

Syracuse University College of Law
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Ordinary Injustice

A conversation with Amy Bach, author of
Ordinary Injustice: How America Holds Court

Uploaded on Mar 17, 2011

Ordinary Injustice YouTube video:

[Http://youtu.be/4ug8lXPExeo](http://youtu.be/4ug8lXPExeo)

Amy Bach, author of Ordinary Injustice: How America Holds Court, spoke to the students of the College of Law's Externship Program about the pitfalls of accepting the status quo in our legal system, and the severe harm to individuals that can result.

Ordinary Injustice Author Website:

[Http://www.ordinaryinjustice.com/](http://www.ordinaryinjustice.com/)

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2 AMY BACH: I wrote this book and it's about
3 places in America where there has been a collapse
4 of the adversarial system. And what I mean by that
5 is that the lawyers stopped checking each other in
6 the ways that they're supposed to. And the result
7 is, is that ordinary people are hurt on a daily
8 basis.

9 There is this adversarial system in America
10 and it's the prosecutor and defense attorney and
11 neutral judge up above, but when it doesn't work
12 they're not checking each other and they all line
13 up together. They're all like an arrow. They're
14 all moving towards something, but it's not justice.
15 They're not doing the adversarial protections that
16 they're -- they're not protecting the people that
17 they're supposed to be protecting.

18 Attorneys sit in court and they watch people
19 plead guilty without attorneys or they know that
20 people have been arrested for crimes and that
21 certain crimes don't go to the court. And they
22 don't say anything and they don't stand up.

23 The question is, how do we create generations
24 of people who do stand up? And the answer is, is
25 that it starts in law schools across America where

1 people start talking to students about why there
2 are these chronic injustices in America and what we
3 can do about them and how we can prevent them.

4 You will harken back to that moment where the
5 Judge and the prosecutor and the defense attorney
6 are huddled together at the bench and nobody can
7 hear and everybody in the courtroom is moving in
8 their seats and the benches are creaking and nobody
9 can hear and this guy stands up and he says, "Your
10 Honor, could you please speak up". And the place
11 erupts into a -- into people -- into applause and
12 people saying "amen, that's right, we have a right
13 to hear".

14 You want to be that person. You want to be
15 the person who stands up and who -- and at the end
16 of the day you can feel like, I did these people
17 proud, I did myself proud.

18 And to talk about these things in a classroom
19 setting has to make a difference. Because we don't
20 only learn by law, we don't only learn through
21 learning the case holding.

22 who can remember *Pennoyer versus Neff*? Right.
23 We learn through stories. We remember *To Kill a*
24 *Mockingbird*. So if you can give them these stories
25 and tell them and have them tell their stories, it

1 will be integrated in their mind, so one day down
2 the road they may actually have a moment where they
3 stand up in Court.

4 (Whereupon, the above presentation was
5 concluded.)

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STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Michael J. Borseth, Court Reporter
for the Circuit Court of the Thirteenth Judicial
Circuit of the State of Florida, in and for
Hillsborough County, DO HEREBY CERTIFY, that I was
authorized to and did transcribe a video recording of
the requested material in the above-styled cause,
as stated in the caption hereto, and that the foregoing
pages constitute an accurate transcription of the video
recording of said material, to the best of my ability.

IN WITNESS WHEREOF, I have hereunto set my hand
in the City of Tampa, County of Hillsborough, State of
Florida, this 4 June 2013.

MICHAEL J. BORSETH, Court Reporter

A handwritten signature in black ink, reading "Michael J. Borseth", written over a horizontal line.