12. Appeals, reviews, and retrials

This chapter examines the appeals system, the most important purpose of which from the legal system’s point of view is the development and clarification of the law. Reviewing the law in this way allows the higher courts to exert some control over the lower courts and adds much to an understanding of the forces shaping the appeals system. From the point of view of litigants, appeals offer a chance to challenge a result they are unhappy with. The chapter discusses restrictions on appeal rights; challenging jury verdicts; due process appeals; post-appeal review of convictions by the Criminal Cases Review Commission; miscarriages of justice, prosecution appeals; and double jeopardy and retrials.

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12. Appeals, reviews, and retrials

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