to Maryland Rule 4-263 Will Expand State’s Discovery Requirements, Md. Criminal Defense Attorneys Ass’n Newsletter (2007) (3 pages)

Obtaining Confessions: From Arrest to Court Commissioner, The Trooper (2007) (12 pages)

<http://ssrn.com/author=625664>. **Police, Vehicles, & Fourth Amendment: Maryland Cases**, The Trooper (2006) (20 pages)

<http://ssrn.com/author=625664>. **Police, Vehicles, & Fourth Amendment: Supreme Court Cases**, The Trooper (2006) (11 pages) (reprinted in Utah Trooper Magazine)

Maryland Workers’ Compensation for Law Enforcement Officers, The Trooper (2006) (6 pages)

<http://ssrn.com/author=625664>. **Maryland’s Death Penalty Statute Recognizes Need to Protect Police Officers**, The Trooper (2005) (6 pages)

Court Makes It Easier to Win the Right to File Belated Motion for Modification or Reduction of Sentence as Post Conviction Relief, Maryland Criminal Defense Attorneys Association Newsletter (2005) (1 page)

<http://ssrn.com/author=625664>. **Supreme Court Civil Rights Litigation Against Police**, The Trooper (2004) (5 pages)

Vehicles & Fourth Amendment (2001) (77 pages)

Kids, Crime, & Curfew: Approach That Is Sensible & Constitutional (2001) (53 pages)

Maryland v. Wilson: Developing & Litigating Supreme Court Cases, U. Balt. L. Forum (1998) (21 pages)

Professor Warnken, UofB, McDonogh School, & Supreme Court, U. Balt. L. Forum (1998) (5 pages)

Maryland Troopers Association & Fraternal Order of Police Fight for Justice for Ted & Ginni Wolf, The Trooper (1998) (6 pages)

<http://ssrn.com/author=625664>. **Due Process in Police Disciplinary Hearings: Need for National Law Enforcement Officers' Bill of Rights** (1997) (30 pages)

1990 Supreme Court Term, 14.3 Md. Prosecutor 3 (1991) (10 pages)

Statutory Construction & the Right to Vote, 20.1 U. Balt. L.F. 6 (1989) (10 pages)

<http://ssrn.com/author=625664>. **Statutory Construction: Maryland State Police Ordered to Obey Agency's Own Regulations**, 18.3 U. Balt. L.F. 8 (1988) (7 pages)

Smith v. Howard County: Permanent Injunction Against Chilling Fifth Amendment Rights, 17.3 U. Balt. L.F. 3 (1987) (8 pages)

V. Texts for Law Students

Constitutional Criminal Procedure: Adjudicatory Phase (22nd ed. 2014) (1,096 pages)

Criminal Law: Case Analysis & Problem Approach (37th ed. 2014) (603 pages)

Constitutional Criminal Procedure: Search & Seizure, Self-Incrimination, & Counsel (22nd ed. 2014) (992 pages)

Judicial Process (6th ed. 2010) (119 pages)

Issues in Law Enforcement: Criminal, Civil, & Administrative Adjudication (5th ed. 2004) (490 pages)

Legal Analysis with Introduction to Legal Writing (5th ed. 2012) (390 pages)

Substantive Criminal Law: Handbook of Common Law, Laws of Maryland, & Model Penal Code (7th ed. 1984) (283 pages)

VI. Summaries for Law Students

Steps in the Criminal Justice System (2013, 2004) (22 pages)

Constitutional Criminal Procedure: Adjudicatory Phase (2011, 2007) (157 pages)

Criminal Law (2013, 2007) (127 pages)

Constitutional Criminal Procedure: Search & Seizure, Self-Incrimination, & Counsel (2009, 2007) (104 pages)

United States Constitution, Separation of Powers, & Supreme Court (2010, 2004) (32 pages)

Presidential Elections of 1796 & 1800, Marbury v. Madison, & Judiciary Emerging as “First” Among Three Equal Branches (2010, 2003) (11 pages)

Philosophy & Key Cases of Warren, Burger, Rehnquist, & Roberts Courts (2010, 2004) (38 pages)

Key Supreme Court Cases Identified by Constitutional Provisions (2010, 2006) (10 pages)

Maryland Judiciary: Court History & Judicial Selection (2010, 2005) (7 pages)

