

**Todd A. Berger**  
**Professor of Law**  
**Director, Advocacy Programs**  
**Director, PhillyEx**

**Forthcoming**

ADJUDICATIVE CRIMINAL PROCEDURE IN FOCUS (2023).

**Books**

INVESTIGATIVE CRIMINAL PROCEDURE IN FOCUS (2020).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with J.C. LORE*) (2019).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with J.C. LORE*) (2017).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with J.C. LORE*) (2016).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with J.C. LORE*) (2015).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with J.C. LORE*) (2014).

**Law Review and Other Scholarly Articles**

*Problematic Problems: The Case Against Mock Trial Problems Involving Racist Speech*, 94 TEMP. L. REV. ONLINE 1 (2022), Available at [https://www.templelawreview.org/lawreview/assets/uploads/2022/05/Berger\\_For-Publish.pdf](https://www.templelawreview.org/lawreview/assets/uploads/2022/05/Berger_For-Publish.pdf)

*Male Legal Educators Cannot Teach Women how to Practice “Gender Judo”: The Need to Critically Re-Assess Current Pedagogical Approaches for Teaching Trial Advocacy*, 45 J. LEGAL PROFESSION 1 (2020).

*Professional Responsibility of the Criminal Defense Lawyer Redux: the New Three Hardest Questions*, 7 ST. MARY'S J. LEGAL MAL. & ETHICS 96 (2017).

*The Aftermath of Indiana v. Edwards: Re-evaluating the Standard of Competency Needed for Pro Se Representation*, 68 BAYLOR L. REV. 680 (2016).

*The Constitutional Limits of Client-Centered Decision-Making*, 50 U. RICH. L. REV. 1089 (2016).

*The Ethical Limits of Discrediting the Truthful Witness: How Modern Ethics Rules Fail to Prevent Truthful Witnesses from Being Discredited Through Unethical Means*, 99 MARQ. L. REV. 283 (2015).

*After Frye and Lafler: The Constitutional Right to Defense Counsel Who Plea Bargains*, 38 AM. J. TRIAL ADVOC. 121 (2014).

*Criminal Law* (with Jason Hoge), 64 SYRACUSE. L. REV. 651 (2014).

*2011-2012, Survey of New York Criminal Law* (with Kelly Gonzalez), 63 SYRACUSE L. REV. 645 (2013).

*Overcoming Legal Barriers to Reentry: A Law School-Based Approach to Providing Legal Services to the Reentry Community* (with Joseph A. DaGrossa), 77 FED. PROB. 3 (2013).

*Three Generations and Two Tiers: How Participation in Law School Clinics and the Demand for "Practice-Ready" Graduates Will Impact the Faculty Status of Clinical Law Professors*, 43 WASH. U. J.L. & POL'Y 129 (2013).

*A Trial Attorney's Dilemma: How Storytelling as a Trial Strategy Can Impact a Criminal Defendant's Successful Appellate Review*, 4 DREXEL L. REV. 297 (2012).

*Jimmy Carter's "Malaise" Speech, Social Desirability Bias, and the Yuppie Nuremberg Defense: The Real Reason Why Law Students Say they Want to Practice Public Interest Law, Yet so Few Actually Do*, 22 KAN. J.L. & PUB. POL'Y 139 (2012).

*Politics, Psychology, and the Law: Why Modern Psychology Dictates an Overhaul of Federal Rule of Evidence 609*, 13 J.L. & SOC. CHANGE 203-18 (2009-2010).

### **Reports, News and Commentary**

*"How Far is too Far?: The Ethical Dilemmas Posed by the Criminal Defense Attorneys use of a False Narrative at Trial"*, 4th Biennial Applied Legal Storytelling Conference, Gray's Inn and Inn of Court at City Law School, London England (July 24, 2013).

### **Book Reviews**

Book Review, 60 CHAMPION 62 (2016) (reviewing JILL PAPERNO, REPRESENTING THE ACCUSED: A PRACTICAL GUIDE TO CRIMINAL DEFENSE (2012)).