Judicial Interpretation of the Law (2010, 1980) (17 pages)

First-Year Success: Winning the Battle in the Most Important Year (An Insider’s Guide to Law School) (2014, 1991) (15 pages)

Moot Court: Brief Writing & Oral Argument (2014, 2008) (24 pages)

VII. **Materials for Educational Seminars**

Fourth Amendment: Cars, Cops, & Stops (27Legal 2014, 1999) (18 pages) (MICPEL Annual Criminal Law Update, Alan Goldstein Memorial Lecture, Baltimore County Bar Association, Bar Association of Baltimore City, Harford County Public Defender’s Office, & Baltimore County Police Department)

From Crawford to Melendez-Diaz: Right to Confrontation Applied to Documents (2014) (73 pages) (Office of the Public Defender, Baltimore County Bar Association, Maryland State Bar Association Criminal Law & Practice Section & Litigation Section)

Sentencing Motions: Application for Review of Sentence by a Three-Judge Panel, Motion for Modification or Reduction of Sentence, & Motion to Correct Illegal Sentence (2014, 2012) (18 pages) (James C. Cawood Inn of Court)

Chief Judge Bell Criminal Law & Procedure Cases on the Court of Appeals from 1991 to 2013 (291 pages) (Maryland State Bar Assn)

Criminal Law Update: Summary of 2012 & 2013 Court of Appeals Cases & Court of Special Appeals Cases for Maryland Judges (2013) (60 pages) (two presentations)

<http://ssrn.com/author=625664>. **Fourth Amendment Past, Present, & Future, & Striking a Balance Between the Needs of Society, the Needs of Law Enforcement, & the Rights of Everyday People** (2013, 2009) (87 pages) (Center for the Constitution at James Madison’s Montpelier)

<http://ssrn.com/author=625664>. **United States Federal & State Judicial System, Including Selection, Training, & Discipline of Judges** (2013, 2009) (30 pages) (Chinese Judicial Delegation)

Jones v. United States: The Most Significant Supreme Court Criminal Law & Procedure Case of 2012 (2013) (James C. Cawood Inn of Court)

The Role of Administrative Law Judges (2013) (24 pages) (Chinese Judicial Delegation)

Criminal Law Update: Suppressing Statements, Incompetency to Stand Trial, Insanity & Not Criminally Responsible, Defense of Intoxication, Identifications, & Plea Bargaining & Guilty Pleas (2012) (137 pages) (Maryland State Bar Assn Criminal Law & Practice Section)

No Courts, No Justice, No Freedom (2012) (29 pages) (Maryland State Bar Assn Citizens' Law Related Education Program)

Police Liability for Obtaining Confessions Illegally & for Unreasonable Searches & Seizures (2012) (137 pages) (Lorman Educational Services)

If You Lose at Trial, Preservation of Appellate Issues Is the Only Hope for Success (2012) (51 pages) (J. Dudley Digges Inn of Court)

Supreme Court Weighs in on Immigration (2012) (13 pages) (Wednesday Law Club)

United States Civil & Criminal Law at Trial & on Appeal (2012, 2009) (15 pages) (Chinese Judicial Delegation)

Maryland 2011 Update of Supreme Court Case, Court of Appeals Cases, & Court of Special Appeals Cases (2012) (29 pages) (Maryland State Bar Assn)

The Rule of Law & Judicial Independence in Maintaining Social Stability in the United States (2012) (20 pages) (Chinese Judicial Delegation)

Hearsay & the Confrontation Clause under Crawford v. Washington & Its Progeny (2011) (22 pages) (Anne Arundel County Bar Association)

Five Theories in Support of a Motion to Suppress Illegally Obtained Statements (2011) (42 pages) (James C. Cawood Inn of Court & Anne Arundel County Bar Association)

Consent Searches (2011) (23 pages) (Maryland State Bar Assn)

The Juvenile Justice System & the Rights & Responsibilities of Juveniles When Dealing with the Police on the Street, in a Vehicle, or in a Home (2011) (9 pages) (Maryland State Bar Assn Foster Youth Academy)

Criminal Law Update: Grand Jury & Charging Documents, Motions to Suppress Evidence in the Fourth, Fifth, & Sixth Amendment Contexts, Right to Confrontation, & Jury Verdicts (2010) (87 pages) (Maryland State Bar Assn Annual Criminal Law Update)

How the 1853 Supreme Court Ignored the Law, in Favor of Philanthropic Intent, Making Baltimore & New Orleans Beneficiaries of John McDonogh's Legacy (2010) (32 pages) (Wednesday Law Club)

How to Ensure That Students Come to Class, Come Prepared, & Engage in Class (2010) (1 page) (Faculty Development Conference for Colleges & Universities in Central Maryland)

Second Amendment: Application of Heller & McDonald to Maryland's Common Law Self-Defense & Maryland's Handgun & Registration Statutes & Regulations (2010) (44 pages) (Baltimore County Bar Association)

2010 Maryland Appellate Update (2010) (75 pages) (Maryland State Bar Assn Criminal Law & Practice Section)

<http://ssrn.com/author=625664>. **A Crime Has Just Been Committed: What Happens Next? (How the Criminal Justice System Works)** (2010, 2009) (28 pages) (Osher Learning Center at Towson University & Roland Park Women's Club)

<http://ssrn.com/author=625664>. **Criminal Practitioners: Ethics & Conflicts** (2010) (36 pages) (Harford County Public Defender's Office)

<http://ssrn.com/author=625664>. **How Successful Criminal Defense Attorneys Suppress Evidence** (2010) (13 pages) (Maryland Association for Justice)

<http://ssrn.com/author=625664>. **Right to Confrontation: Crawford v. Washington & Its Progeny Six Years Later** (2010, 2004) (15 pages) (Baltimore County Bar Association, MICPEL Annual Criminal Law Update, UofB Criminal Law Association, Maryland State Bar Association Criminal Law & Practice Section, Maryland Criminal Defense Attorneys Association, Anne Arundel County Bar Association, Howard County Bar Association, Montgomery County Bar Association, & University of Baltimore "a.m. Law" Ginsberg Lecture Series)

<http://ssrn.com/author=625664>. **United States Civil Law & Criminal Law: Elements & Procedures at Trial & on Appeal** (2010, 2009) (12 pages) (Chinese Judicial Delegation)

Appellate Practice in the Court of Appeals of Maryland (2009) (8 pages) (James C. Cawood Inn of Court)

Maryland 2008-09 Court of Appeals & Court of Special Appeals Update (2009) (73 pages) (Baltimore County Bar Association, MICPEL Annual Criminal Law Update, & Maryland State Bar Association Criminal Law & Practice Section)

<http://ssrn.com/author=625664>. **Police Courtroom Testimony** (2009, 2008) (60 pages) (Baltimore County Police Department)

Fair Trial Issues & Jury Trial Issues (2009) (42 pages) (MICPEL Annual Criminal Law Update)

<http://ssrn.com/author=625664>. **Four Ways to Make Valid Fourth Amendment Intrusions into Houses: Search Warrant, Arrest Warrant, Exigency, & Consent** (2009) (68 pages) (Baltimore County Police Department)

<http://ssrn.com/author=625664>. **Defenses to Automobile Theft & How to Defeat Those Defenses** (2009) (6 pages) (Regional Auto Theft Team Impact Training)

Summary of 2008-09 Criminal Law & Procedure Cases from Supreme Court, Court of Appeals of Maryland, & Court of Special Appeals of Maryland, Plus Statutes & Court Rules (2009, 2008) (58 pages) (Maryland State Bar Association Solo & Small Firm Conference & Baltimore County Bar Association)

Developing & Marketing a “Niche” Law Practice (2008, 2001) (8 pages) (Maryland State Bar Association Solo & Small Firm Conference & Bar Association of Baltimore City)

Fourth Amendment Reasonable Expectation of Privacy & Standing & 2007-08 Search & Seizure Cases from Supreme Court, Court of Appeals of Maryland, & Court of Special Appeals of Maryland (2008) (19 pages) (Justinian Society)

2008 Discovery Rules (158th Report of Court of Appeals Rules Committee) (2008, 2007) (10 pages) (MICPEL Annual Criminal Law Update, Maryland State Bar Association Annual Convention, & Baltimore County Bar Association)

Criminal Appeals: Preservation & Plain Error (2008) (9 pages) (MICPEL Annual Criminal Law Update & Maryland Criminal Defense Attorneys Association)

Appellate Practice: Civil & Criminal (2008) (35 pages) (Baltimore County Bar Association)

Discovery in Criminal Cases (2007) (15 pages) (MICPEL Annual Criminal Law Update; Maryland State Bar Association Annual Convention, & Baltimore County Bar Association)

Judicial Ethics for Administrative Law Judges (2007) (9 pages) (National Association of Administrative Law Judiciary)

From Arrest to the Court Commissioner: Fourth Amendment Issues of Stop & Arrest & Fifth Amendment Issues of Miranda & Common Law & Constitutional Voluntariness, Including Prompt Presentment (2007, 2006) (57 pages) (MICPEL Annual Criminal Law Update & Lorman Educational Services)

LEOBOR & Police Management Issues (2007) (27 pages) (Mid-Atlantic Regional Center for Public Safety Innovation & Division of Public Safety Leadership at Hopkins)

Criminal Post-Verdict Practice: Appeals, Post Conviction, & Coram Nobis (2007, 2002) (25 pages) (MICPEL Annual Criminal Law Update, Alan Goldstein Memorial Lecture, & Baltimore County Bar Association)

Summary of 2006-07 Criminal Law & Procedure Cases from Supreme Court, Court of Appeals of Maryland, & Court of Special Appeals of Maryland, Plus Statutes & Court Rules (2007) (120 pages) (Anne Arundel County Bar Association & Maryland State Bar Association Annual Solo & Small Practice Seminar)

Constitutional Limitations on War on Terror: Military Detention & Guantanamo Bay – Supreme Court & Military Commissions Act of 2006 & Domestic Surveillance & Foreign Intelligence Security Act & FISA Court (2007) (14 pages) (Fourth Annual University of Baltimore Law Library Lecture)

Identity Theft, Fraud, & Spam (2006) (5 pages) (Greater Bethlehem Temple Church)

Tips on Criminal Discovery, Alibi Witnesses, Guilty Pleas, Jury Instructions & Verdicts Sheets, & Sentencing (2006) (17 pages) (Maryland State Bar Association Annual Convention)

Court of Appeals at the Crossroads: Impact of Retirement of Judges Raker, Wilner, & Cathell (2006) (19 pages) (Maryland State Bar Association Annual Convention)

Supreme Court: Its History & Emergence of the Roberts Court (2006) (52 pages) (Baltimore Business Roundtable, Roland Park Country School Kaleidoscope, Maryland League of Women Voters, Baltimore Women's Forum, Third Annual University of Baltimore Law Library Lecture, Osher Lifelong Learning Center; Blakehurst Lecture Series, & Edenwald Lecture Series)

Judicial Branch of Government: Important Supreme Court Cases & Maryland Judiciary (2006) (20 pages) (Myerberg Senior Center)

Issues in Garrity v. New Jersey & Its Progeny (2006) (30 pages) (Montgomery County Fraternal Order of Police)

Supreme Court Cases Controlling Confessions under Fifth & Sixth Amendments (2006) (28 pages) (National Association of Police Organizations Annual Seminar)

Supreme Court Search & Seizure Cases (2003-05) & Federal Circuit Civil Rights Cases (2005) (2005) (12 pages) (National Association of Police Organizations Annual Seminar)

Summary of 2003-05 Criminal Law & Procedure Cases from Supreme Court, Court of Appeals of Maryland, & Court of Special Appeals of Maryland, Plus Statutes & Court Rules (2005) (113 pages) (Maryland State Bar Association Criminal Law & Practice Section, Maryland Judicial Institute, & University of Baltimore "a.m. Law" Ginsberg Lecture Series)

Supreme Court & Civil Liberties: Bill of Rights & Fourteenth Amendment in Everyday Life (2005) (18 pages) (Auburn Society of Towson University Lecture Series)

Cases & Secondary Authority Interpreting Crawford v. Washington: The First Six Months (2004) (27 pages) (Maryland State Bar Association)

Public Relations Professionals: Negligence & Contractual Issues (2004) (4 pages) (Baltimore Public Relations Council)

Supreme Court Police Civil Rights Cases & Cases Applying Garrity v. New Jersey (1998 to 2004) (2004) (10 pages) (National Association of Police Organizations Annual Seminar)

Summary of 1999-2000 Criminal Law & Procedure Cases from Supreme Court, Court of Appeals of Maryland, & Court of Special Appeals of Maryland, Plus Statutes & Court Rules (2000) (8 pages) (University of Baltimore School of Law "a.m. Law" Series)

Law of Homicide & Law of Confessions (Including Fifth Amendment Privilege Against Compelled Self-Incrimination & Sixth Amendment Right to Counsel) (1999) (32 pages) (Harvard Associates in Police Science & Maryland Homicide Investigators Association)

Summary of Supreme Court & State Cases Affecting Law Enforcement Officers (1995-97) (1998) (17 pages) (National Law Enforcement Officers Rights Center & Maryland State Police Constitutional Law Symposium)

Double Jeopardy (1997) (12 pages) (Judicial Institute of Maryland)

Drug Interdiction Workshop: Stop or Search of Vehicles Based on Consent, Inventory, &/or Drug Courier Profile (1997) (12 pages) (International Association of Chiefs of Police)

Interplay Between Criminal, Civil, & Administrative Law When Representing Law Enforcement Officers (1997) (3 pages) (National Association of Police Organizations)

Supreme Court Update (1994-97) (1997) (20 pages) (National Association of Police Organizations)

Excessive Force (1996) (3 pages) (National Law Enforcement Officers Rights Center)

Law Enforcement Crisis (1994) (3 pages) (Illinois Police Association)

Rights of Law Enforcement Officers in Aftermath of Rodney King, Malice Green, & Police Officer Christopher Albrecht (1994) (311 pages) (National Association of Police Organizations)

VIII. **Pro Bono Supreme Court Cases**

Aguilera v. Baca, No. 07-1547 (2008) (20 pages) (Amicus Petition for Writ of Certiorari in support of Petitioners, filed on behalf of Maryland Troopers Association)

Williams v. United States, No. 00-1638 (2001) (32 pages) (Petition for Writ of Certiorari)

Maryland v. Wilson, 519 U.S. 408 (1997) (Brief in Opposition (25 pages), Brief of Respondent (61 pages), & oral argument (appointed by the Supreme Court as “Counsel of Record”)

Koon & Powell v. United States, 518 U.S. 81 (1996) (25 pages) (Amicus Brief in support of Petitioners, filed on behalf of National Law Enforcement Officers’ Rights Center & National Association of Police Organizations)

Ayers v. Maryland, No. 94-6937 (1994) (32 pages) (Petition for Writ of Certiorari)

Maryland v. Craig, 497 U.S. 836 (1990) (56 pages) (Brief of Respondent)

IX. **Pro Bono Federal & State Appeals**

DeWolfe v. Richmond, 434 Md. 444 (2013) (Amicus Brief in Support of Respondents, filed with 100 other law professors)

Selective Insurance Co. v. Ogleby & Bone as Guardian of Mayhew, No. 05-2357 (4th Cir. 2006) (Appellant’s Brief (31 pages), Appellant’s Reply Brief (20 pages), & oral argument)

Pendleton v. State, 398 Md. 447 (2007) (Appellant’s Brief (21 pages), Reply Brief (11 pages), & oral argument)

Newman v. State, 384 Md. 285 (2004) (17 pages) (Amicus Brief in support of Petitioner,

filed on behalf of Maryland Criminal Defense Attorneys Association)

Przybylski v. Baltimore Sport & Recreation, Inc., No. 94-1687 (Appellant's Brief (50 pages), Reply Brief (24 pages), & Petition for Writ of Certiorari (31 pages))

X. **Legislation & Written/Published Testimony**

Need to Ameliorate the Cap on Non-Economic Damages in Catastrophic Cases (2014) (videotape testimony on behalf of Maryland Association for Justice in both the Maryland State Senate & Maryland House of Delegates)

Electronic Weapons Devices (2011, 2010) (written legislation proposed on behalf of Maryland Attorney General's Electronic Weapons Task Force)

Admissibility in Civil Litigation of Police Exoneration in Disciplinary Process (2009) (written proposed changes to legislation on behalf of Maryland Troopers Association)

OTP (Other Tobacco Products) Tax proposed in Senate Bill 813 & House Bill 951 (2009) (written testimony in both Maryland State Senate & Maryland House of Delegates on behalf of Humidour & other tobacco shops)

Constitutional Analysis of Senate Bill 622, Senate Bill 396, House Bill 580, & House Bill 463 (2007) (written testimony supplementing oral testimony in both Maryland State Senate & Maryland House of Delegates on behalf of Ground Rent Owners' Coalition)

Witness Intimidation Forfeiture Proceedings in Senate Bill & House Bill (2005) (proposed written changes to legislation supplementing oral testimony in both Maryland State Senate & Maryland House of Delegates on behalf of Maryland Criminal Defense Attorneys Association)

State's Appeal in Criminal Cases under House Bill 34 & Senate Bill 80 (2004) (written testimony supplementing oral testimony in both Maryland State Senate & Maryland House of Delegates on behalf of Maryland Criminal Defense Attorneys Association)

Medicinal Marijuana Compassionate Use under House Bill 308 (2000) (written testimony supplementing oral testimony in Maryland House of Delegates on behalf of Medical Marijuana Project)

Police Discipline & Accountability Act of 1998 (1998) (drafted proposed federal statute)

Law Enforcement Officers' Bill of Rights Act of 1995 (1995) (drafted proposed federal statute)

Law Enforcement Officers' Bill of Rights Act of 1993 (1993) (drafted proposed federal statute)

Constitutional Analysis of House Bill 349 (1993) (written testimony submitted)

Rights of Police Officers During Internal Investigations (1992) (oral testimony (reprinted) in House Judiciary Committee of United States Congress)

XI. **Bar Review Materials**

Maryland Civil Procedure (for Maryland out-of-state attorneys' exam) (2012) (75 pages)

Maryland Criminal Procedure (for Maryland out-of-state attorneys' exam) (2011) (64 pages)

“How To” Lecture: Demystifying the Maryland Out-of-State Attorneys' Exam (for Maryland out-of-state attorneys' exam) (2012) (42 pages)

Maryland Evidence (for Maryland out-of-state attorneys' exam) (2012) (27 pages)

Maryland Ethics (for Maryland out-of-state attorneys' exam) (2012) (30 pages)

Maryland Criminal Law (for Maryland regular candidates' exam) (2008) (22 pages)

Maryland Criminal Procedure (for Maryland regular candidates' exam) (2008) (15 pages)

Maryland Bar Exam Preparation Workbook (1997) (261 pages)

Maryland & Multistate Flashcard Set (858 flashcards) (1997)

XII. **Miscellaneous Writings**

If Charges Are Dismissed Because the Defendant Is Incompetent to Stand Trial, the State May Recharge the Defendant (2013)

Supreme Court to Determine Whether Laws Preventing Same Sex Marriage Violate the Constitutional Right to Equal Protection (2012)

Blood Tests for Alcohol Related Offenses (2012)

When Can a Bail Bondsman Recoup Forfeited Bail for a Defendant Who Does Not Appear for Trial?, www.ProfessorWarnken.com (personal “blog”) (2012)

The Federal Health Care Law: The Commerce Clause Versus the Tenth Amendment, (2012)

The Supreme Court Has Become More Polarized, (2012)

Governor O'Malley Commutes Two Life Sentences in Six Year – about Time, (2012)

What Is It Like to Argue Before the Supreme Court of the United States? (2012)

How Will the Travon Martin Case Impact a Baltimore City Prosecution? (2012)

Applying “Laches” Versus the Sixth Amendment Right to Effective Assistance of Counsel, (2012)

The Supreme Court Weighs in on Immigration Law, (2012)

The Health Care Case: National Federation of Independent Business v. Sebelius, (2012)

In UVA Murder Trial, Professor Warnken Predicts Second Degree Murder or Manslaughter on the Premeditated Murder Count & Predicts First Degree Murder on the Felony Murder Count, (2012)

Professor Warnken Predicts That the First Amendment Will Not Protect Ehrlich Aide Paul Schurick in the “Robo Calling” Voter Fraud Case, (2012)

In-State Tuition for Illegal Immigrants Who Are Long-Term Residents Is Fair & Is Economically Sound, (2012)

Court of Special Appeals Held That a Material Witness Was Illegally Detained, (2011)

Ask Professor Warnken: What Is Juvenile Jurisdiction Versus Criminal Jurisdiction? (2011)

Keep the Government out of Bedrooms & Ensure that All People Have Equal Rights, (2011)

Disservice to Us All: The Silence of Clarence Thomas, (2011)

Fourth Amendment Search & Seizure: Entry into Houses, (2011)

Only One Fourth Amendment Case in the Supreme Court in the 2009-10 Term of the Court, (2011)

Federal Judge Rules That Obama Administration’s Health Care Statute Is Unconstitutional, (2010)

Information on Social Networking Websites as Evidence in Criminal Cases, (2010)

Miranda in Maryland (Parts I & II), (2010)

Videotaping the Police & the Consequences, (2010)

Ask Professor Warnken: What Is Probation before Judgment (PBJ)?, (2010)

Second Amendment Places Limits on Both Congress & the States (Parts I & II), (2010)

Defer to the Police – But Not Too Much, (2010)

Police, Guns, & Alcohol, (2010)

Message from Police Officers & Fire Fighters Is That “A Contract Is a Contract,” (2010)

“Life” Should Not Mean “Life Without Parole” (Parts I, II, & III), (2010)

Lawn Signs, Elections, & The First Amendment, (2010)

Evidence Suppressed When No Probable Cause, (2010)

Confusion About “Wiretapping” Law, (2010)

Ask Professor Warnken: What Is Expungement?, (2010)

Elena Kagan Lacks Both Judicial Experience & Litigation Experience, (2010)

Earl Warren & Brown v. Board of Education, (2010)

Ask Professor Warnken: What Is an Alford Plea?, (2010)

Stealing City Payroll for Eight Months While in Jail!, (2010)

Marbury v. Madison & Making the Judiciary “First” Among Three Equal Branches, (2010)

Supreme Court Justices by Religion, Race, Gender, & Origin, (2010)

Warnken, LLC: A Slightly Different Law Firm, (2010)

Justice No. 112: Who Will You Be?, (2010)

About Professor Byron L. Warnken, (2010)

Professor Warnken.com: What Is It?, (2010)

University of Baltimore School of Law Moot Court Program Reports Successful Year of Competition (2010) (press release) (2 pages)

Professor Warnken Retires as Director of UofB’s Judicial Internship Program (2010) (press release) (1 page)

Sotomayor Would Move Court in Right Direction (2009) (op-ed) (2 pages)

University of Baltimore Sets Record with 164 Judicial Placements (2010) (press release) (3 pages)

University of Baltimore School of Law Renames Moot Court Competition in Honor of Professor Byron L. Warnken (2008) (press release) (2 pages)

Baltimore Mayor Sheila Dixon Indicted on Twelve Counts, www.findmarylandlawyer.com (2008)

Eyewitness Identification, www.findmarylandlawyer.com (2008)

An Essay: What McDonogh Means to Me – 50 Years Later (2008) (2 pages)

An Essay: McDonogh School & Life Altering Moments (2008) (2 pages)

2008 Discovery Rules: Impact on Maryland Crime Victims Resource Center (2008) (report prepared for Maryland Crime Victims Resource Center) (3 pages)

Balancing Right of Privacy of Deceased Soldier’s Family Against Extreme First Amendment Rights (2007) (op-ed) (3 pages)

Law Suit Challenging Special Session Legislation & Slots Referendum (2007) (press release) (4 pages)

University of Baltimore School of Law Names Professor Byron L. Warnken as 2006 Alumnus of the Year (2006) (press release) (3 pages)

Recommendations Regarding Public Safety Issues, Authority, & Legislation (2006) (report prepared for Attorney General Gansler’s Transition Committee) (2 pages)

Acceptance Speech of Professor Byron L. Warnken as 2006 Law School Alumnus of the Year (2006) (2 pages)

Getting Criminal Verdicts Right: Supreme Court Strengthens Right to Confrontation (2005) (op-ed) (2 pages)

UofB Versus Non-UofB Candidates on Maryland Bar Exam (2000-04) (2004) (report prepared for UofB’s Bar Exam Task Force) (7 pages)

Judicial Solicitation of Funds & Services to Support State Drug Court Commission (2004) (report prepared for Maryland State Bar Association Criminal Law & Practice Section Council) (6 pages)

Rights & Responsibilities of Citizens When Dealing with Police on the Street, in a Vehicle, or in Their Home (2003) (informational brochure prepared for the Baltimore Chapter of the NAACP) (5 pages)

Effective Assistance of Counsel (2003) (op-ed) (2 pages)

Bush & Ehrlich to Put Their Marks on High Courts (2003) (op-ed) (2 pages)

It's Time to Eliminate Contested Judicial Elections (2002) (op-ed) (2 pages)

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